

SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
April 9, 1986
7:30 p.m.

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

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

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

Also Present: City Manager, Mr. W. Anstey, Q.C., Acting City Solicitor, Mr. E. A. Kerr, Acting City Clerk and other members of City staff.

Case No. 4736 - Contract Development - 1265-69 and 1273-77
Barrington 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 allow the development of a beverage room at 1267-69 Barrington Street and accessory parking at 1273-77 Barrington Street as found in the staff report dated January 24, 1986.

Mr. Algee referred to the Heritage Advisory Committee report dated March 7, 1986 and noted the Committee had expressed some concern with regard to the roofing of the building. Mr. Algee indicated that the Heritage Advisory Committee felt that asphalt roofing was not acceptable and would prefer slate or copper with cedar shingles. Mr. Algee noted that the applicant was willing to give this consideration and would be willing to submit his plans to the Committee before a building permit is issued.

In closing Mr. Algee indicated that staff felt that a beverage room at this location was an acceptable use and was recommending approval of this contract.

Mr. Frank Cordon, representing the applicant, addressed Council advising that this application had originally been made early in 1985. Mr. Cordon noted that after discussions with staff it was agreed that a proposal in keeping with the MPS should be developed.

Mr. Cordon went on to note that the original application called for an amendment to the Land Use Bylaw, however, the registering of this property as a Heritage Property had given his client the ability to seek a Contract Development. Mr. Cordon then referred to the staff report noting that he concurred with the report and felt it to be a complete and favorable report. Mr. Cordon then noted the favorable review of the proposal by the Heritage Advisory Committee and indicated that his client was not adverse to submitting plans to the Committee.

Mr. Cordon indicated that the Iatrou family had owned property in this area for a number of years and had felt it was time for a change of use to further enhance their business. Mr. Cordon indicated that Mr. Jim Iatrou would be managing the proposed beverage room. Mr. Cordon further indicated that it was the intention of the applicant to renovate the building in keeping with the renovation to the south. Mr. Cordon noted that the establishment was to be a family type pub which would cater to a more adult group and serve hot food, specializing in Mexican food.

Mr. Cordon noted that this proposal had been discussed with the residents of the area and submitted the following letters in favor of the application:

1. Letter from M. Isabel MacNutt, Executive Director, YWCA, 1239 Barrington Street, dated February 6, 1986.
2. Letter from Ahmed E. Youssef, Owner of Shop & Save, 1283 Barrington Street, dated April 1, 1986.
3. Letter from Owner/Manager, Heritage House Inn, 1253 Barrington Street, dated April 7, 1986.
4. Letter from Pauline Mattinson-White, Mattinson-White Interior Design Ltd., 1259 Barrington Street, dated November 11, 1985.

Mr. Cordon then referred to the August 13, 1985 letter from Mr. Howard McNutt, President, Halifax Downtown Residents Association, on file with the Development Department noting that this letter basically indicated that the Association wishes to aid Mr. Iatrou in enhancing his business and is in favor of a beverage room at this location. Mr. Cordon further noted that it was his understanding that the Homeowners Association had only one other concern relating to the location of planters along to the Barrington Street side of the proposed parking lot. Mr. Cordon indicated that his client would be agreeable to this providing sufficient space was available.

Special Council
Public Hearing
April 9, 1986

In closing, Mr. Cordon, submitted that the proposal was an appropriate and reasonable use of the property in keeping with the Municipal Planning Strategy. Mr. Cordon indicated that he felt the proposal would improve the site and enhance the area. Mr. Cordon requested that Council give favorable consideration to this application.

Mr. Howard McNutt, President, Downtown Halifax Residents Association, addressed Council in favor of the application indicating that he concurred with Mr. Cordon's comments. Mr. McNutt complimented the applicant on his approach with regard to this proposal and noted that the concerns and views of those in the neighbourhood were seriously considered by Mr. Jatrou. Mr. McNutt indicated that a pub/beverage room was a reasonable use for the area and noted that the Downtown Halifax Residents Association supported this proposal and urged Council to do so as well.

There were no further persons present wishing to address Council in this regard. There was no further correspondence received relating to this application.

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

Motion passed.

Amendment to the Municipal Planning Strategy and Land Use Bylaw
- Mainland South Secondary Planning Strategy

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

Mr. R. Robertson, Planning Department, with the aid of maps and sketches, outlined the proposed amendments to the Municipal Planning Strategy and Land Use Bylaw regarding the adoption of the Mainland South Secondary Planning Strategy as found in staff reports dated December 6, 1985, January 14 and 23, 1986 and March 13, 1986.

Mr. Robertson addressed Council advising that the authority for the development of the Mainland South Secondary Planning Strategy was found in the general City wide plan adopted in 1978. Mr. Robertson indicated that the city wide Plan sets up the planning process with 11 neighbourhood planning areas within the city. Mr. Robertson indicated that four of these areas have been completed, two are before the Planning Advisory Committee and two are presently before Council.

Mr. Robertson further noted that the process with regard to MSSPS began in late 1979 with a general public meeting. Mr. Robertson advised that a Residents Committee was established at that time which worked with staff to formulate a plan. Mr. Robertson further indicated that a neighbourhood planning office was located on the Herring Cove Road. Mr. Robertson then noted that comments were received regarding the draft Plan at a public meeting held in late 1981, after which a sub-committee reviewed the Plan and made changes. Mr. Robertson noted that the adoption of a new Planning Act in 1983 causing re-writing of some of the Plan and staff and Council commitments resulted in a delay of the MSSPS coming forward to a Public Hearing.

Mr. Robertson then reviewed the Plan as submitted to Council indicating that generally the MSSPS established the policy framework for land use and decision making in Mainland South. Mr. Robertson indicated that the Plan was divided into three sections, beginning with the legal portion of the Plan. Mr. Robertson noted the next section was the bylaw portion of the Plan which is the regulatory device in relation to side yards, frontage, etc. and finally the third portion is a series of studies required by the Plan which are ongoing planning items requiring additional work.

Mr. Robertson, with the use of maps, then described the boundaries relating to the Mainland South Area and reviewed the maps relating to the proposed amendments. Mr. Robertson noted that the first map, the Generalized Future Land Use Map, generally establishes the policy and the allocation of land throughout the area.

Mr. Robertson further noted that the second map, the Zoning Map, provides the regulatory control for specific individual lots and the final map refers to changes requested by City Council through resolutions made by Council.

Mr. Robertson noted that the format of the Plan includes a series of areas or uses including residential, commercial, holding zone and an environmental policy. Mr. Robertson noted that the city wide Plan contained a general residential area, however, the MSSPS proposed low, medium and high density residential categories.

Mr. Robertson further noted that the plan recognized existing commercial development and generally restricted commercial to areas along principal streets. Mr. Robertson indicated that the remaining designation, the holding zone, which is presently in place in Mainland South, related to the lack of servicing in the areas so designated. Mr. Robertson further noted that the MSSPS included an environmental policy which went beyond the present policy within the city wide Plan.

Special Council
Public Hearing
April 9, 1986

Mr. Robertson then referred to the implementation of the zoning map and brought to the attention of Council the zoning designation RDD noting that this designation allowed Council to entertain development proposals with some flexibility and looking toward a mix of use.

Mr. Robertson then outlined the changes requested by Council by resolution regarding the zoning of the land north of Leiblin Drive between Leiblin Drive and Old Sambro Road to Parks and Institutional in keeping with the park use of the property; the change to the term used when referring to low density residential to R1 MS; the zoning of a small portion of land on the Herring Cove Road to R-3 to allow for the development of a seniors housing project; and the zoning of a small area in Hilden Heights to allow for a mixed use residential development and one additional area which the city has recently purchased primarily for recreational purposes.

Mr. Robertson then reviewed the present situation within Mainland South noting that with the adoption of the MPS in 1978 a series of zones, overlaid with Schedules, had been placed on Mainland South. Mr. Robertson noted that these Schedules allowed for contract development leaving area residents unsure of exactly what could take place and developers unsure of what was acceptable. In closing, Mr. Robertson noted that the adoption of the MSSPS would eliminate these Schedules giving the residents of Mainland South a degree of security not presently enjoyed and also giving developers specific development guidelines.

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

Mr. Nicholas Katsepontes, representing his family, addressed Council with regard to his family's business located on the St. Margaret's Bay Road. Mr. Katsepontes noted that a written submission had been distributed to members of Council entitled 'Submission to Halifax City Council Concerning Properties Owned by Katsepontes & Sons Enterprises Ltd. and the Impact Thereon of the Mainland South Secondary Planning Strategy' regarding this matter. A copy of this submission now forms a part of the official file of this meeting.

Mr. Katsepontes identified his family's business as being Peter's Pizza and Lunch. Mr. Katsepontes indicated that as well as the actual property on which this business is located his family owned an adjoining residential property.

Mr. Katsepontes indicated that an application has been made to the City for rezoning of the residential property and a consolidation of the properties to allow for the development of a mixed used structure including 12 to 14 apartment units and minimum of commercial space. Mr. Katsepontes noted that the application was held up due to the MSSPS.

Special Council
Public Hearing
April 9, 1986

Mr. Katsepontes then addressed the matter of the zoning designation and noted that the Plan would eliminate the present commercial designation of his family's property and give it an RC-1 zoning making the business a non-conforming use. Mr. Katsepontes noted that no other commercial property in the area was restricted in this manner and indicated that he felt this to be unfair.

Mr. Katsepontes indicated that an expansion is desirable to maintain the viability of the family business. Mr. Katsepontes indicated that it should be noted this would not be a new business, but rather, a re-location of an existing business. Mr. Katsepontes indicated that he felt the zoning proposed should not be allowed and requested that Council give favorable consideration to a C-1 zoning of the properties. Mr. Katsepontes indicated that this would imply an amendment to the proposed MSSPS.

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

Mr. Avery Bain, President, West Armdale Residents Association, addressed Council on behalf of the Association, and outlined his written submission presented at this evening's meeting. This submission now forms a part of the official file of this evening's meeting. Mr. Avery expressed the gratitude of the Association to the citizens groups and staff who have worked to develop the Plan. Mr. Bain indicated that this would curtail the 'anything goes' attitude of some developers and subsequent need of city staff and area residents to seemingly be in a position of constant opposition.

Mr. Bain indicated that the Association generally endorses the Mainland South Secondary Planning Strategy with one minor, but important, amendment. Mr. Bain indicated that the amendment referred to 10 acres of land located within an area of R-1 and R-2 designations. Mr. Bain identified this land as being in the area of Kelly Street and noted that it was presently zoned R-4.

Mr. Bain noted that the MSSPS proposed that the land be zoned RCDD. Mr. Bain further indicated that at a public meeting held to review the Plan with area residents concern was expressed that this land was to be zoned RCDD rather than R-2. Mr. Bain noted that as a result of this concern a resolution was approved indicating that the Kelly Street area should be zoned R-2.

Mr. Bain indicated that the Association has two strong arguments for this piece of land to be designated R-2. Firstly, citizens who surround this area have fought many battles to retain the integrity of their neighbourhoods. Mr. Bain indicated that developments proposed for these lands have never been in keeping with the wishes of the residents of the

Special Council
Public Hearing
April 9, 1986

area. Mr. Bain noted that the residents of the West Armdale area are not assured that the RCDD zone will protect the integrity of their area against high density development.

Mr. Bain indicated that the second argument deals with the unsafe conditions of the existing streets within this area. Mr. Bain noted that there were no sidewalks, the roads are irregular with right angle turns and blind crests and in several places two cars cannot pass in opposite directions without one car stopping. Mr. Bain noted that any development of Kelly Street would increase usage of these dangerous streets.

Mr. Bain noted that the children of the area must walk these streets to go back and forth to school and, further, often play in the street as there is a lack of recreational land available on which the children can play safely.

In closing, Mr. Bain, requested that Council endorse the Mainland South Secondary Planning Strategy with the one amendment as outlined by this submission. Mr. Bain then presented a petition supporting the R-2 zoning for the 10 acres located in the Kelly street area.

Mr. Ron Pugsley, Solicitor, representing Mr. Raymond Ferguson, addressed Council and outlined his written submission distributed to members of Council this evening. This submission now forms a part of the official file of this meeting.

Mr. Pugsley indicated that Mr. Ferguson was the owner of approximately eight to nine acres of land known as Dead Man's Island. Mr. Pugsley noted that presently the land is zoned R-4 but is subject to Schedule D of the Land Use Bylaw which requires that any development more intensive than R-2 must receive approval from Council as per the contract development process.

Mr. Pugsley indicated that under the present proposal Mr. Ferguson's land would be zoned RCDD which permits R-2 uses as of right and more intense uses by contract development provided that the provisions of the MPS, and more particularly the Secondary Planning Strategy, are met.

Mr. Pugsley then referred to the March 13, 1986 supplementary staff report and noted that the proposed amendment to the MSSPS permitting a development with a density of 22 persons an acre and also providing that developments with densities in excess of 22 persons per gross acre may be considered providing that they do not exceed the capacity of existing or proposed sewers. Mr. Pugsley suggested that Council should be given additional flexibility in this regard and should be permitted to consider all developments meeting the capacity of sewers.

Special Council
Public Hearing
April 9, 1986

Mr. Pugsley noted, however, that his client did not agree with the proposed requirement to restrict a developer from using more than 15 percent of any area covered by development agreement for apartment use. Mr. Pugsley indicated that Council should have the discretion to allow a developer to utilize more than 15 percent of site for apartment uses where the development is desirable. Mr. Pugsley further noted that the inclusion of open space and landscaping in the 15% coverage would inhibit the developer in establishing the appropriate open space and landscaping. Mr. Pugsley suggested that this reference should be deleted from this section.

In closing, Mr. Pugsley suggested that these matter be referred back to the Planning Advisory Committee for further review. Mr. Pugsley indicated that it was apparent that unless the MSSPS contains provisions which will give Council some flexibility in considering the population density and allowable area coverage by apartment uses, the Mainland South Secondary Strategy will adversely affect the value of Mr. Ferguson's land.

Mrs. Daisy Goodall, a resident and home owner in Kline Heights, addressed Council indicating that she was in favor of the Kline Heights area being zoned R-2 and noting that she encouraged the continued closure of access to Kline Heights from Kelly Street. In referring to a previously submitted petition, Mrs. Goodall indicated that should this access be opened, an already dangerous situation would be made more hazardous. Mrs. Goodall requested that Council support this position.

Mr. Donald Keddy addressed Council indicating that he was the owner of 10 acres in the area of Stonehaven Road. Mr. Keddy noted that this property was located no farther than 500 ft. from the bus stop on that Road and suggested that should a development go ahead in this area, that residents of that development would use the wider streets rather than the narrow dangerous streets.

Mr. Keddy noted that there was a need for apartments in the City of Halifax and that meetings had been held with regard to how the City could increase housing. Mr. Keddy indicated that he wished to build apartments on this property and noted that it could be a mixed use development. Mr. Keddy indicated that he felt there was no reason to deprive anyone from living in this very nice area.

Mr. Keddy further indicated that he did not feel it was fair for land to be devalued without compensation. Mr. Keddy suggested that those persons wanting this property to be zoned R-2 should be required to prove to Council that it was fair that this land be devalued and that the City be deprived of the tax base resulting from such a development. Mr. Keddy requested that Council consider this when making a decision with regard to this property.

Special Council
Public Hearing
April 9, 1986

Mrs. Marriott indicated that she was concerned about traffic in the area and noted that the only street in the area having permanent pavement was Withrod Drive. Mrs. Marriott further indicated that there were no sidewalks on the streets in the area, children play in the street due to a lack of recreational space, and snow banks are also a hazard.

Mrs. Marriott indicated that she was hoping that Kelly Street would remain closed until such time as the streets in the area are brought up to standard. Mrs. Marriott indicated that she was in favor of an R-2 zoning of the Kelly Street lands.

8:43 p.m. His Worship leaves the meeting and Deputy Mayor Flynn takes the Chair.

Dr. Doug Roy, representing the Nova Scotia Yacht Squadron, addressed Council and complimented the Planning Committee on the policy of increased green space and park lands. However, Dr. Roy, indicated that he protested the designation of the Nova Scotia Yacht Squadron as parkland. Dr. Roy further noted that a portion of the land adjacent to the actual Yacht Squadron owned by the Squadron was zoned R-1 while the Yacht Squadron land and building was zoned Park and Institutional.

Dr. Roy indicated that one of the objections to the Park and Institutional zoning was financial. Dr. Roy indicated that should the Squadron decide to move or should other financial considerations result in a sale of the property the remuneration from such a sale would be different if the property was zoned R-1 rather than Park and Institutional.

Dr. Roy further noted that as he understood the Bylaw the proposed zoning as Park and Institutional would make the present use a non conforming use. Dr. Roy indicated that this would restrict future development of the property. Dr. Roy indicated that he felt the proposed zoning to be unjust and indicated that this would dangerously affect the financial position of the Squadron and future development of the property.

Mr. Michael Marentette, 156 Old Sambro Road, representing a number of local homeowners, addressed Council with regard the zoning of a section of land in the central area of Mainland South.

Mr. Marentette indicated that he was an original member of the Detailed Area Plan Committee and had attended most of the meetings of this committee. Mr. Marentette indicated that the situation which arises this evening had been addressed at those meetings, however, the wishes of the area residents did not appear to be reflected in this Plan.

Special Council
Public Hearing
April 9, 1986

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Special Council
Public Hearing
April 9, 1986

Mr. Marentette, with the use of a map, then outlined the area in question noting that it was a pointed piece of land bounded by Old Sambro Road, Sussex Street, the MacIntosh Run and High Density property to the north. Mr. Marentette indicated that during the 1970's residents of the area made representation to Council when there was some pressure to have this area zoned medium or high density residential development.

Mr. Marentette, with the use of the maps, indicated one particular area of high density residential use noting that this particular building surrounded a small pocket of R-1 development. Mr. Marentette indicated that residents of the area were threatened by the high density residential designations and hopefully will have this designation changed.

Mr. Marentette indicated that as he understood it staff stated the reason for the Medium Density designation was the proximity of this land to the shopping mall and a desire to have a higher concentration of housing within this area. Mr. Marentette indicated that he could understand this as a planning policy, however, this did not reflect the reality of living in the area.

Mr. Marentette noted that to upgrade the land in question to a Medium Density would result in the elimination of an existing primarily single family dwelling neighbourhood. Mr. Marentette went on to note that his community considered themselves to be a part of the Leiblin Park/Thornhill Subdivision and not a part of the shopping mall neighbourhood.

Mr. Marentette then read into the record a petition signed by the majority of residents on the Old Sambro Road in support of R-1 zoning of properties in their area. A copy of this petition now forms a part of the official file of this meeting.

Mr. Marentette indicated that he was concerned with regard to staff's comments this evening regarding the Medium Density designation through contract development being made R-3. Mr. Marentette indicated that this would mean no restrictions on persons per acre and that buildings could be built to 50ft or five stories. Mr. Marentette indicated that 128 Old Sambro Road was an anomaly within the neighbourhood and area residents are concerned that this is to become the standard. Mr. Marentette indicated that area residents had no guarantee that this would not become the standard, rather than single family dwellings, if this area does not remain R-1 MS.

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

8:55 p.m. His Worship returned to the meeting and Deputy Mayor Flynn returned to his seat in Council.

Special Council
Public Hearing
April 9, 1986

Mr. David Reardon, representing Allen's Mobile Home Park, addressed Council and referred to an area of 100 acres owned by his client and with the use of a map indicated the property in question was bounded by the Herring Cove Road, the MacIntosh Run and Lynette Road. Mr. Reardon indicated that this property has been owned by his client for some 20 years and further noted that 75 acres of this property was of concern to his client.

Mr. Reardon went on to note that in 1978 the majority of this land had been put into a Holding Zone due to a lack of proper servicing facilities. Mr. Reardon advised, however, that in 1983 the City of Halifax expropriated an easement across this land to allow a sewer to be built through the land. Mr. Reardon indicated that it was his understanding from engineering studies that it would be possible to connect to this sewer and that the capacity of this sewer would be great enough to handle future hook-ups.

Mr. Reardon further noted that in addition to the sewer built in 1983-84 a sanitary sewer has been established along Herring Cove Road and another sewer runs through his client's property. Mr. Reardon further noted that there was water available from Herring Cove Road and Lynette Road.

Mr. Reardon went on to note that at the time of the expropriation his client was provided with an appraisal of the property. Mr. Reardon indicated that included with the appraisal was a report which indicated that this property could be hooked into the 1983 sewer upon its completion. Mr. Reardon noted that although this sewer has been completed the land in question has not been taken out of the Holding Zone. Mr. Reardon further noted that an attempt had been made to discuss this matter with the PAC, however, this attempt had met with little success.

Mr. Reardon then referred to the present zoning of certain properties along the Herring Cove Road and noted that the proposed Plan would down zone these properties. Mr. Reardon indicated that his client had not been consulted with regard to this down zoning. Mr. Reardon indicated that he felt this to be unfair and noted that his client had paid taxes to the city all his life and in addition had paid sewer trunk charges for this sewer to which he was not allowed to hook-up.

Mr. Reardon then referred to Mr. Robertson's comments regarding properties being able to come out of the Holding Zone and indicated that he felt this was very unlikely. Mr. Reardon further noted that should a property come out of the Holding Zone there would be no established zoning.

Special Council
Public Hearing
April 9, 1986

In conclusion, Mr. Reardon, indicated that he felt his client should be treated fairly and that this property should be removed from the Holding Zone and zoned within the Secondary Planning Strategy.

A questioning of Mr. Reardon and staff ensued with Alderman R. Grant referring to sufficient servicing and suggesting that the term 'servicing' included not only sewage and water but other services as well such as streets and storm water. Alderman R. Grant requested that staff report with regard to the meaning of the term 'servicing'.

Alderman Cromwell addressed the matter and referred to the discussion regarding city owned streets. Alderman Cromwell indicated that he would like to know if this particular property remained in the Holding Zone due to the fact that it did not abut a city street or if in fact sewer and water servicing was insufficient.

Alderman Flynn addressed the matter referring to the zoning of this area and requested that staff, based upon the zoning of adjacent areas, bring forth a report with regard to the zoning that should be applied to this property if it is found that there is proper sewage and water.

Mr. Robertson indicated that the RCDD zone was in fact a zone which allows R-2 development as-of-right and greater density development by contract development.

Mr. Chris Haines, Director Real Estate, Sobey's Stores, addressed Council and with the use of a map identified property owned by Sobey's which is bounded by the Herring Cove Road, Dentith Road and Spry Avenue owned by Sobey's. Mr. Haines indicated that plans for development of this land had been in the works for two years. Mr. Haines indicated that under the proposed MSSPS the first property is to be zoned R-2P and the second is to be zoned C-2A. Mr. Haines indicated that Sobey's is proposing that the zoning be reversed allowing a continuation of the commercial zoning. Mr. Haines requested that Council give consideration to this proposed amendment. Mr. Haines submitted sketches of the proposal under the MSSPS and Sobey's proposal and these now form a part of the official file of this meeting.

A discussion ensued with regard to the property with Alderman Walker noting that the Animal Hospital had been a residence at one time and asked how this had become a non conforming use. Mr. Robertson indicated that he was not aware of the situation and noted that he would check on this matter.

9:30 p.m. The meeting adjourned for a short recess.

9:40 p.m. The meeting reconvened with all the same members being present.

Mr. John McFarlane, Chariman, Board of Governors of the Saraguay Club addressed Council indicating that the Saraguay Club is located at 360 Purcell's Cove Road. Mr. McFarlane indicated that the property is presently zoned R-1 and the proposal under the MSSPS is to zone the property Park and Institutional. Mr. McFarlane further indicated that the property should be zoned R-2 for basically the same reasons put forward by the Nova Scotia Yacht Squadron and noted that the Saraguay Club had no intention of moving or selling their property.

Mr. McFarlane further noted that the Park and Institutional zone was not in keeping with the present use of the property. Mr. McFarlane further noted that the R-2 zoning located on the map between the Saraguay Club and the Nova Scotia Yacht Squadron in effect zoned the parking lot use and the tennis court use to residential.

Mr. Eric Cormier, 27 St. Margarets Bay Road, addressed Council and with the use of a sketch indicated that the area he was concerned with was located in the Keating Road, St. Margaret's Bay Road, Balcomes Drive, Douglas Drive, and Fairmount Road Area. Mr. Cormier indicated that his home was located in this area and surrounded by apartment and commercial uses.

Mr. Cormier further noted that there were five different zones presently in effect in this small block of land and further indicated that the MSSPS also proposed five different zones for this area. Mr. Cormier requested that Council consider applying only two zones within this area, including his home, being R-3 in relation to the apartment uses and C-2A for the commercial uses in the area and his property.

Mr. Cormier indicated that when he purchased his property 13 years ago it had been zoned commercial and he had contemplated developing this property commercially at some future date. Mr. Cormier indicated that he did not believe this lot was suitable for a single family dwelling designation.

Mr. Cormier submitted sketches of the area outlining the present and proposed zoning as well as his proposal and they now form a part of the official file of this meeting.

Mr. Peter Pelham, Herring Cove Ratepayers Association, addressed Council indicating that he would like to address the MSSPS in regard to the MacIntosh Run, environmental measures and the impact on municipal services.

Mr. Pelham indicated that the Herring Cove Ratepayers wished to compliment the City planners on the increased recreational area proposed for the Spryfield area. Mr. Pelham noted, however, contained within the policy section of the plan

was a section regarding a setback of 100ft from the MacIntosh Run and asked if this setback was from the property line or the building.

Mr. Pelham then referred to Part II of the plan and noted that this section contained a statement that no residential or accessory building shall be constructed within 50 ft. of any water course, water body or lake and no commercial structure shall be constructed within 100 ft.. Mr. Pelham asked if this referred to within 100 ft. of the property boundary in the flood plains.

Mr. Pelham referred to the amendment made by Council with regard to rezoning of a property on the Herring Cove Road to R-3 and noted on the map the location of this property in conjunction with the MacIntosh Run. Mr. Pelham then expressed concern with regard to the preservation of the flood plain of the MacIntosh Run noting that only two of the city owned properties had a depth of 100 ft. from the MacIntosh Run. Mr. Pelham indicated that this policy creates confusion in this regard.

Mr. Pelham then referred to the observation of the 100 ft. area and noted that debris from the construction of the trunk sewer had been dumped in the area of MacIntosh Run and Whimsical Lake filling in a portion of the flood plain. Mr. Pelham further noted that the flood plain of Punch Bowl Lake had also been filled creating two new lots.

Mr. Pelham indicated that the concern of his Association was whether this policy would be retroactive and should there be concern that Roach's Pond, Williams Lake or the MacIntosh Run will be filled in. Mr. Pelham indicated that his Association would like to see the proposed recreational use of these areas become a reality noting, however, the filling in these areas.

Mr. Pelham then referred to Policies 6.2 and 6.3 found in Part II of the proposed plan indicating that he felt these to be contradictory. Mr. Pelham then referred to Policy 6.3.2 and noted that it did not appear that this policy was being followed as the trunk sewer was being installed right in the river bed.

Mr. Pelham then referred to the sewage difficulties in the Spryfield area noting that the system in effect now was not in the opinion of the Herring Cove Road Ratepayers Association a full, acceptable and completed sewage system.

Mr. Pelham indicated that his Association likes the policy with regard to sewage which is advocated in this plan, however, it does not appear to date that the City is enforcing these policies.

Mr. Pelham then referred to Part 3, Page 6, Municipal Services and indicated that this section referred to a report prepared in 1973. Mr. Pelham indicated that he did not believe this report should be considered the basis of sewage development in the Mainland South area.

Mr. Alan Ruffman, representing the Public Participation Committee for District Five, County of Halifax, addressed Council indicating that a Plan for District 5 had been in preparation since 1979 and noting that special attention had been given to the MacIntosh Run.

Mr. Ruffman indicated that it was proposed in this draft Plan that the areas around the MacIntosh Run be zoned as conservation areas. Mr. Ruffman then commented with regard to the comments made by Mr. Pelham regarding Part II Sections 6.2 and 6.3. Mr. Ruffman indicated that his committee recommended that 6.3 might read "The City shall preserve the full length of the MacIntosh Run from Long Lake to the city boundary as a natural waterway and flood plain for recreation and passive use and that the City will institute a reclamation plan to repair its own construction damage in the areas of Princeton Avenue and north and in the area of the Old Sambro Road to Herring Cove." Mr. Ruffman indicated that his committee felt this was in line with the policies contained in the plan.

Mr. Ruffman indicated that there was some concern that reference was made to negotiation with the Province to protect waterways and flood plains. Mr. Ruffman indicated that he felt certain the City had this authority at this time. Mr. Ruffman further noted that his Committee would recommend that the City allow no building to be located in the flood plain rather than the 100 ft. restriction.

Mr. Ruffman noted there was reference in the Plan to areas of higher slope, greater than 16%, being environmentally sensitive and indicated that provision should be made for the preservation of areas in the City that were flat and in fact of a bog nature.

Mr. Ruffman indicated that the Committee's main concern was under the Municipal Services section and submitted the draft District 5, County of Halifax, Planning Strategy for the information of City Council. This document now forms a part of the official file of this meeting. Mr. Ruffman indicated that this plan considered the sewage problems occurring in Herring Cove. Mr. Ruffman indicated there was a lot of attention given to the loss of silt, salt etc. into fresh water but there was very little with regard to pollution control included in the MSSPS.

In referring to the District 5 draft plan, Mr. Ruffman, noted Policy Recommendation 1 under Environment Health Policies suggests that a moratorium be declared on serviced development in the drainage area for the Herring Cove trunk sewer until proper sewage treatment is in place in Herring Cove. Mr. Ruffman further noted that his committee suggests the Housing Commission not build on the Kidston Lake lands and would recommend that the City of Halifax enact a similar moratorium on serviced development except on approved lots.

Mr. Ruffman indicated that he would like to address Council at a later time with some personal comments regarding the MSSPS.

Mr. Graham Reid, North West Arm Heritage Association, addressed Council indicating that he would be commenting on the MSSPS as it relates to the Northwest Arm and certain other aspects of the plan. Mr. Reid indicated that the Association was pleased that the plan has reached this stage and noted that it was generally acceptable to the North West Arm Heritage Association.

Mr. Reid indicated that the North West Arm Heritage Association was disappointed that the plan did not go far enough in preserving the value of the Northwest Arm nor to retain the stability of neighbourhoods in the area. Mr. Reid indicated that the prime concern was the rezoning of all R-1 areas to R-2. Mr. Reid indicated that his group was suspicious of the change in terminology from R-2 to R1 MS with no change in substance noting that they were the same thing.

Mr. Reid indicated that the policies of the plan were generally acceptable. Mr. Reid noted that the concept of residential comprehensive development districts seems an acceptable way of dealing with larger tracks of land. Mr. Reid indicated that his Association would have preferred a lessor density than 22 persons per acre and a more rigid control of development on water bodies especially the North West Arm.

Mr. Reid then referred to the Environmental Policies included in the plan and noted that his group was pleased they had been included. Mr. Reid noted, however, that there did not appear to be Land Use Bylaw amendments to back these up. Mr. Reid noted that the sensitivity maps were lacking as they did not show all the areas mentioned in Policy 7.1.1.

Mr. Reid then referred to the section dealing with sewage and noted that there did not appear to be any solution to sewage problems in Hainland South. Mr. Reid referred to Policy 6.2 noting that it discouraged the disposal of storm water into inland waterways and suggesting that this should include protection for a similar type disposal into the North West Arm.

Mr. Reid then referred to the Chocolate Park and noted that it was not being zoned Park and Institutional. Mr. Reid indicated that he would like some assurance that this land was to be retained for park use. Mr. Reid then referred to the Land Use Bylaw amendments and noted that disappointment has been expressed regarding the lack of attention given to the preservation of the beauty of the North West Arm. Mr. Reid noted that proposed amendment 14(1) calls for larger lots abutting inland waterways and asked why this referred to only inland waterways. Mr. Reid further noted that it was felt that 6000 sq. ft. lot was still too small and that there should be prohibition on large developments adjacent to waterways.

Mr. Reid then referred to applications to amend the Land Use Bylaw made by two persons to address the concerns expressed above.

Mr. Reid referred to Part 5, Page 2, Items 7 and 8 noting that these described minimum ratio in family type accommodations in apartment buildings and suggested that the Planning Act does not provide the authority to see such discrimination as to housing types and questioned whether these could be enforced. Mr. Reid then referred to Item 9 under the same section noting that proposed amendments to RCDD's allow for R-2 development as of right and suggested that this was contrary to the Planning Act.

In summary, Mr. Reid, indicated that the North West Arm Heritage Association, found the proposed policies and amendments to be acceptable and noted that the main concern was that they do not go far enough to ensure acceptable development in Mainland South.

Ms. Gerry Masters, a resident of Boulderwood, addressed Council indicating that the Boulderwood area was primarily a single family area. Ms. Masters indicated that in reviewing the MSSPS she noted that one of the policies is to maintain the prevalent character of the area. Ms. Masters indicated that as her neighbourhood was a single family area she felt the proposed rezoning to R-2 was inconsistent with the policies of this plan. Ms. Masters requested that Council consider the retention of the zoning currently in effect.

Mr. Neil Bergman, clergy for the Christian Church, addressed Council and outlined his written submission presented at this evening's meeting. This submission now forms a part of the official file of this meeting. Mr. Bergman referred to property purchased by the church in 1981 in the Spryfield area and noted that the Church was presently trying to sell this property. Mr. Bergman noted that the property included five lots between Mayor Avenue and the Herring Cove Road. Mr. Bergman advised that the Church has received an offer on the property conditional upon the issuance of a building permit for an apartment building.

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In response to a question from Ms. Masters regarding whether or not there was provision in the plan handling single family or low density residential development where on-site servicing was in place, Mr. Robertson indicated that the area Ms. Masters was referring to was currently serviceable. Mr. Robertson further noted that there were some development applications pending which will push services into this area. Mr. Robertson also noted that until such time as services are available in this area no further development would be permitted.

Mr. Bergman noted that the MSSPS proposes that the property in question be down zoned to R-2P from R-4 and suggested that it would be in the best interest of the city and the community to retain the R-4 zoning on this property for the following reasons:

1. due to site conditions the site preparation costs would be too high to enable individual development of the five lots in question;
2. an apartment building would not be out of scale with the neighbourhood;
3. the neighbours would like to see the site developed;
4. the site is very close to transportation and shopping facilities;
5. further housing is desperately needed in the city.

In conclusion, Mr. Bergman urged Council to amend the MSSPS to aid the development of a problem site for the betterment of the neighbourhood.

Mr. John Cann addressed Council and outlined his written submission presented at this evening's meeting. This submission now forms a part of the official file of this meeting. Mr. Cann referred to the Mobile Home Park located in Spryfield which was zoned "T" in 1959 and which is proposed to be rezoned to R-1 or R-2 under the MSSPS.

Mr. Cann noted that the park was the only form of housing which exists on Bridget Road. Mr. Cann then suggested that this rezoning was discriminatory and noted that it was his understanding that the Fairview Mobile Park zoning had been retained. Mr. Cann referred to the non conforming nature of the Park should this property be rezoned noting that he would not be able to replace the park if it were to be 75% destroyed.

In conclusion, Mr. Cann indicated that he felt it was unfair to deny the proper zoning at this location.

Mr. Alan Ruffman addressed Council noting that he had specific concerns with regard to certain Environmental questions. Mr. Ruffman noted that the Plan Boundary did not include Spectacle Island and suggested that this should be zoned Park & Institutional rather than the Holding Zone designation covering the surrounding area.

Mr. Ruffman then expressed concern with regard to the treatment of the MacIntosh Run in the plan and noted that the city should treat a flood plain as a flood plain. Mr. Ruffman further advised of the development of a causeway to an island in one of the area lakes and noted that he was concerned

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with the islands located in Williams Lake and suggested there should be a policy prohibiting the construction of causeways to these islands.

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

1. Correspondence dated February 26, 1986 from R. W. Aldhelm-White, President, West Armdale Residents Association
2. Correspondence dated March 21, 1986 from Q. E. Moore, President Scotia Twines Limited.
3. Correspondence dated April 4, 1986 from W. H. Gates, General Manager, Public Service Commission of Halifax.
4. Correspondence received April 7, 1986 from L. E. Powell, The Powell Company Limited.
5. Correspondence dated April 8, 1986 from Michael Maddalena, Clyde A. Paul & Associates.
6. A petition received on April 8, 1986 from the Residents of Kline Heights.
7. Correspondence dated April 9, 1986 from David H. Reardon, McInnes Cooper & Robertson.
8. Correspondence received April 9, 1986 from Patricia Muir, 26 Melville Avenue.
9. Correspondence dated April 9, 1986 from Robert G. Grant, Stewart MacKeen & Covert.

A short discussion ensued with regard to the adjournment date of this hearing and it was agreed that this hearing would be adjourned to WEDNESDAY, May 7, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

A short questioning of staff ensued with Mr. R. Matthews, Director of Planning, indicating that staff would respond to the points raised this evening by the various speakers.

11:00 p.m. The meeting adjourned.

HEADLINES

Case No. 4736 - Contract Development - 1265-69 and 1273-77
Barrington Street 151

In conclusion, Mr. Cann indicated that he felt it was unfair to deny the proper zoning at this location.

Mr. Alan Ruffman addressed Council noting that he had specific concerns with regard to certain Environmental questions. Mr. Ruffman noted that the Plan Boundary did not include Spectacle Island and suggested that this should be zoned Park & Institutional rather than the Holding Zone Designation covering the surrounding area.

Mr. Ruffman then expressed concern with regard to the treatment of the MacIntosh Run in the plan and noted that the city should treat a flood plain as a flood plain. Mr. Ruffman further advised of the development of a causeway to an island in one of the area lakes and noted that he was concerned with the islands located in Williams Lake and suggested there should be a policy prohibiting the construction of causeways to these islands.

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Special Council
Public Hearing
April 9, 1986

Amendment to the Municipal Planning Strategy and
Land Use Bylaw - Mainland South Secondary Planning
Strategy 153

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. Kerr
Acting City Clerk

DATE APPROVED BY COUNCIL: _____

/sg

A short questioning of staff ensued with Mr. R. Matthews, Director of Planning, indicating that staff would respond to the points raised this evening by the various speakers.

11:30 p.m. The meeting adjourned.

HEADLINES

Case No. 4736 - Contract Development - 1265-69 and 1273-77 Barrington Street	151
Amendment to the Municipal Planning Strategy and Land Use Dylaw - Mainland South Secondary Planning Strategy	153

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. Kerr
Acting City Clerk

DATE APPROVED BY COUNCIL: _____

/sg

SPECIAL COUNCIL
BUDGET
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
April 15, 1986
4:10 p.m.

A Special meeting of Halifax City Council for the purpose of continuing consideration of the City of Halifax 1986 Operating Budget was held on the above date.

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

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn and Aldermen D. Grant, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, Leiper and Hamshaw.

Also Present: City Manager, City Solicitor, Mr. E. A. Kerr, Acting City Clerk; Mr. B. G. Smith, Director of Finance and Mr. A. LeBlanc, Budget Officer.

His Worship indicated that the first matter of business was to establish the agenda of this meeting and suggested that the following items be placed on the agenda.

1. Capital Budget
2. Operating Budget

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Flynn that the agenda, as outlined by His Worship, be approved.

Motion passed.

Capital Budget

A document entitled "1986 Approved Capital Budget Summary, Appendix A", was submitted.

Alderman R. Grant referred to Joyce Avenue sanitary sewer and requested that this matter be moved up for consideration in the 1987 Capital Budget.

MOVED by Alderman Meagher, seconded by Deputy Mayor Flynn that City Council ratify the decisions of the Committee of the Whole Council with respect to the 1986 Capital Budget, with a gross amount of \$17,270,000 and a net amount of \$12,000,000 with a net City cost of \$8,262,000 as shown on a document entitled "Appendix A" submitted at this meeting.

Motion passed.

Operating Budget

An Information Report dated April 9, 1986 from Diane MacQuarrie, Chief Librarian, was submitted. A confidential memorandum dated April 14, 1986 from Karl W. Perry, Director of Education and a confidential memorandum from Mr. M. Doehler, Chairman, Halifax District School Board dated April 11, 1986, was also submitted.

Correspondence dated April, 1986 from Philip Pacey, Halifax Homeowners Association, was submitted.

Alderman R. Grant addressed Council referring to the the submitted reports and asked if Council intended upon discussing these reports today.

A discussion ensued with regard to these reports and it was noted that other requested reports had not been received. Alderman O'Malley indicated that having just received these reports he had not had an opportunity to review them and suggested Council should be given time to read these reports.

4:30 p.m. Alderman Cromwell joins the meeting.

MOVED by Deputy Mayor Flynn, seconded by Alderman Jeffrey that the meeting be adjourned for one-half hour to allow members of Council time to review the reports received today.

Motion passed.

5:00 p.m. The meeting reconvened with all the same members.

A discussion ensued with regard to the report submitted by Mr. Perry of the School Board and it was noted that the School Board had voluntarily reduced the discretionary funding by \$300,000 resulting in a 0% increase over the 1985 discretionary funding.

MOVED by Deputy Mayor Flynn, seconded by Alderman Cromwell that the gross expenditures for the Halifax District School Board for the Civic year 1986 be set at \$65,589,975.00.

A short discussion ensued with Alderman R. Grant noting that Council had requested an operational audit be carried out at the School Board and asked if this audit had been done.

Motion passed with Aldermen R. Grant and O'Malley voting against.

Special Council
Budget
April 15, 1986

A discussion regarding the report received from the Library Board ensued and it was MOVED by Deputy Mayor Flynn, seconded by Alderman R. Grant that the Library budget for the year 1986 be fixed at \$2,991,200.

The City Manager indicated that the total City of Halifax 1986 Operating Budget should be approved rather than on a departmental basis.

Deputy Mayor Flynn, with the agreement of his seconder, withdrew his motion.

A short discussion ensued with regard to the procedure to be followed by Council in reviewing the budget and it was suggested that Council adjourn to an incamera session to review the information received to date with regard to the budget.

MOVED by Alderman Dewell, seconded by Alderman R. Grant that City Council adjourn to an incamera session to review the budget information received to date.

Motion passed.

5:45 p.m. The meeting reconvened with all the same members being present.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor A. Flynn that City Council ratify the decisions of the Committee of the Whole Council with respect to the 1986 Operating Budget as per the Summary of Revenues and Expenditures distributed to members of Council at this meeting.

Motion passed with Aldermen O'Malley and R. Grant voting against.

MOVED by Alderman Leiper, seconded by Alderman Jeffrey that the Operating Budget for the Civic year be fixed at \$182,590,000.

Motion passed with Aldermen O'Malley and R. Grant voting against.

MOVED by Alderman Jeffrey, seconded by Alderman Walker that the interest rate on all reserves for 1986 be fixed at 4%.

Motion passed with Aldermen O'Malley and R. Grant voting against.

MOVED by Alderman Walker, seconded by Alderman Grant that 8 1/2% of the Current Budget be set aside for Capital purposes.

Motion passed with Alderman O'Malley voting against.

Special Council
Budget
April 15, 1986

MOVED by Alderman R. Grant, seconded by Alderman Dewell that the provisions of Section 41(2) to (9) inclusive, of the Assessment Act, shall not apply to the City of Halifax, with the result that there shall be no residential occupancy tax in the City of Halifax for the taxation year 1986.

Motion passed with Alderman O'Malley voting against.

MOVED by Alderman Dewell, seconded by Deputy Mayor Flynn that the tax rate for the year 1986 be set at 3.8496 per hundred dollars of assessment. This rate shall be applied to:

(a) The full assessed value of property of a business character and nature; and

(b) .4185% of the assessed value of real property of a residential character and nature; and

(c) Occupancy taxes as follows:

- 1) The tax rate applied to 50% of the assessed value of the property of a business character or nature as determined by the Assessor under Section 7(1) of the Assessment Act.
- 2) 25% of the assessed value of the properties as set out in Section 7(2)(a) of the Assessment Act, as determined by the Assessor.
- 3) 75% of the assessed value of the properties as set out in Section 7(2)(b) of the Assessment Act, as determined by the Assessor.

Motion passed with Aldermen O'Malley and R. Grant against.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that the Fire Protection Rate be set at .061 per hundred dollars of valuation for the year 1986.

Motion passed.

Alderman O'Malley addressed Council indicating that he would like to outline his reasons for voting against the majority of the resolutions put forward this evening. Alderman O'Malley indicated that it was not that he was in total disagreement with the budget and tax rate approved by Council, however, he was in disagreement with the level of transfer payments from the Province noting that he felt this level to be an unfair burden on municipalities. Alderman O'Malley further noted that he was not in full agreement with the budget review process indicating that he felt it should be more detailed and complete.

6:00 p.m. The meeting adjourned.

HEADLINES

Capital Budget	1
Operating Budget	2

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

/sg

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
April 17, 1986
8:00 P. M.

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

The meeting was called to order with members of City Council joining the Acting City Clerk in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, Leiper and Hamshaw.

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

MINUTES

Minutes of the regular meeting of City Council held on March 26, 1986 were approved on a motion by Alderman Hamshaw, seconded by Alderman Jeffrey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Loss of 1985 Dodge 4WD Half-Ton EV292
- 20.2 Recommendation for Write-Off

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

- 11.2 Mumford Road Paving Renewal
- 17.1 Appointments

On the recommendation of the Acting City Clerk, it was agreed that Item 10.4, "Deferred Taxes - Ordinance Number 137," be deferred to the next regular meeting of Committee of the Whole Council scheduled for April 23, 1986.

At the request of Alderman Hamshaw, it was agreed to add:

- 20.3 Capital Punishment

Council
April 17, 1986

At Alderman Meagher's request, it was agreed to add:

- 20.4 Ordinance Number 170
- 20.5 R-2 Uses
- 20.6 User Fees - Central Commons

At Alderman Downey's request, it was agreed to add:

- 20.7 Job Training/Basic Skills and Development Program

MOVED by Alderman Jeffrey, seconded by Alderman Downey
that the agenda, as amended, be accepted.

Motion passed.

Presentation - Alderman Jeffrey (Bowling for Millions)

Alderman Jeffrey advised that a bowling team consisting of His Worship Mayor Wallace and Aldermen D. Grant, Cromwell, Jeffrey, and Leiper had recently won a bowling tournament in conjunction with the "Bowling for Millions" event sponsored by the Big Brothers and Sisters Association. Alderman Jeffrey thanked his teammates for their contribution, and presented a plaque in recognition of their accomplishment to Alderman D. Grant.

Presentation - Dalhousie Medical School

A prize-winning videotape, entitled "Medical Research and More," was presented by Ms. Barbara A. Hinds, Public Relations Consultant, and Dr. J. Murray, Dean of Medicine, Dalhousie University, concerning the contributions made to the medical profession and to the community at large by local medical researchers.

On behalf of the other members of City Council, Mayor Wallace thanked Ms. Hinds for her presentation, and congratulated Dr. Murray on his recent appointment as Dean.

DEFERRED ITEMS

Case No. 4736 - Contract Development: 1265-69 Barrington Street and 1273-77 Barrington Street

A public hearing on this matter was held on April 9, 1986.

MOVED by Alderman D. Grant, seconded by Alderman Downey
that:

Council
April 17, 1986

- 1) pursuant to Section 16AA(d) of the Land Use Bylaw, Peninsula Area, the development of a beverage room at 1267-69 Barrington Street and an accessory parking lot at 1273-77 Barrington Street to serve the beverage room be approved;
- 2) the contract shall be signed within 120 days or any extension thereof 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 Acting City Clerk advised that all members of Council had been in attendance at the April 9 public hearing on this matter.

Motion carried.

MOTIONS OF RECONSIDERATION

Motion - Alderman Deborah Grant: Reconsideration of City Council Resolution of March 13, 1986 Re: Dockage - Halifax Waterfront

A Notice of Motion of Reconsideration regarding this matter was given by Alderman D. Grant during the regular meeting of City Council held on March 13, 1986.

Correspondence was submitted from Mr. Robert P. Dexter, President, Halifax Water Tours, dated March 26, 1986, together with a response to that letter, dated April 15, 1986, from His Worship Mayor Wallace.

Alderman D. Grant noted that, in her opinion, there are several inaccuracies in the information submitted to members of Council during its deliberations on this matter, particularly in the staff report, dated February 25, 1986. She emphasized that her motion to reconsider Council's resolution of March 13 is based solely on the fee structure contained in the lease negotiated with Murphy Sailing Tours Limited and indicated that, in her view, several aspects of that fee structure (e.g., the rates for side dockage, the provision of utilities, kiosk and ramp facilities) should be reexamined and the contract amended.

It was subsequently moved by Alderman D. Grant, seconded by Alderman Hamshaw that Council's resolution of March 13, 1986 concerning the execution of a two-year lease with Murphy Water Tours be reconsidered.

Council
April 17, 1986

The motion was put, resulting in a tie vote. His Worship cast his vote in favor of the motion and declared it to be passed.

After some discussion, the City Manager indicated that he had previously investigated this matter with the staff members responsible for the February 25 report, and would be prepared to submit a further report dealing with the points raised by Alderman D. Grant.

Moved by Alderman R. Grant, seconded by Alderman Dewell that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for April 23, pending receipt of a supplementary report.

Motion carried.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal - 40 Flamingo Drive

A staff report, dated March 24, 1986, was submitted.

Mr. E. Royd Algee, Development Officer, presented a brief overview of the application for a minor variance, advising that in this instance the application had been refused owing to the scope of the requested variance. Mr. Algee added that while the minimum yard requirement in the Land Use Bylaw is 8 feet, the applicant is requesting a reduction to 2 feet (a 75 percent reduction).

Mr. Wendell Wamboldt, owner of the property at 40 Flamingo Drive, emphasized that no objections to his proposed addition of a sundeck had been received from his immediate neighbours.

After some discussion, it was moved by Alderman Hamshaw, seconded by Alderman Jeffrey that the appeal against the decision of the Development Officer be granted, and the application for a minor variance be approved.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Halifax Harbourfest Society (Joseph Howe Festival)

A staff report, dated April 3, 1986, and an Information Report, dated April 17, 1986, were submitted as well as correspondence, dated April 10, 1986, from Ms. Nuala M. Mattson, Executive Director, Halifax Harbourfest Society.

Council
April 17, 1986

Following is the recommendation from the Finance and Executive Committee held on April 9, 1986:

. . . it was moved by Alderman Cromwell, seconded by Alderman Meagher that the matter be referred to the next regular meeting of Halifax City Council without recommendation and that, in the interim, the Harbourfest Society be requested to submit a financial statement pursuant to the 1985 Joseph Howe Festival and a proposed budget for the 1986 Harbourfest, including a breakdown of the program events and a suggested allocation of the \$12,000 grant requested from the City of Halifax, as well as a report from the Society addressing the concerns raised by Council members. It was further requested that a supplementary staff report be submitted addressing budgetary implications, should Council approve the request from the Harbourfest Society.

It was moved by Alderman Cromwell, seconded by Alderman R. Grant that City Council approve the request from the Halifax Harbourfest Society for a financial commitment of \$12,000.

A discussion ensued with several of the Aldermen indicating concerns that the Harbourfest's schedule of events does not include activities for areas of the City other than the downtown.

Alderman O'Malley stated that he personally would not be prepared to support the Society's request until he received some indication that their 1986 events would be extended throughout the City.

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that the matter be deferred until a 1986 program of events, showing the location of those events, is submitted by the Halifax Harbourfest Society.

Motion passed.

Waterfront Dockage - Lease of Site "B"

MOVED by Alderman Downey, seconded by Alderman Dwyer that, as recommended by the Finance and Executive Committee, the City accept the proposal of F. & S. Offshore Company Limited for a stationary floating restaurant, subject to agreement of the appropriate regulatory agencies (including the City of Dartmouth as the City's lessee for the Ferry Terminal), and that the City Manager be authorized to execute a license agreement for the balance of 1986, incorporating the terms of the Call for Proposals and the response of F. & S. Offshore Company Limited. Motion passed.

Council
April 17, 1986

Halifax Seniors Housing Society

This matter was referred from the April 9 meeting of the Finance and Executive Committee for the purposes of receiving a staff report concerning the request from the Halifax Seniors Housing Society for the use of lands on the corner of Windsor Street and Bayers Road.

An Information Report, dated April 15, 1986, was submitted.

MOVED by Alderman Dewell, seconded by Alderman R. Grant that staff enter into discussions with the Halifax Seniors Housing Society to find a way that the space on Windsor and Bayers Road, or an alternate site in this area, can be utilized for seniors housing, and, if the matter must go to tender, that a report be submitted concerning the appropriate steps to be taken.

Motion carried.

Deferred Taxes - Ordinance Number 137

This item was deferred to the April 23 meeting of Committee of the Whole Council during the setting of the meeting's agenda.

Sale - 38 1/2 (Lot 164) Mountain Road

MOVED by Alderman Walker, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the land shown as Lot 164 on Plan TT-16-19594 of the confidential staff report dated March 26, 1986 be sold to Thomas and Donna McPherson for the sum of \$5,000.

Motion passed.

Recommended Historic Designation - "Rocking Stone"

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the geological feature known as "Rocking Stone," situated at Kidston Lake, and a site contained within an approximate radius of fifty feet therefrom, be declared by City Council to be a historic site under the provisions of Section 425 of the Halifax City Charter.

Motion passed.

Tender Call - Canoe Concession

A supplementary staff report, dated April 15, 1986, was submitted.

MOVED by Deputy Mayor Flynn, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, staff be authorized to call tenders for a three year term subject to Council approval, and that Council authorize the City Manager to execute an agreement on behalf of the City with the successful bidder in the form as attached to the March 27, 1986 staff report; and further, that staff include Horseshoe Island in the tender call.

Motion passed.

With reference to comments made by Alderman R. Grant, Mayor Wallace indicated that members of Council wishing to make recommendation concerning other possible sites for canoe rentals should submit these suggestions to the staff of the Recreation Department.

Richmond Family Court - Overspend

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

1. Council authorize payment to Dineen Construction (Atlantic) Inc. of \$25,989.58 for force-works in connection with Tender 85-111;
2. Council authorize payment to MacFawn and Rogers, Architects, for \$16,723.06, for architectural services in connection with Tender 85-111; and
3. Council authorize the use of the sale tax refund to cover the total additional costs of \$44,753. (net insurance recovery) to the Richmond Family Court Project.

Motion passed.

Police Act Regulations

This matter was forwarded from the April 9, 1986 meeting of the Finance and Executive Committee without recommendation.

His Worship Mayor Wallace indicated that the Halifax Board of Police Commissioners had not deliberated the implications of the proposed Police Act Regulations primarily

Council
April 17, 1986

because the matter had never been formally referred to them by City Council. He added that, in a letter to the Attorney General, dated April 2, 1986, he had indicated that Council would be in a position to make a presentation on the matter prior to the end of April.

It was subsequently moved by Alderman O'Malley, seconded by Alderman Crowell that the matter of the proposed Police Act Regulations be referred to the Halifax Board of Police Commissioners for review and recommendation; and further that, the Commission be asked to report back to a future meeting of Committee of the Whole Council.

Motion carried.

REPORT - COMMITTEE OF WORKS

Council considered the report of the Committee on Works from its meeting held on April 9, 1986, as follows:

Tender #85-115 - Roach's Pond Retention Tank

This matter was forwarded to City Council without recommendation.

9:35 His Worship leaves the meeting and the Deputy Mayor takes the Chair.

Alderman R. Grant addressed the matter and directed a number of questions to Mr. P. Connell, Director of Engineering and Works, regarding the retention tank.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that:

1. City Council award Tender #85-115 to Municipal Contracting Ltd. for the materials and services at the prices quoted;
2. City Council approve the appointment of the firm of Beasy Nicoll Engineering Ltd. to provide general administration and site inspection during the construction of the project, and;
3. City Council authorize funds from Account No. DD016 for a total project cost of \$1,356,020.

A further short questioning of staff ensued and the motion was put and passed.

9:45 p.m. His Worship rejoins the meeting and Deputy Mayor Flynn takes his seat in Council.

Council
April 17, 1986

Mumford Road Paying Renewal

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

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Council considered the report of the Committee of the Whole Council held on April 2, 1986 as follows:

Place of Amusement - Cork and Oxford Streets

Alderman Dewell addressed the matter briefly reviewing the background to this item and referring to a letter received from the applicant.

MOVED by Alderman Dewell, seconded by Alderman Grant that, as recommended by the Committee of the Whole Council, City Council reply to the letter from the Amusements Regulation Board advising that Council is of the opinion that a place of amusement is not an appropriate use for the corner of Cork and Oxford Streets.

Alderman Cromwell addressed the matter indicating that he had some concerns with regard to this motion and noting that this would be a precedent setting situation. Alderman Cromwell noted that if Council should approve this motion, all other similar facilities established within the city would be brought before Council whether it was a legal entity or not.

Alderman Cromwell noted that the citizens, along with their Alderman, have the right to express their views to the Amusements Regulation Board through their petitions and representations to the Board. Alderman Cromwell indicated that, in his view, this motion should be ruled Out of Order.

A further discussion ensued with Mr. Anstey, in response to a question for Deputy Mayor Flynn, indicating that this type of request puts Council in a difficult position by asking if Council wants a particular use, when the use is in conformance with the City's law. Mr. Anstey further noted that Council could legitimately deal with the issue of whether or not it wishes, as a general principle, to give such an expression of opinion.

A further discussion ensued with Alderman O'Malley indicating that he felt the Chair should rule as to whether the motion on the floor is a valid motion.

His Worship addressed the matter and ruled the motion to be valid.

The motion was put with Alderman Jeffrey calling for a recorded vote as follows:

Council
April 17, 1986

For: Aldermen Dewell and R. Grant

Against: Deputy Mayor Flynn and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Walker, Jeffrey, Leiper, and Hamshaw.

His Worship declared the motion to be lost.

His Worship further noted that the decision of this evening would be forwarded to the Amusements Regulation Board.

10:20 p.m. The meeting adjourned for a short meeting.

10:30 p.m. The meeting reconvened with all the same members being present.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on April 9, 1986, as follows:

C-2A Zone Requirements - Community Facilities

Following is the recommendation of the City Planning Committee:

"That staff be requested to prepare a comprehensive report on the implications of the present C-2A Zone requirements and, in particular, to address the ambiguity surrounding the definition of the term "community facility."

MOVED by Alderman Dewell, seconded by Alderman R. Grant that this matter be deferred pending the receipt of the requested report and further that this matter be forwarded to the Planning Advisory Committee for review and report back to Council.

Motion passed.

Case No. 4680 - Langbrae Gardens, Phase One

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the City Planning Committee, the application by Anchor Developments Limited for an amendment to the Stage II, Schedule "K" development agreement to permit a variation of up to 10 percent in the number of apartment units within the Langbrae Gardens Subdivision (provided that the population density is not increased) be approved.

Motion passed.

Council
April 17, 1986

Case No. 5024 - Land Use Bylaw Amendments: Video Tape Rentals

MOVED by Alderman Hamsbaw, seconded by Deputy Mayor Flynn that, as recommended by the City Planning Committee, the proposed amendment to the Land Use Bylaw (Mainland and Peninsula Areas), to add rental uses without outdoor display of goods as a permitted use in the RC-2, RC-3, C-1 AND C-2A Zones and to permit non-conforming retail uses to change to or add a rental use, all as shown in Appendix I of the staff report, dated April 4, 1986, be referred to the Planning Advisory Committee for review and recommendation.

Motion passed.

MOTIONS

Motion - Alderman Jeffrey - Proposed Amendment to Ordinance Number No. 116 - the Taxi Ordinance - FIRST READING

Alderman Jeffrey gave Notice of Motion of his intention to introduce a motion to amend Ordinance Number 116, the Taxi Ordinance, at the City Council meeting held on March 26, 1986.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that the following amendments to the Taxi Ordinance be Read and Passed a First Time:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 116, the Taxi Ordinance as enacted and approved by the Minister of Municipal Affairs on the 15th day of June, 1978, and as subsequently amended, be and the same is hereby further amended as follows:

Subsection (3) of section 19 is hereby repealed and the following substituted therefor:

19(3) No license shall be granted to an applicant for a driver's license except a renewal, unless

(a) he is a least nineteen years of age, and
(b) he has successfully completed a course of instruction and examination in,

(a) The provisions of the Taxi Ordinance and the Motor Vehicle Act;

(b) streets and prominent buildings; and

(c) such other things as may be determined by the Taxi Commission to be in the best interest of the public and the taxi industry.

Motion passed.

Council
April 17, 1986

MISCELLANEOUS BUSINESS

Appointments

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

Request for Use of City Flag

A report dated April 17, 1986 from His Worship the Mayor, with attached letter, was submitted.

MOVED by Deputy Mayor Flynn, seconded by Alderman Hamshaw that the request for use of the City Flag in connection with the hosting of the Hawkesbury and District High School band during the period of May 6th to 11th by the Halifax School Board Music Department be denied.

Motion passed.

His Worship noted that Legal had previously been asked to review the matter of the availability of Ordinance 101 and indicated a report was outstanding.

QUESTIONS

Question Alderman Hamshaw re: Dumping of Sewage into City System

Alderman Hamshaw indicated that he had recently viewed a County of Halifax sanitary truck dumping sewage directly into a man hole on Barrington Street near Seaview Park. Alderman Hamshaw indicated that this surprised him and asked if permission had been given to the County allowing this dumping.

The City Manager indicated that he did not believe permission had been given, however, he would check into the matter.

Question Deputy Mayor Flynn re: Audit Committee Review of External Auditors

Deputy Mayor Flynn referred to the three year appointment of the External Auditors for the City noting that he believed this term was almost complete. Deputy Mayor Flynn asked that the matter be referred to the Audit Committee.

His Worship indicated that this matter would be referred to the Audit Committee.

Council
April 17, 1986

Question Deputy Mayor Flynn re: Local Improvement Charges -
Paving Renewals

Deputy Mayor Flynn referred to the Local Improvement charges on paving renewals and requested a report with regard to the possibility of waiving these charges for paving renewals similar to the policy for sidewalk renewals.

Question Alderman Leiper re: Randall Park

Alderman Leiper referred to Randall Park which was located in Ward 10 noting that this park backed on the new senior citizens housing project on Main Avenue. Alderman Leiper indicated that there was a wide gully in this park and requested that staff place as much fill as possible in this gully which would allow the seniors use of this park.

Question Alderman Jeffrey re: Damage - Grassed Area Between
Property and Sidewalk

Alderman Jeffrey referred to damage done to both the grassed area adjacent to the sidewalk and the abutting owner's property at 133 Melrose Avenue as a result of snow removal. Alderman Jeffrey noted that there was severe damage done to some 10-12 feet of grassed area at this location. Alderman Jeffrey requested that staff look into this matter.

Alderman Jeffrey further noted there was a bus stop at this location and that persons using the bus service were using the driveway to 133 Melrose Avenue as a bus stop. Alderman Jeffrey indicated that this was causing additional damage to the owner's property and requested that Metropolitan Transit be contacted with regard to the installation of a concrete slab at this location for use as a bus stop.

Question Alderman Jeffrey re: Sidewalk Damage - Dutch Village
Road and Titus Street

Alderman Jeffrey referred to damage to the sidewalk at the second house east of Titus Street at the corner of Dutch Village Road and Titus Street due to snow plowing and requested that staff have a look at this situation.

Question Alderman Jeffrey re: Acquisition - Alma Crescent

Alderman Jeffrey referred to the widening of the Dutch Village Road in the area of Titus Street and Alma Crescent and noted that staff was negotiating with the owner of the property located at the corner of Alma Crescent and Dutch Village Road in relation to acquisition of this property. Alderman Jeffrey indicated that this property was required to complete the work to Dutch Village Road.

Council
April 17, 1986

Alderman Jeffrey asked what the status of this matter was and what progress had been made in obtaining this piece of land in order that this project may be completed.

Question Alderman Jeffrey re: Acquisition - Frederick Avenue and Hillcrest Avenue

Alderman Jeffrey referred to the proposed acquisition of a piece of land at 105 Frederick Avenue noting that this was in connection with some street work to alleviate the dangerous corner and intersection at this location. Alderman Jeffrey asked what the status of this matter was at this time.

Question Alderman Walker re: Submerged Boats - Melville Cove

Alderman Walker referred to a number of half submerged boats located at Melville Cove and asked who was responsible for these boats. Alderman Walker indicated that these were becoming quite an eyesore and requested some action be taken to have them removed.

Question Alderman Walker re: Path - Nova Scotia Yacht Squadron to Herring Cove

Alderman Walker referred to a recent conversation he had with an area resident and advised that he understood that at one time there was a path running from the Dingle through to the Yacht Club in Purcell's Cove. Alderman Walker asked if there was, or ever had been, such a path.

His worship noted that there was a right-of-way in this area which was presently in use, however, it did not extend down to the Nova Scotia Yacht Squadron.

Alderman Walker requested that staff look into this matter to ascertain if there is a right-of-way right down to the Saraguay Club.

Question Alderman Walker re: Williams Lake Road Pumping Station

Alderman Walker advised that he had received a number of complaints with regard to the Williams Lake Road Pumping Station over the past few days. Alderman Walker indicated that the pumping station has been in operation continuously for the last four days and was becoming bothersome to area residents.

Alderman Walker asked if this was a problem with the mechanics of the station or a result of flooding in the area.

Question Alderman Walker re: Welcome to Halifax Sign - St. Margaret's Bay Road

Alderman Walker asked how soon the 'Welcome to Halifax' sign located on the St. Margaret's Bay Road would be taken down and painted. Alderman Walker indicated that the sign was in bad shape and requested a report in this regard.

Council
April 17, 1986

Question Alderman R. Grant re: Special Location for Irish
Children - Halifax Natal Day Parade

Alderman R. Grant referred to the plan to bring a number of Irish children to Halifax this summer and noted that these children would be here during the Natal Day celebrations. Alderman R. Grant requested that the organization arranging this visit be contacted in an attempt to arrange a special place along the parade route of the Natal Day Parade for these children.

His Worship indicated that he would make every attempt to see this is arranged.

Question Alderman R. Grant re: Ordinance - Filling of
Properties

Alderman R. Grant referred to the number properties which have been filled in to permit construction and requested that staff look into the development of an Ordinance with regard to the filling in of properties with the intention of construction.

Alderman R. Grant noted that recently a number of properties which have been filled in have collapsed and have caused fill to flow onto other properties and the sidewalk.

Question Alderman R. Grant re: Staff Establishment and Salaries

Alderman R. Grant referred to the distribution of the City of Halifax staff establishment and salaries during the budgeting process and asked if these were to be made public and, if not, why not.

Question Alderman O'Malley re: Newspaper Article regarding
Recent Murder of a City Taxi Driver

Alderman O'Malley referred to a newspaper article entitled "Taxi Tragedy Could Have Been Avoided" regarding the recent murder of a City Taxi driver noting that this article included comments made by Mr. Doug Partridge, President, Halifax Taxi Bureau Society. Alderman O'Malley quoted from the article and noted that in essence the comments made by Mr. Partridge suggested some sort of negligence on the part of the Taxi Commission and in particular the Chairman of that Commission.

Alderman O'Malley indicated that he hoped Council would join with him in refuting these comments and indicated that he felt them to be inflammatory, irresponsible and unacceptable. Alderman O'Malley indicated that to infer there was any negligence on the part of the Commission or the Chairman was reprehensible. Alderman O'Malley indicated that, in his opinion, the Taxi Commission did an outstanding job and the Chairman of this Commission was dedicated and hardworking.

Council
April 17, 1986

Alderman O'Malley requested that His Worship write to the Halifax Taxi Bureau Society indicating that City Council does not accept the view of the Society.

Question Alderman O'Malley re: Devonshire Rink

Alderman O'Malley referred to a recent newspaper article regarding the closure of the Devonshire Rink during this year. Alderman O'Malley indicated that the statements made in this article that closure of this facility had been agreed upon were totally incorrect.

Alderman O'Malley further noted that a committee had been established to review the most viable use of the Devonshire rink and indicated that any decision with regard to the closure of this facility would be made by Council.

Question Alderman Meagher re: Street Cleaning

Alderman Meagher referred to the street cleaning program within the City and indicated that he hoped this program would be carried out on schedule this year.

Alderman Meagher requested that Mr. Connell advise Council of the status of the program, how many pieces of equipment are in use and the format of this program.

Mr. P. Connell, Director of Engineering and Works, addressed the matter and indicated that street sweeping had begun on April 15, 1986. Mr. Connell indicated that there were four sweepers utilized during the night hours and two were used during the day primarily in the Mainland area. Mr. Connell further indicated that the hand sweepers were also being utilized.

Mr. Connell noted that during the first week of street sweeping it was difficult to complete the outlined route due to the amount of litter, however, Mr. Connell noted that the entire route would be completed in the future.

Alderman Meagher referred to complaints he had received with regard to litter on Moran Street and requested that staff pay special attention to this high traffic area.

Question Alderman Meagher re: Permit - 6156 North Street

Alderman Meagher referred to the location of a car lot at 6156 North Street and advised that a permit for this lot had been issued in error. Alderman Meagher indicated that a car lot was not a permitted use at this location. Alderman Meagher noted that the operators of the lot had been advised that the permit had been issued in error and that they would have to move.

Council
April 17, 1986

Alderman Meagher asked how long it would take to have this use vacate this lot and requested a report from the City Solicitor with regard to the steps which were required to have this illegal use removed from the property.

Question Alderman Downey re: Street Cleaning

Alderman Downey referred to the use of hand sweepers to clean streets within the City and indicated that he felt more hand sweepers should be employed in cleaning gutters throughout the City. Alderman Downey indicated that the gutters within the city were in bad shape and suggested hand sweepers should be employed during the day to get them cleaned up.

His Worship indicated that staff would respond in this regard.

Alderman Jeffrey leaves the meeting.

Question Alderman Downey re: Painting - Senior Citizens Buildings

Alderman Downey referred to information he had received regarding a program to paint the interior of Senior Citizens Buildings. Alderman Downey noted that this program was needed as many of the seniors buildings have not been painted in 15 years.

Alderman Downey noted, however, that he understood that this was to be a five year program with three floors per building being done each year. Alderman Downey requested that contact be made with the appropriate body and a request be made that one building be completed per year rather than the proposed three floors per building per year.

The Chairman indicated that contact would be made with the Housing Authority in this regard.

Question Alderman Cromwell re: Waterfront Development

Alderman Cromwell indicated that he had brought the matter of development on the waterfront before Council on a number of occasions. Alderman Cromwell indicated that staff had provided him with all the information he had requested, however, his request for a meeting with the Waterfront Development Corporation and other waterfront property owners has not been addressed.

Alderman Cromwell referred to a recent development approved for the waterfront by WDC and noted that some question as to whether there would be public access to the waterfront from this development had been raised. Alderman Cromwell suggested that his requested meeting should have been held with WDC previous to this approval, thereby, alleviating certain concerns with regard to protection of the waterfront for the citizens of Halifax.

Council
April 17, 1986

Alderman Cromwell requested that a meeting be arranged with the Waterfront Development Corporation and owners to discuss the development of the waterfront.

Question Alderman Cromwell re: Noise Ordinance

Alderman Cromwell referred to the request made by Council regarding the development of a Noise Ordinance and noted that it was his understanding that the Solicitor's department was awaiting the completion of a Noise Ordinance within the Province of Ontario. Alderman Cromwell further noted that it was his understanding that this Ordinance was to have been completed by February of this year.

Alderman Cromwell asked the status of this matter indicating that he was looking forward to receiving a report and recommendations in regard to a Noise Ordinance.

Mr. W. Anstey addressed the matter indicating that the February deadline had not been met, however, a May 1st deadline has been set. Mr. Anstey indicated that he would inquire regarding the status of the matter at the present time.

Question Alderman D. Grant re: Ace Towing

Alderman D. Grant referred to the location of Ace Towing on Mitchell Street and noted that the operation of that business at that location was a continuing problem to area residents. Alderman D. Grant noted that the business created a great deal of noise and illegal parking occurred continually.

Alderman D. Grant noted that it was her understanding that the City had a agreement with Ace Towing for towing services. Alderman D. Grant indicated that she found it rather ironic that the City used the services of this company while it continued to be a problem and nuisance to area residents.

Alderman D. Grant requested that she be provided with information regarding the agreement including how long the City has used the service and how many more months are left before the agreement expires.

Question Alderman G. O'Malley re: Parking Fines - Street Cleaning

Alderman O'Malley referred to the resolution passed by Council with regard to the reduction of the parking fines in relation to street cleaning and asked the status of this matter.

Mr. Connell addressed the matter indicating that he believed City staff had been requested to approach the Province with regard to the amendment of the Motor Vehicle Act to accommodate this reduction. Mr. Connell further noted that he was not aware of the present situation in this regard.

Council
April 17, 1986

The Chairman indicated that staff would look into this matter and report back to Council.

Alderman O'Malley further referred to a number of fines issued this week in relation to street cleaning and requested that consideration be given to the placing of an ad in the newspaper reminding the public that street cleaning will be carried out in their areas.

ADDED ITEMS

Loss of 1985 Dodge 4WD 1/2 Ton EV292

This matter was added to the agenda at the request of the Acting City Clerk. A staff report dated April 11, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Elynn that Council authorize acceptance of an amount of \$10,200.00 in settlement of the loss of the 1985 4WD Dodge truck, Vehicle #EV292.

A short questioning of staff ensued and the Motion was put and passed.

Recommendation for Write-Off

This matter was added to the agenda at the request of the Acting City Clerk. A staff report dated April 11, 1986, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Walker that Council authorize the write-off of \$296,925.93 in taxes in 1984 plus interest of \$11,502.73.

Motion passed.

Capital Punishment - Alderman Hamshaw

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

Alderman Hamshaw referred to the Police Chief's position with regard to Capital Punishment and indicated that he felt Council should support the Chief in this position.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that City Council support the Chief of Police in his bid for Capital Punishment due to the increased number of murders within the City.

Council
April 17, 1986

His Worship addressed the matter and ruled that the motion was not a valid motion indicating that there was no authority given to Council within the Charter to consider such a motion.

Ordinance No. 170 - Alderman Meagher

This matter was added to the agenda at the request of Alderman Meagher. A staff report dated April 17, 1986 was submitted.

MOVED by Alderman Meagher, seconded by Alderman D. Grant that:

1. Council approve the continuance of Ordinance 170 for the 1986 year and that the rates of reduction of tax provided for in the Ordinance remain unchanged from 1985 and, futhermore, that those organizations qualifying in 1985 be approved for continuance of inclusion under the Ordinance for 1986;

2. The following organizations be designated to qualify under the Ordinance for 1986:

SCHEDULE "A" - (50% reduction)

Halifax Transition House - Account #480666

SCHEDULE "B" - (25% reduction)

Nova Scotia Drama League - 5527 Cunard Street

3. And that the following organizations and property be rejected for inclusion under the Ordinance:

Offshore Trade Association - Suite 600, Barrington Tower
of Nova Scotia Scotia Square

Waterfront Art Association - Rooms #2C, #5, #12, #15, #16
Central Office Bay
Pier 21, Terminal Road

Motion passed.

Alderman Walker referred to the inclusion of the Mayflower Club in Schedule B and indicated that he did not believe this club was still in operation. Alderman Meagher indicated that the Committee would check into this matter.

R-2 Uses - Alderman Meagher

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

Council
April 17, 1986

Alderman Meagher addressed the matter referring to a report he had requested the City Solicitor prepare with regard to R-2 Uses and requested that this matter be placed on the agenda of the next meeting of the Committee of the Whole Council for discussion. Alderman Meagher further indicated that it was possible there would be people attending Committee of the Whole who would like to address this matter.

Alderman Flynn referred to a report he had requested from the Planning Department in this regard and suggested that these matters could be dealt with concurrently at the next meeting of the Committee.

User Fees - Central Commons - Alderman Meagher

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

Alderman Meagher addressed the matter referring to the discussion which took place with regard to the Tournament User Fees during budget deliberations and noted that there was concern with regard to this fee among certain teams. Alderman Meagher indicated that he would like this matter placed on the agenda of the next meeting of the Committee of the Whole Council for a further discussion.

Job Training Programs & Basic Training Skills & Development Program - Alderman Downey

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

Alderman Downey referred to information he had received regarding the cutting of two programs at the Alexandra Centre, the Job Readiness Training Program and the Basic Training Skill and Development Program. Alderman Downey indicated that this would result in the loss of some 75 jobs and noted that it was his understanding that these programs would be going to Dartmouth. Alderman Downey further noted that these programs were run by the Province and funded by the Federal government.

Alderman Downey indicated that he felt this was a very serious matter and required further discussion. Alderman Downey requested that this matter be placed on the agenda of the next Committee of the Whole Council.

11:15 The meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN
CHAIRMAN

MR. E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

*K/sg

HEADLINES FOR CITY COUNCIL MINUTES
of 04/17/86

MINUTES

	....	171
APPROVAL OF ORDER OF BUSINESS		
PRESENTATION - DALHOUSIE MEDICAL SCHOOL	....	172
PRESENTATION - ALDERMAN JEFFREY (BOWLING FOR MILLIONS)	....	172
DEFERRED ITEMS		
Case No. 4736 - Contract Development: 1265-69 Barrington Street and 1273-77 Barrington Street	....	172
MOTIONS OF RECONSIDERATION		
Motion - Alderman D. Grant: Reconsideration of City Council Resolution of March 13, 1986 - Dockage - Halifax Waterfront	....	173
PUBLIC HEARINGS, HEARINGS, ETC		
Appeal of Variance Refusal - 40 Flamingo Drive	....	174
REPORT - FINANCE AND EXEC COMM		
Halifax Harbourfest Society (Joseph Howe Festival)	....	174
Waterfront Dockage - Lease of Site "B"	....	175
Recommended Historic Designation - "Pocking Stone"	....	176
Deferred Taxes - Ordinance Number 137	....	176
Sale - 38 1/2 (Lot 164) Mountain Road	....	176
Halifax Seniors Housing Society	....	176
Tender Call - Canoe Concession	....	177
Richmond Family Court - Overspend	....	177
Police Act Regulations	....	177
REPORT - COMMITTEE ON WORKS		
Tender #86-115 - Roach's Pond Retention Tank	....	178
Mumford Road Paving Renewal	....	179
REP.- COMM. OF WHOLE COUNCIL		
Place of Amusement - Cork and Oxford Streets	....	179

HEADLINES FOR CITY COUNCIL MINUTES
of 04/17/86

MINUTES

	.....	171
APPROVAL OF ORDER OF BUSINESS		
PRESENTATION - DALHOUSIE MEDICAL SCHOOL	.....	172
PRESENTATION - ALDERMAN JEFFREY (BOWLING FOR MILLIONS)	.....	172
DEFERRED ITEMS		
Case No. 4736 - Contract Development: 1265-69 Barrington Street and 1273-77 Barrington Street	.....	172
MOTIONS OF RECONSIDERATION		
Motion - Alderman D. Grant: Reconsideration of City Council Resolution of March 13, 1986 - Dockage - Halifax Waterfront	.....	173
PUBLIC HEARINGS, HEARINGS, ETC		
Appeal of Variance Refusal - 40 Flamingo Drive	.....	174
REPORT - FINANCE AND EXEC COMM		
Halifax Harbourfest Society (Joseph Howe Festival)	.....	174
Waterfront Dockage - Lease of Site "B"	.....	175
Recommended Historic Designation - "Rocking Stone"	.....	176
Deferred Taxes - Ordinance Number 137	.....	176
Sale - 38 1/2 (Lot 164) Mountain Road	.....	176
Halifax Seniors Housing Society	.....	176
Tender Call - Canoe Concession	.....	177
Richmond Family Court - Overspend	.....	177
Police Act Regulations	.....	177
REPORT - COMMITTEE ON WORKS		
Tender #86-115 - Roach's Pond Retention Tank	.....	178
Mumford Road Paving Renewal	.....	179
REP.- COMM. OF WHOLE COUNCIL		
Place of Amusement - Cork and Oxford Streets	.....	179

HEADLINES FOR CITY COUNCIL MINUTES
of 04/17/86

REPORT - CITY PLANNING COMM.

C-2A Zone Requirements - Community Facilities	....	180
Case No. 4680 - Langbrae Gardens, Phase One	....	180
5024 bus amend - side apartments -	....	181

MOTIONS

Motion - Alderman Jeffrey - Proposed Amendment to Ordinance Number 116 - the Taxi Ordinance - FIRST READING	....	181
Motion - Alderman Jeffrey - Proposed Amendment to Ordinance Number 116 - the Taxi Ordinance - FIRST READING	....	181
Motion - Alderman Jeffrey - Proposed Amendment to Ordinance Number 116 - the Taxi Ordinance - FIRST READING	....	181

MISCELLANEOUS BUSINESS

Request for Use of City Flag	....	182
Appointments	....	182

QUESTIONS

Question Alderman Hanshaw re: Dumping of Sewage into City Sewage	....	182
Question Deputy Mayor Flynn re: Audit Committee Review of External Auditors	....	182
Question Deputy Mayor Flynn re: Local Improvement Charges Paving Renewals	....	183
Questions Alderman Jeffrey re: Acquisition - Alma Crescent	....	183
Question Alderman Jeffrey re: Damage - Grassed Area Between Property and Sidewalk	....	183
Question Alderman Jeffrey re: Sidewalk Damage - Dutch Village Road and Titus Street	....	183
Question Alderman Leiper re: Randall Park	....	183
Question Alderman Jeffrey re: Acquisition - Frederick Avenue and Hillcrest Avenue	....	184
Question Alderman Walker re: Welcome to Halifax Sign - St. Margaret's Bay Road	....	184
Question Alderman Walker re: Submerged Boats - Melville Cove	....	184
Question Alderman Walker re: Path - Nova Scotia Yacht Squadron to Herring Cove	....	184
Questions Alderman Walker re: Williams Lake Road Pumping Station	....	184
Question Alderman R. Grant re: Special Location for Irish Children - Halifax Natal Day Parade	....	185
Question Alderman R. Grant re: Ordinance - Filling of Properties	....	185
Question Alderman R. Grant re: Staff Establishment and Salaries	....	185
Question Alderman O'Malley re: Newspaper Article regarding Recent Murder of a City Taxi Driver	....	185
Question Alderman O'Malley re: Devonshire Rink	....	186
Question Alderman Meagher re: Street Cleaning		

HEADLINES FOR CITY COUNCIL MINUTES
of 04/17/86

Question Alderman Meagher re: Permit - 6156 North Street	.... 186
Question Alderman Downey re: Painting - Senior Citizens Buildings	.... 186
Question Alderman Cromwell re: Waterfront Development	.... 187
Question Alderman Downey re: Street Cleaning	.... 187
Question Alderman D. Grant re: Ace Towing	.... 187
Question Alderman D. Grant re: Ace Towing	.... 188
Question Alderman G. O'Malley re: Parking Fines - Street Cleaning	.... 188
Question Alderman Cromwell re: Noise Ordinance	.... 188
ADDED ITEMS	
Recommendation for Write-off	.... 189
Capital Punishment - Alderman Hamshaw	.... 189
Loss of 1986 Dodge 4WD 1/2 Ton EV292	.... 189
R-2 Uses - Alderman Meagher	.... 190
Ordinance No. 170 - Alderman Meagher	.... 190
User Fees - Central Commons - Alderman Meagher	.... 191
Job Training Programs & Basic Training Skills & Development Program - Alderman Downey	.... 191

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
April 23, 1986
7:30 P. M.

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

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

PRESENT: Deputy Mayor A. Flynn, Chairman; and Aldermen D. Grant, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey and Hamshaw.

ALSO PRESENT: City Manager; M. E. Donovan, Acting City Solicitor; E. A. Kerr, Acting City Clerk; and other members of City staff.

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

Amendment to Development Agreement - Prison Lands

Award of Tender #86-23 - Traffic Improvements:
Old Sambro Road

Provincial/City Construction Cost-Sharing
Agreement No. 38

Amendment to Development Agreement - Prison Lands

This item was added to the agenda at the request of the Acting City Clerk.

A staff report, dated April 22, 1986, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that City Council amend the development agreement between Apex Developments Limited and the City of Halifax executed on September 17, 1985 by adding Clause 9(3), as shown in the draft agreement attached to the April 22, 1986 staff report, immediately following Clause 9(2) in that agreement.

Motion passed.

Award of Tender #86-23: Traffic Improvements - Old
Sambro Road

This item was forwarded from a meeting of the Committee on Works held earlier in the day.

MOVED by Alderman E. Grant, seconded by Alderman Walker that, as recommended by the Committee on Works:

1. Tender No. 86-23 for traffic improvements, Old Sambro Road, be awarded to Standard Paving Maritime Limited for project, materials and services listed for the unit prices quoted and at a total project cost of \$680,000.00;
2. Funding be authorized from account number CJ069, in the amount of \$680,000.00.

Motion passed.

Provincial/City Construction Cost-Sharing Agreement No. 38

This matter was forwarded from a meeting of the Committee on Works held earlier in the day.

MOVED by Alderman E. Grant, seconded by Alderman Walker that, as recommended by the Committee on Works:

1. Council approve the construction cost-sharing Agreement No. 38 as outlined in the staff report dated March 27, 1986;
2. Council authorize His Worship the Mayor and the City Clerk to sign this proposed Agreement No. 38 (see letter of request attached as Appendix "A" to the staff report dated March 27, 1986) so that the Minister of Transportation may finalize legal documentation.

Motion passed.

Closure and Sale - Portion of Williams Lake Road (Lots WL-1
and WL-2)

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

Ms. Carol Bradley, Supervisor of Real Estate, using maps and diagrams, gave a brief overview of the proposed consolidation and sale of Lots WL-1, GS-1, WL-2 and GS-2, which have been declared to be surplus to the City's use.

Special Council
Public Hearings
April 23, 1986

Deputy Mayor Flynn noted that there are several other similar pieces of land adjoining Williams Lake Road and asked if other property owners in this area had been approached by the City regarding the purchase of these lots.

Ms. Bradley noted that, to date, this possibility had not been considered, owing to the relative expense of surveying requirements. She added that the circumstances presently before Council arose because the individuals in question require the lots in order to commence construction of their home.

Alderman O'Malley queried the necessity of a lengthy and expensive public hearing process when dealing with such matters. When advised by the Acting City Solicitor that such a process was presently mandated by provisions of the City Charter, Alderman O'Malley referred to a similar land sale by the City on Herring Cove Road, in which, in his opinion, this process was not followed. The Alderman therefore requested a report from the City Solicitor's Department detailing the process and the possibility of streamlining it prior to the next regular meeting of Council. Alderman O'Malley emphasized that in situations such as this, when the surplus land is of no value to anyone but the abutting property owners, it was his opinion that a better system of expediting the sale of such property should be developed.

7:45 P.M. - Alderman Crowwell enters the meeting.

There were no persons present wishing to address this matter, and no correspondence was received.

After some further discussion and questioning of Ms. Bradley, it was moved by Alderman R. Grant, seconded by Alderman Walker that the matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

Street Closure and Sale - Warners Court and Adjacent Lots

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

Ms. Carol Bradley, Supervisor, Real Estate Division, using maps and diagrams, gave a brief overview of the proposed closure and sale of Warners Court (Lots C, D and E), emphasizing that, through the 1960 closure of a portion of Falkland Street, Warners Court no longer has access to the street system.

Mr. Paul Murphy, solicitor for Kidston Glass Co. Limited, supported Ms. Bradley's statements concerning his client's interest in purchasing a portion of this property.

There were no additional persons present wishing to address the matter, and no correspondence was received.

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

Motion passed.

Closure of Tower Road (University Avenue to South Street)

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

Ms. Carol Bradley, Supervisor, Real Estate Division, using maps and diagrams, gave a brief overview of the proposed closure of Tower Road, advising that the request had been made in conjunction with redesign plans for the entrance to the Victoria General Hospital.

In her remarks, Ms. Bradley indicated that the new intersections bordering this portion of Tower Road (between University and South Street) have a very high incidence of traffic accidents, and added that staff have determined that the neighboring streets (South Park and Robie) to which traffic would be diverted as a result of this closure are well-equipped to service an additional 5,000 vehicles per day.

Responding to a question from Alderman Crowwell, Ms. Bradley advised that the ambulance entrance to the Victoria General Hospital would remain off South Street, turning into a cul-de-sac. She added that it was her understanding a major carriageway is planned leading into the parking lot from South Park Street for use by private vehicles.

With reference to a question from Alderman O'Malley, the City Manager advised that consideration will be given, once Council has resolved the matter presently before it, to the remaining of the remaining portions of Tower Road.

Responding to a question from Alderman Downey, the City Manager advised that residents of the area had been notified concerning the proposed street closure and sale of land, and, as well, a meeting had been held in the neighborhood.

There were no persons present wishing to address the matter, and no correspondence had been received.

After some further discussion, it was moved by Alderman D. Grant, seconded by Alderman Downey that the matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

Hearing - Recommended Heritage Properties: 1544 Summer Street

This matter was last discussed at the April 9, 1986 meeting of the City Planning Committee at which time staff was requested to arrange a hearing date convenient to both the property owner in question and the Alderman for Ward 2.

Mr. A. W. Churchill advised that the owner of 1544 Summer Street (Garden Crest Apartments) has suggested that the required public hearing be scheduled for Wednesday, June 4. Alderman Cromwell, however, advised that he and several other members of Council will be absent at that time in order to attend a Federation of Canadian Municipalities conference.

It was subsequently agreed that the Acting City Clerk would make recommendation on this matter at the next regular meeting of Halifax City Council scheduled for May 1, 1986.

Hearings: Recommended Heritage Properties - 5853, 5857-63 and 5871 Spring Garden Road

A staff report, dated April 21, 1986, was submitted.

In his overview of the heritage designation proposal, Mr. A. W. Churchill, Heritage Coordinated, advised that these properties are collectively owned by Brenhold Realty and that the Heritage Advisory Committee has discussed the matter in detail with Mr. Grant Brennan, General Manager, of that company.

Mr. F. R. Wickwire, Q. C., solicitor for the property owner in question, spoke in opposition to the proposal, noting that the proposed heritage designation would have very serious effects on any future redevelopment plans for the site. He noted that Policy 8.1.2 of the Peninsula Centre Secondary Planning Strategy (Section VI) refers specifically to the properties owned by Brenhold Realty and contains guidelines as to the type of redevelopment appropriate for this site.

In support of his comments, Mr. Wickwire submitted a copy of a letter, dated April 22, 1986, from Mr. Patrick King of Pat King Appraisals concerning the effects of a heritage designation on the Brenhold properties.

Special Council
Public Hearings
April 23, 1986

Mr. Wickwire concluded by emphasizing that none of the three properties under review had been allotted particularly high scores by the Heritage Advisory Committee, adding that none had been recommended for designation in the City document entitled "An Evaluation and Protection System for Heritage Resources in Halifax."

Alderman O'Malley requested information from the Heritage Advisory Committee as to the method used by its subcommittee to score proposed heritage designations and, in particular, how a final score is arrived at by members.

There were no further persons wishing to address Council on this matter, and no correspondence received.

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

Motion passed.

Case No. 4888 - Rezoning: 6130-6142 Lady Hammond Road

Using maps and diagrams, Mr. F. Boyd Algee, Development Officer, briefly described the application for rezoning from R-2 to R-3 at 6130-6142 Lady Hammond Road to allow the construction of an 18-unit apartment building. Mr. Algee emphasized that the proposal is in conformity with the policies of the Municipal Planning Strategy, particularly with regard to the provision of infill housing on the Peninsula.

Responding to a question from Alderman O'Malley, the City Manager advised that there is no current or proposed detailed area plan for this particular area of the City.

Alderman O'Malley, noting that, in his opinion, Lady Hammond Road is a major traffic artery, requested information prior to the next regular meeting of Halifax City Council concerning the traffic count at peak hours on this portion of Lady Hammond Road.

Alderman O'Malley expressed the opinion that the matter should be referred to the Planning Advisory Committee so that a comprehensive plan for the neighborhood could be prepared.

Mr. Daniel J. Clarke, solicitor for the property owner in question, spoke in support of the rezoning application, noting that, as presently designed, the apartment building will provide 18 one-bedroom units at a time when additional housing is badly needed in the City.

Mr. John J. Ghosn, owner of the property in question, advised that he had discussed his redevelopment plans with abutting owners and had received no objections.

There were no additional persons present wishing to address Council on this matter, and no correspondence received.

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

Motion passed.

Case No. 4945 - Contract Development: Brunswick Street/
Barrington Street

Mr. E. Boyd Algee, Development Officer, gave a brief overview of this proposal which includes construction of an 18-storey, 118-unit apartment building and a 46-unit low-rise apartment building on Block C, Brunswick/Barrington/Proctor Streets. Mr. Algee indicated that the application is in conformity with policies of the Municipal Planning Strategy and those of the proposed Peninsula North Secondary Planning Strategy.

Alderman F. Grant requested information as to whether a clear view from the roadway around the Citadel to Halifax Harbour will be maintained.

Mr. Rex MacLean, representing the applicant, Halifax Developments Limited, noted that this proposal represents the final stage of the Scotia Square complex and introduced Mr. Dan Goodspeed, project designer, who described the efforts made to ensure that the development blends with the surrounding neighbourhood and, as well, conforms with the existing viewplanes.

Responding to a question from Alderman Downey, Mr. Goodspeed advised that should the contract development application be approved by City Council, construction is slated for commencement during the summer months.

Responding to a question from Alderman Meagher, Mr. Goodspeed indicated that although asphalt shingles will be used on the roof of the low-rise building, every effort will be made to ensure that they resemble as closely as possible the more expensive slate applications used on many of the existing buildings in the neighborhood.

Ms. Kathleen Shaw and Ms. Clare Christie, residents of Brunswick Street in the vicinity of the proposed development, expressed concerns regarding the increase in traffic on that portion of Brunswick Street.

Mr. John J. Ghosn, owner of the property in question, advised that he had discussed his redevelopment plans with abutting owners and had received no objections.

There were no additional persons present wishing to address Council on this matter, and no correspondence received.

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

Motion passed.

Case No. 4945 - Contract Development: Brunswick Street/
Barrington Street

A report, dated March 7, 1986, was submitted from A. C. McMillin, Chairman of the Heritage Advisory Committee.

Mr. E. Boyd Algee, Development Officer, gave a brief overview of this proposal which includes construction of an 18-storey, 118-unit apartment building and a 46-unit low-rise apartment building on Block C, Brunswick/Barrington/Proctor Streets. Mr. Algee indicated that the application is in conformity with policies of the Municipal Planning Strategy and those of the proposed Peninsula North Secondary Planning Strategy.

Alderman R. Grant requested information as to whether a clear view from the roadway around the Citadel to Halifax Harbour will be maintained.

Mr. Rex MacLean, representing the applicant, Halifax Developments Limited, noted that this proposal represents the final stage of the Scotia Square complex and introduced Mr. Dan Goodspeed, project designer, who described the efforts made to ensure that the development blends with the surrounding neighbourhood and, as well, conforms with the existing viewplanes.

Responding to a question from Alderman Downey, Mr. Goodspeed advised that should the contract development application be approved by City Council, construction is slated for commencement during the summer months.

Responding to a question from Alderman Meagher, Mr. Goodspeed indicated that although asphalt shingles will be used on the roof of the low-rise building, every effort will be made to ensure that they resemble as closely as possible the more expensive slate applications used on many of the existing buildings in the neighborhood.

Ms. Kathleen Shaw and Ms. Clare Christie, residents of Brunswick Street in the vicinity of the proposed development, expressed concerns regarding the increase in traffic on that portion of Brunswick Street.

Ms. Ann Dunsworth, 2864 Brunswick Street, suggested that, in order to alleviate some of the traffic problems on Brunswick Street resulting from this development project, consideration be given to providing an access route to the site from Brunswick Street, with exits leading only to Barrington Street.

The City Manager advised that it would be impossible for the City to enforce such entrance/exit provisions, adding that, in staff's opinion, increases in traffic on that portion of Brunswick Street adjacent to the proposed development will be minimal in nature.

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

Correspondence, dated April 21, 1986, was received from Michael and Janet Webb, 735 Manning Avenue, Toronto, Ontario, owners of 2756 Brunswick Street.

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

Motion passed.

There being no further business to be discussed, the meeting was adjourned at 9:25 p.m.

HEADLINES

Amendment to Development Agreement - Prison Lands	195
Award of Tender #86-23: Traffic Improvements Old Sambro Road	196
Provincial/City Construction Cost-Sharing Agreement No. 38	196
Closure and Sale - Portion of Williams Lake Road (Lots WL-1 and WL-2)	196
Street Closure and Sale - Warners Court and Adjacent Lots	197
Closure of Tower Road (University Avenue to South Street)	198
Hearing - Recommended Heritage Properties: 1544 Summer Street	199
Hearings: Recommended Heritage Properties: 5353, 5857-63 and 5371 Spring Garden Road	199

HEADLINES (CONT'D)

Case No. 4888 - Rezoning: 6130-6142 Lady Hammond Road	200
Case No. 4945 - Contract Development: Brunswick Street/Barrington Street	201

DEPUTY MAYOR ARTHUR FLYNN
CHAIRMAN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

*K

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
May 1, 1986
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 Acting City Clerk in the recitation of the Lord's Prayer.

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen Deborah Grant, Downey, Meagher, O'Malley, Dewell, Richard Grant, Walker, Jeffrey, Leiper, and Hamshaw.

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

MINUTES

Minutes of the regular meeting of City Council held on April 17, 1986 and of Special Councils held on April 9, 15, and 23, 1986 were approved on a motion by Alderman Hamshaw, seconded by Alderman Jeffrey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

20.1 Case No. 4692 - Contract Development - 6052-6056 Quinpool Road

At the request of Deputy Mayor Flynn Council agreed to add:

20.2 Art Gallery of Nova Scotia

MOVED by Alderman Jeffrey, seconded by Alderman Walker
that the agenda, as amended, be approved.

Presentation - Municipal Awareness Week - Aldermen D. Grant and M. Leiper

His Worship indicated that Alderman D. Grant and M. Leiper, Co-Chairmen of the Municipal Awareness Week Committee, had a short presentation to make to Council regarding Municipal Awareness Week.

Council
May 1, 1986

Aldermen D. Grant and M. Leiper addressed Council and briefly outlined the membership of the Committee and noted that Municipal Awareness Week ran from May 12th to the 17th. Alderman Grant noted that activities in Halifax would begin on May 10th with an ice cream social in each Ward with the Alderman for the Ward serving the ice cream.

Aldermen D. Grant and M. Leiper then outlined the activities planned for the remainder of the week and noted that Mr. Lew Rogers of Tourism Halifax had small gift to present to each of the Aldermen which would be useful during the ice cream social.

Mr. Rogers addressed Council noting that Tourism Halifax had reviewed the schedule for Municipal Awareness Week with a view to promoting the 'Halifax Likes Company' program. Mr. Rogers then presented Council with a 'Halifax Likes Company' T-shirt suggesting they would be appropriate for the ice cream social and other activities during Municipal Awareness Week.

DEFERRED ITEMS

Closure and Sale - Portion of Williams Lake Road (Lots WL-1 and WL-2)

A public hearing into the above matter was held on April 23, 1986.

MOVED by Alderman R. Grant, seconded by Alderman Walker that City Council approve the closure of a portion of the Williams Lake Road, lots WL-1 and WL-2, as found on the sketch attached to the February 7, 1986 staff report.

The Acting City Clerk advised that Alderman Leiper was not present at the public hearing.

Motion passed with Alderman Leiper abstaining.

Street Closure and Sale - Warners Court and Adjacent Lots

A public hearing into the above matter was held on April 23, 1986.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that City Council approve the closure of Warners Court and adjacent lots as found on the City of Halifax Plan No. SS-6-14959 as attached to the Staff Report dated February 18, 1986.

The Acting City Clerk advised that Alderman Leiper was not present at the public hearing.

Motion passed with Alderman Leiper abstaining.

Council
May 1, 1986

Closure of Tower Road (University Avenue to South Street)

A public hearing into to the above matter was held on April 23, 1986.

MOVED by Alderman D. Grant, seconded by Alderman Downey that City Council approve the closure of a portion of Tower Road between University Avenue and South Street as outlined in the February 5, 1986 staff report.

Motion passed with Alderman Leiper abstaining due to non-attendance at the public hearing.

Recommended Heritage Properties: 5853, 5857-63 and 5871 Spring
Garden Road; 1544 Summer Street (Hearing Date)

(5853, 5857-63 and 5871 Spring Garden Road)

A hearing into the above matter was held on April 23, 1986.

MOVED by Alderman Jefferson, seconded by Alderman Walker that the properties known as 5853, 5857-63 and 5871 Spring Garden Road not be designated as Heritage Properties at this time.

Alderman Hamshaw addressed the matter and referred to comments made by Mr. Wickwire at the Public Hearing indicating that he did not believe these were accurate. Alderman Hamshaw suggested that a report from the City Solicitor regarding what exactly can happen to a property once it has been designated Heritage would be beneficial to Council.

MOVED by Alderman Hamshaw, seconded by Alderman D. Grant that this matter be deferred pending receipt of a report from the City Solicitor regarding what exactly can happen to a property once it has been designated Heritage.

The Acting City Clerk advised that Alderman Leiper was not present at the Public Hearing.

The motion to defer was put and lost with Alderman Leiper abstaining.

The original motion was put and passed with Alderman Leiper abstaining.

(1544 Summer Street)

This matter was last discussed at the Special meeting of Halifax City Council held on April 23, 1986. At that time Council directed that the Acting City Clerk recommend a date for a hearing to consider this matter at this meeting of City Council.

Council
May 1, 1986

MOVED by Alderman Harshaw, seconded by Deputy Mayor Elynn that a date be set for a hearing to consider the designation of 1544 Summer Street as a Heritage Property.

Motion passed.

The Acting City Clerk advised that the date set for this hearing was Wednesday, May 21, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 4888 - 6130-6142 Lady Hammond Road - Rezoning

A public hearing into the above matter was held on April 23, 1986. A supplementary staff report dated April 28, 1986 was submitted. Correspondence dated May 1, 1986 from Daniel J. Clarke, Hutton Cooke, in favor of the proposal was also submitted.

MOVED by Alderman Dewell, seconded by Alderman Jeffrey that:

1. City Council approve the rezoning of the properties at 6130-6142 Lady Hammond Road from General Residential (R-2) Zone to Multiple Dwelling (R-3) Zone to allow the development of an 18 residential unit building on these properties; and

2. An amendment to the Building Line Plan of the Land Use Bylaw to remove the 25ft. building line from the south side of Lady Hammond Road where it crosses Civic No. 6110 to 6190 and Block B, Lady Hammond Road.

Alderman O'Malley addressed the matter noting that he was neither in favor of or against the development, however, he noted that as a resident of the area and representing other residents in his immediate neighbourhood he had concerns with regard to the ad hoc development of Lady Hammond Road. Alderman O'Malley further indicated that he had not had an opportunity to review the report submitted regarding traffic volume.

Alderman O'Malley indicated that he felt before this proposal was approved an appropriate plan of development should be established for Lady Hammond Road. Alderman O'Malley indicated that he did not agree with the staff report that as there were a number of uses already on Lady Hammond Road this development would have no detrimental affect on the area.

Alderman O'Malley indicated that he felt the Planning Advisory Committee should be requested to review the development of Lady Hammond Road and report back to Council regarding the appropriate use of the property in question as well as the whole of Lady Hammond Road.

Council
May 1, 1986

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that this matter be deferred until such time as the Planning Advisory Committee has made a recommendation to Council regarding the overall development of Lady Hammond Road.

The motion to defer was put and lost with Alderman Leiper abstaining due to non-attendance at the public hearing.

A further short discussion ensued and the original Motion was put and passed with Alderman Leiper abstaining.

Case No. 4945 - Contract Development, Brunswick Street/Barrington Street

A public hearing into the above matter was held on April 23, 1986. A supplementary staff report dated April 29, 1986 was submitted.

His Worship recognized the attendance of Mr. David Hyndman, former City of Halifax Director of Finance, and present president of Halifax Developments at this evening's meeting.

MOVED by Alderman Downes, seconded by Alderman D. Grant that:

1. City Council approve the application for contract development to permit the use of Block C and Proctor Street immediately north of the Trade Mart Building and immediately south of the Brunswick Street United Church on Brunswick Street for an 18-storey, 118 residential unit building and a 4-storey, 44 residential unit building; and

2. The contract shall be signed within 120 days or any extension thereof 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.

Alderman Grant addressed the matter indicating that he understood that this building met the view planes legislation, however, he noted that the view planes resulted in a tunnel vision view of the harbour from the Citadel. Alderman Grant indicated that he would prefer a panoramic view of the harbour and suggested that, in the future, when development in the vicinity of the Citadel is being considered the panoramic view of the harbour should be reviewed.

Council
May 1, 1986

Alderman R. Grant further requested that, if possible, a scale model, in block form, of the downtown area, particularly as it affects the Citadel, be built to aid Council in their decision making in relation to developments in the downtown. Alderman R. Grant suggested that this scale model could be designed and built by the students of the Nova Scotia College of Art and Design.

The motion was put and passed with Alderman Leiper abstaining due to non-attendance at the public hearing.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on April 23, 1986 as follows:

Street Prostitution and Related Issues

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

1. City Council approve in principle the formation of an Advisory Group on Prostitution and Related Issues, to be comprised of representatives from concerned community agencies and public sector organizations.
2. It is further recommended that the mandate of the Advisory Group, as follows, be approved:
 - to review existing services in the City of Halifax with respect to issues raised in the staff report, dated March 24, 1986;
 - to develop appropriate liaison and referral networks between existing agencies;
 - to attempt to develop implementation strategies for enhanced services to women and youth on the streets, with due regard to preventative programs;
 - to make recommendations to Council regarding measures to protect the well-being of practicing prostitutes;
 - to forward a report to Council outlining proposals for a program or programs offering alternatives to persons desiring to exit from prostitution, with particular attention to the needs of women and youth.

Council
May 1, 1986

3. It is further recommended that City Council allocate the sum of \$18,000 (cost-shared 50 percent by the Province) to the Social Planning Department for staff support and services to the Advisory Group on Prostitution and Related Issues.

Alderman R. Grant addressed the matter and proposed an amendment to part 3 of the recommendation as follows:

'3. That funding not be approved at this time and that Social Planning staff provide the required support and services to the Advisory Group on Prostitution and Related Issues and further that a review of the Advisory Group be carried out after it has been set up to determine its operation and consideration be given to funding at that time.'

His Worship declared that the amendment could not be accepted as it changed the sense of the motion.

Alderman R. Grant requested that the vote on the motion be split, to which Council agreed, as follows:

The vote on Part 1 of the Motion, as follows, was put and passed.

1. City Council approve in principle the formation of an Advisory Group on Prostitution and Related Issues, to be comprised of representatives from concerned community agencies and public sector organizations.

The Vote on Part 2 of the Motion, as follows, was put and passed.

2. It is further recommended that the mandate of the Advisory Group, as follows, be approved:

- to review existing services in the City of Halifax with respect to issues raised in the staff report, dated March 24, 1986;
- to develop appropriate liaison and referral networks between existing agencies;
- to attempt to develop implementation strategies for enhanced services to women and youth on the streets, with due regard to preventative programs;
- to make recommendations to Council regarding measures to protect the well-being of practicing prostitutes;

Council
May 1, 1986

- to forward a report to Council outlining proposals for a program or programs offering alternatives to persons desiring to exit from prostitution, with particular attention to the needs of women and youth.

The vote on Part 3 of the Motion, as follows, was put and passed with Aldermen O'Malley and R. Grant voting against.

3. It is further recommended that City Council allocate the sum of \$18,000 (cost-shared 50 percent by the Province) to the Social Planning Department for staff support and services to the Advisory Group on Prostitution and Related Issues.

Units of Public Housing for Senior Citizens

An information report dated April 28, 1986 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Downey
that, as recommended by the Finance and Executive Committee,
Council:

1. approve the resolution, as attached to the April 8, 1986 staff report, requesting the Nova Scotia Department of Housing to proceed with securing financing for twenty (20) units for Senior Citizens' Public Housing;
2. authorize the Mayor and the City Clerk to execute the agreement on behalf of the City.

Motion passed.

Deferred Taxes - Ordinance No. 137 and Tax Relief for Senior Senior Citizens and Others (City Charter Section 227)

Following is the recommendation of the Committee of the Finance and Executive Committee:

"That a supplementary staff report be submitted addressing the feasibility of raising the tax exemption level under Section 227 of the City Charter to \$14,500, and reporting on the possibility of cost-sharing with other levels of government so that recipients may receive an amount greater than the \$225 suggested in the April 21 staff report."

Alderman Meagher advised that he would like the matter referred to staff to consider raising the exemption level for seniors and others to \$14,500. Alderman Meagher suggested that it was important that the subject be studied further to see what tax relief might be supplied to seniors in 1986 to assist them

1986
May 11, 1986

- to forward a report to Council outlining proposals for a program of providing alternatives to persons seeking to exit from prostitution, with particular attention to the needs of women and youth.

The vote on Part 2 of the Motion, as follows, was not and passed with Aldermen O'Malley and E. Grant voting against.

3. It is further recommended that City Council allocate the sum of \$18,222 (cost-shared 50 percent by the Province) to the Social Planning Department for staff support and services to the Advisory Group on Prostitution and Related Issues.

Units of Public Housing for Senior Citizens

An information report dated April 18, 1986 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, Council:

1. approve the resolution, as attached to the April 8, 1986 staff report, requesting the Nova Scotia Department of Housing be entered into an agreement financing for twenty (20) units for Senior Citizens' Public Housing;
2. authorize the Mayor and the City Clerk to execute the agreement on behalf of the City.

Motion passed.

Deferred Taxes - Ordinance No. 187 and Tax Relief for Senior Citizens and Others (City Charter, Section 217)

Following is the recommendation of the Committee of the Finance and Executive Committee:

"That a supplementary staff report be submitted addressing the feasibility of raising the tax exemption level under Section 217 of the City Charter to \$14,500, and reporting on the possibility of cost-sharing with other levels of government so that recipients may receive an amount greater than the \$213 suggested in the April 21 staff report."

Alderman Meagher advised that he would like the matter referred to staff to consider raising the exemption level for seniors and others to \$14,500. Alderman Meagher suggested that it was important that the subject be studied further to see what tax relief might be supplied to seniors in 1986 to assist them

Council
May 1, 1986

in their own homes. Alderman Meagher expressed the view it was a subject which the Committee on Concerns of Ageing may also like to review.

MOVED by Alderman Meagher, seconded by Alderman Walker that the matter of the feasibility of raising the tax exemption level under Section 227 of the City Charter to \$14,500, and reporting on the possibility of cost-sharing with other levels of government so that recipients may receive an amount greater than the \$225 suggested in the April 21 staff report be referred to staff including the Director of Finance and the Social Planning Department and to consider a possible Committee to study the matter to see what steps can be take to keep such persons in their own homes.

His Worship suggested that the matter was being referred to staff to come forward with answers to the questions raised by Alderman Meagher.

Alderman D. Grant suggested that if a Committee was to be established, it would be worthwhile for the Chairman of the Committee on Concerns of Ageing to be involved in such a Committee.

Motion passed.

225 Herring Cove Road - Surplus Property Disposition

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee:

1. Council declare the property at 225 Herring Cove Road to be a surplus building;
2. the property be offered for sale by public tender with a minimum bid of \$350,000.

Alderman Meagher referred to the exchange of land through which the City acquired the piece of property in question and noted that the City had exchanged the Grafton Street Parking lot for this piece of land and another piece required in relation to the Fairview overpass. Alderman Meagher noted that it was his understanding that no monies had been exchanged at that time, however, it had been indicated that should the Grafton Street parking lot be sold for an appreciable amount of money there would be a re-adjustment of monies to the city. Alderman Meagher asked if a report had been received regarding the final figures on the Grafton Street parking lot.

The City Solicitor responded indicating that Alderman Meagher's recollection of the exchange of land was correct. He further noted that his understanding of the agreement was that the Province would forward to the City the developable value of the land on which the Prince George Hotel now stands, the former

Council
May 1, 1986

in their own homes. Alderman Meagher expressed the view it was a subject which the Committee on Concerns of Ageing may also like to review.

MOVED by Alderman Meagher, seconded by Alderman Walker that the matter of the feasibility of raising the tax exemption level under Section 227 of the City Charter to \$14,500, and reporting on the possibility of cost-sharing with other levels of government so that recipients may receive an amount greater than the \$225 suggested in the April 21 staff report be referred to staff including the Director of Finance and the Social Planning Department and to consider a possible Committee to study the matter to see what steps can be take to keep such persons in their own homes.

His Worship suggested that the matter was being referred to staff to come forward with answers to the questions raised by Alderman Meagher.

Alderman D. Grant suggested that if a Committee was to be established, it would be worthwhile for the Chairman of the Committee on Concerns of Ageing to be involved in such a Committee.

Motion passed.

225 Herring Cove Road - Surplus Property Disposition

MOVED by Alderman P. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee:

1. Council declare the property at 225 Herring Cove Road to be a surplus building;
2. the property be offered for sale by public tender with a minimum bid of \$350,000.

Alderman Meagher referred to the exchange of land through which the City acquired the piece of property in question and noted that the City had exchanged the Grafton Street Parking lot for this piece of land and another piece required in relation to the Fairview overpass. Alderman Meagher noted that it was his understanding that no monies had been exchanged at that time, however, it had been indicated that should the Grafton Street parking lot be sold for an appreciable amount of money there would be a re-adjustment of monies to the city. Alderman Meagher asked if a report had been received regarding the final figures on the Grafton Street parking lot.

The City Solicitor responded indicating that Alderman Meagher's recollection of the exchange of land was correct. He further noted that his understanding of the agreement was that the Province would forward to the City the developable value of the land on which the Prince George Hotel now stands, the former

Council
May 1, 1986

Downtown Merchants Association Parking lot. The Solicitor indicated that to his knowledge this figure has not been arrived at to date and suggested that a report should be developed to finalize this matter.

Alderman Meagher requested that a report regarding this matter be prepared and submitted to Council for consideration.

The motion was put and passed.

Expropriation Settlement - 16 & 20 Dakin Drive

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, costs attributed to the expropriation of the easements (2) shown on Plan TT-27-25840 and TT-27-25841 (abandoned March 12, 1986) be settled for the amount of \$1,217.00, as settlement in full.

Motion passed.

Saint Andrew's School

MOVED by Deputy Mayor Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, tenders be called for a study of Saint Andrew's (former) School, in line with the Terms of Reference attached as Schedule "B" to the April 14, 1986 staff report.

Motion passed.

Funeral and Burial Allowance Policy

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that the staff report dated April 12, 1986 entitled 'Funeral and Burial Allowance Policy' be tabled.

Motion passed.

User Fees - Central Commons

MOVED by Alderman Meagher, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the matter of Tournament User Fees be referred back to the Recreation Committee for re-examination and further, that the Committee look into the possibility of replacing the Tournament User Fees with a requirement for a deposit which would not be returnable if the team did not honor the booking.

Motion passed.

Council
May 1, 1986

Job Training Programs - Basic Skills & Development Program

Alderman Downey addressed the matter and referred to the meeting that Mr. Crowell was to have with the Deputy Minister of Social Services and the Director of Canada Employment and asked the outcome of this meeting.

Mr. Crowell addressed Council indicating that he had learned that the situation was much as outlined by Alderman O'Malley at the last Committee of the Whole Council meeting. Mr. Crowell indicated that individuals or municipalities wishing to set up programs similar to those cancelled could apply for a grant to do so, however, he had been advised that the funds were limited and had been expended.

Mr. Crowell indicated that plans were in the works for a program of this nature for Social Assistance recipients and noted that he was hopeful this program would proceed as planned.

A further short discussion ensued and it was MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive, a letter be sent immediately to the Honourable Flora MacDonald, Minister of Manpower and Immigration, with a copy to the Honourable Terence Donahoe, Minister of Human Resources Development and Training and the Honourable Stewart MacInnis, Minister of Supply and Services, requesting that these programs be re-instated immediately.

Motion passed.

Saint John Disaster

This matter was forwarded to Council without recommendation.

Alderman Walker addressed the matter indicating that the Emergency Measures Organization had discussed the Saint John disaster in great length at a recent meeting of the Organization. Alderman Walker indicated that he wished to assure the residents of Halifax that measures were being taken to ensure that this would not happen in Halifax.

His Worship noted that although EMO has not received an official report from Saint John regarding this matter one was expected. His Worship noted that the Emergency Measures Organization would be forwarding recommendations to City Council and the Province regarding the experience in Saint John when they have reviewed the official report.

Council
May 1, 1986

Alderman R. Grant referred to the inability of the City to give financial aid to municipalities outside the boundaries of Nova Scotia and requested that staff look into the possibility of establishing a mechanism by which the City could, if necessary, give financial aid to areas adjoining Nova Scotia boundaries which have experienced a disaster.

Alderman Downey referred to a gas leak which occurred two years ago in the Dresden Road area and noted that he had received calls from area residents complaining about gas fumes. Alderman Downey noted that he had brought this matter to the attention of the Fire Chief and asked if service stations within the city were checked on a regular basis with regard to leaks.

His Worship noted that this matter had been discussed at EMO and that a full report would be forthcoming from staff regarding the action being taken as a result of the Saint John disaster.

Alderman Downey requested that a report with regard to the Dresden Row situation be brought forward as soon as possible as area residents were very concerned. His Worship indicated that this report would be forthcoming immediately.

Alderman O'Malley referred to the discussions carried out by Council during the Ethiopian Famine crisis and noted that His Worship had asked for a report at that time in relation to the necessary Charter amendments to allow the City to give financial assistance to areas experiencing disasters. Alderman O'Malley requested that this report be prepared and submitted to Council for consideration.

Special Meeting on Commission on City Government

This matter was forwarded to Council without recommendation.

Alderman O'Malley addressed the matter indicating that he would like to establish a date for the Special meeting to discuss the Commission on City Government recommendations approved by Council and those that are still outstanding.

A discussion ensued and it was agreed that this meeting be held on June 16, 1986 at 3:00 p.m. in the Council Chamber. Alderman O'Malley noted that if this date was found to be inconvenient, another date could be set.

Halifax Shipyard Coalition Membership

This matter was forwarded to City Council without recommendation.

Council
May 1, 1986

MOVED by Alderman O'Malley, seconded by Alderman Walker
that this matter be deferred to the next regular meeting of the
Committee of the Whole Council to allow for a full discussion.

Motion passed.

Lawn Bowling - St. Mary's Recreation Club

This matter was forwarded to Council without
recommendation.

Alderman Meagher addressed the matter and referred to
correspondence addressed to the Mayor from the St. Mary's
Recreation Club which indicates disappointment in the
termination of the Joseph Howe Festival activities and concern
with regard to the effect on the St. Mary's Recreation Club
annual Lawn Bowling Tournament.

Alderman Meagher suggested that a letter be forwarded
to the St. Mary's Recreation Club inviting them to address the
Tax and Grants Committee with regard to funding for their Lawn
Bowling Tournament.

His Worship addressed the matter indicating that it was
his understanding the organization does not require funding,
however, would like the continued support of the City in
relation to the Lawn Bowling Tournament.

His Worship noted that Mr. Waye of his office had met
with the Association and expressed the view that the matter was
now settled. His Worship advised that his office would report
to Alderman Meagher.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works
from its meeting held on April 23, 1986 as follows:

Integrated Utility Information System

This matter was forwarded to City Council without
recommendation.

MOVED by Deputy Mayor Flynn, seconded by Alderman
Leiper that:

- (a) Council approve the establishment of an
Integrated Utility Information System expandable to
other departments as necessary, subject to approval
and cost-sharing by the Public Service Commission;

Council
May 1, 1986

(b) staff be given authorization to negotiate, for Council's approval, a contract with Eastcan for the creation and development of this system.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

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

This matter was given First Reading at a regular meeting of Halifax City Council held on April 17, 1986.

The City Solicitor noted that the proposed amendment to Ordinance Number 116 has been forwarded to City Council without recommendation from the meeting of Committee of the Whole Council held on April 23, 1986.

On the recommendation of the City Solicitor, it was moved by Alderman Meagher, seconded by Alderman Hamshaw that the proposed amendment to Ordinance 116, the Taxi Ordinance, be referred to the next regular meeting of Committee of the Whole Council scheduled for May 7, 1986 for discussion purposes.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on April 23, 1986 as follows:

Case No. 4981 - Contract Development: 2385 Hunter Street -
SET DATE FOR HEARING

A supplementary staff report, dated May 1, 1986, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Jeffrey that a date be set for a public hearing to consider the application for a contract development to permit the conversion of the existing four-unit building at 2385 Hunter Street to a transition house for 16 youths and/or young adults between 16 and 25 years of age.

Motion carried.

The Acting City Clerk advised that the public hearing would be scheduled for WEDNESDAY, JUNE 18, 1986 at 7:30 p.m. in the Council Chambers, Halifax City Hall.

Council
May 1, 1986

Quinpool Road Commercial Area Plan and Secondary Planning
Strategy/Planning Advisory Committee Report: SET DATES
FOR PUBLIC HEARINGS

An Information Report, dated April 28, 1986, was submitted.

Following is the recommendation from the April 23 meeting of the City Planning Committee:

That a date be set for a public hearing to consider the adoption of:

1. QUINPOOL ROAD COMMERCIAL AREA PLAN

1. the Quinpool Road Commercial Area Plan, attached to the April 11, 1986 report from the Planning Advisory Committee, as an official City report;
2. the policy section of this official report as Part XII of the Municipal Planning Strategy;
3. Land Use Bylaw amendments required to implement the Quinpool Road Commercial Area Plan; and
4. amendments to the Municipal Planning Strategy and Land Use Bylaw as contained in Appendix I, attached to the April 11, 1986 report from the Planning Advisory Committee, which are necessary to incorporate and implement the Quinpool Road Commercial Area Plan.

AND further that a date be set for a public hearing to consider:

2. PENINSULA CENTRE SECONDARY PLANNING STRATEGY

1. the adoption of amendments to Part II, Section VI (Peninsula Centre), of the Municipal Planning Strategy concerning Pepperell Street area and Land Use Bylaw amendments required to implement the Municipal Planning Strategy amendments as set out in Appendix II and Map 1 attached to the April 11, 1986 report from the Planning Advisory Committee;
2. the adoption of an amendment to Policy 3.11 of the Implementation policies set of the Municipal Planning Strategy also contained in Appendix II attached to the April 11, 1986 report from the Planning Advisory Committee; and
3. the rezoning of two properties as shown on P200/14990 of Case No. 5033 and Map 2 as attached to the April 11, 1986 report from the Planning Advisory Committee as follows:

Council
May 1, 1986

(a) lands used for McDonald's parking lot (Pepperell Street) from C-2 (General Business) to R-2 (General Residential); and

(b) lands at the rear of 1981 Oxford Street (Shaar Shalom Synagogue) from C-2 (General Business) to R-2 (General Residential).

AND FURTHER:

3. CONSIDERATION BY COUNCIL

that Council consider the Quinpool Road Commercial Area Plan and amendments to the Peninsula Centre Secondary Planning Strategy at public hearings to be held on the same evening, but, for public convenience, that the public hearing for the Peninsula North Secondary Planning Strategy be held on a different evening; and

that all material regarding the Planning Advisory Committee's recommendations for the Peninsula North Area be before Council prior to the public hearing on the Quinpool Road Commercial Area Plan because of the inter-relationships between these secondary planning strategies.

Mr. R. J. Matthews, Director of Planning, recommended that the scheduling of the public hearings in question be deferred until the Peninsula North Secondary Planning Strategy has been submitted to Council.

It was subsequently moved by Alderman Meagher, seconded by Alderman Downey that the scheduling of the public hearing dates with regard to the Quinpool Road Commercial Area Plan and Secondary Planning Strategy be deferred for a four-week period.

Motion passed.

Alderman O'Malley expressed the opinion that the designation of this planning strategy as "Peninsula North" is not entirely accurate and requested that the Planning Advisory Committee be asked to consider renaming the document. Alderman Meagher, however, emphasized that, to many long-time residents of the area, "Peninsula North" refers to the area north of North Street, and recommended that the strategy remain as presently designated.

Planning Advisory Committee Report - General Industrial
(I-3) Zone Amendments

Following is the recommendation from the April 23 meeting of the City Planning Committee:

Council
May 1, 1986

That the amendments to the General Industrial (I-3) Zone as contained in the staff report of February 19, 1986, be approved, but that staff be requested to comment on the need for amendments to accessory building controls, including requirements for maximum heights, in a report to be sent directly to City Council.

The Acting City Clerk advised that the information requested in the latter portion of the above recommendation had not yet been submitted.

On the recommendation of the Acting City Clerk, it was agreed that the scheduling of the public hearing to consider the proposed amendments (contained in the February 19, 1986 staff report) be deferred, pending receipt of a supplementary staff report.

Planning Advisory Committee Recommendations Re: Lakes and Waterways

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the City Planning Committee, staff be instructed to meet with the Lakes and Waterways Committee to discuss the recommendations contained in the January 7, 1986 staff report entitled "Planning Advisory Committee Recommendations: Lakes and Waterways."

Motion passed.

MISCELLANEOUS BUSINESS

Seaview Memorial Park Boat Launch - Tender #85-72

A staff report, dated April 21, 1986, was submitted.

MOVED by Alderman C'Nalley, seconded by Alderman Dewell that:

1. Council award the remaining works to complete Tender #85-72 for materials and services listed for the unit prices quoted to the low bidder, L. & J. Gillespie Structures Limited; and
2. that funding be authorized from Capital Account #FA041, Seaview Park.

Motion passed.

Council
May 1, 1986

Federation of Canadian Municipalities: 1986 Annual Conference -
Voting Accreditation

A memorandum, dated April 4, 1986, was submitted by Mr. Birte Ertmann, Administrative Officer, Federation of Canadian Municipalities.

MOVED by Deputy Mayor Flynn, seconded by Alderman Dewell that the following members of Halifax City Council be recommended for accreditation as voting delegates at the 1986 FCM Annual Conference:

Alderman R. Cromwell
Deputy Mayor A. Flynn
Alderman A. Hamshaw
Alderman G. Downey (Alternate)

Motion passed.

QUESTIONS

Question Alderman Hamshaw Re: Designated Heritage Properties

Alderman Hamshaw referred to remarks previously made by Mr. F. B. Wickwire, Q.C. during a special meeting of Council held on April 23, 1986 regarding the options open to owners of designated heritage properties, and asked for a report from the City Solicitor as to the accuracy of those remarks.

Question Alderman Leiper Re: World Cup Soccer - Canadian Entry

Alderman Leiper requested that Halifax City Council forward an expression of best wishes to the Canadian soccer team who will be entering the World Cup Soccer tournament in Mexico for the first time this year.

His Worship Mayor Wallace indicated that such a letter would be sent.

Question Alderman Jeffrey Re: Major Stevens Ball Park - Garbage

Acting on a number of complaints received from area residents, Alderman Jeffrey asked to have the garbage scattered on the Major Stevens Ball Park area removed by staff as quickly as possible.

Question Alderman Jeffrey Re: Pre-Blast Surveys

Alderman Jeffrey referred to blasting being undertaken in conjunction with the installation of a storm and sanitary sewer in the Main Avenue - Industrial Park area, noting that, to his knowledge, no pre-blast surveys had been carried out.

Council
May 1, 1986

The Alderman emphasized that such surveys must be undertaken to ensure that residents can be adequately compensated for any damages incurred and asked to have the matter investigated by staff.

Question Alderman R. Grant Re: Traffic Sign - Twin Oaks Road

Alderman R. Grant requested the City's Traffic Authority to ascertain whether the traffic sign, initially intended for installation in September, has been erected at the intersection of Twin Oaks Road and Circle Drive.

9:48 p.m. - His Worship the Mayor retires from the meeting and Deputy Mayor Flynn assumes the Chair.

Question Alderman Walker Re: Dog Control

Alderman Walker referred to a number of complaints received from his constituents concerning dog droppings on their properties, noting that owners walking their leashed animals persist in allowing them to defecate on neighboring lawns.

The Chairman advised that this could be dealt with through certain provisions of Ordinance 147, the City's dog ordinance, and suggested that the Alderman advise his constituents to make a formal complaint to the Halifax Police Department.

Question Alderman Walker Re: Real Estate Signage

Alderman Walker reported a number of instances where advertising signs erected by various real estate companies are obstructing street and traffic signs.

The City Solicitor advised that a letter had been forwarded to the Real Estate Board advising it of the City's concern in this matter, but noted that if this warning is being ignored, more direct action will be taken. He further suggested that the Alderman may wish to direct his complaints to the City's Works Department who will ensure that the offending signs are removed.

Question Alderman Walker Re: Unsightly Premises

Alderman Walker noted that, in his opinion, the cessation of an annual clean-up week has led to a number of instances where residents are remiss about disposing of large articles of unwanted household furniture such as sofas and washing machines. He suggested that the City attempt to promote the month of May as an annual City-wide clean-up month so that the properties will be at their best for the onset of the tourist season.

Council
May 1, 1986

The City Solicitor offered the suggestion that since the matter falls within the purview of the unsightly premises regulations, the Alderman may wish to report such problems to staff who will attend to the problem.

Question Alderman Downey Re: Street Repairs - George Street

Alderman Downey referred to the construction of an underground tunnel on George Street leading to the Prince George Hotel, and asked for information as to when this portion of the street surface will be repaired.

Mr. P. S. Connell, Director of Engineering and Works, advised that George Street will be closed for another two-week period to allow the contractor to complete certain electrical work. However, he assured Alderman Downey that street repairs will commence as soon as the underground installation is complete.

Question Alderman Downey Re: Street Cleaning

Alderman Downey complimented staff on their acquisition of additional street sweepers, and urged that cleaning operations on the City's residential streets be undertaken as quickly as possible.

Question Alderman Meagher Re: Traffic Pattern - Oxford School Area

Alderman Meagher requested the City's Traffic Authority to reexamine the traffic patterns in the area of the Oxford Street School, particularly on Chebucto Road between Oxford and Dublin Streets. He added that a student from that school had recently been injured by a car in this vicinity and asked for a recommendation from the Traffic Authority as to steps that could be taken to improve pedestrian safety.

Question Alderman Meagher Re: Crosswalks

Alderman Meagher recommended that staff be encouraged to have those crosswalks in the vicinity of the City's schools repainted as a priority item.

Question Alderman Meagher Re: Crosswalk Sign

Alderman Meagher requested that the Traffic Authority ensure that the overhead crosswalk sign at the corner of North and Dublin Streets, previously approved by City Council, be installed as quickly as possible.

Question Alderman Meagher Re: Vehicular Short-Cuts

Alderman Meagher reported increasing incidents of vehicular traffic cutting through corner lots in order to avoid traffic lights, and asked that the Halifax Police Department be requested to monitor such situations more closely.

The Alderman referred, in particular, to the Fina Station at the corner of Quinpool and Oxford Street, and to the St. Agnes Church property on Mumford Road.

Question Alderman Meagher Re: Downtown Vandalism

Alderman Meagher referred to reports that in order to better control vandalism in the City's downtown core, the Halifax Police Department has redeployed certain of its members to patrol that area.

The Alderman expressed concern that, by so doing, other areas of the City had been relieved of adequate police protection, and asked that the Chief of Police submit a report on the matter.

Question Alderman O'Malley Re: Possible Detailed Area Plan -
Lady Hammond Road Area

Alderman O'Malley requested a report prior to the May 7 meeting of Committee of the Whole Council concerning the steps necessary to implement a detailed area plan for the area north of Young Street (west to Windsor Street, north to the Bedford Basin, and east to Halifax Harbour).

9:55 p.m. - His Worship Mayor Wallace returns to the meeting and Deputy Mayor Flynn assumes his usual seat in Council.

Question Alderman O'Malley Re: Status of Negotiations with the
County of Halifax - Sewer Connection

Responding to a question from Alderman O'Malley, the Chairman indicated that while the Minister of Municipal Affairs had been requested to intercede with the County of Halifax on the City's behalf in this matter, to date there has been no response from County officials.

Mayor Wallace assured the Alderman that members of Council will be kept advised of any future progress in these deliberations.

Question Alderman Hamshaw Re: Annual Vacation - Halifax
City Council

Alderman Hamshaw requested a staff recommendation as quickly as possible concerning suggested dates for Council's annual vacation period.

Question Alderman R. Grant Re: Flashing Advertising Lights

Alderman R. Grant noted that several businesses have installed advertisements with flashing lights close to street intersections which are posing a hazard to motorists, and asked that the Traffic Authority investigate these problem areas.

Question Alderman D. Grant Re: Access to Dunbrack Street

Alderman D. Grant asked for comments from staff as to whether an access route from St. Margaret's Bay Road to Dunbrack Street had previously been considered.

Question Alderman E. Grant Re: Crosswalks in the Vicinity
of Bus Stops

Alderman D. Grant requested information from staff as to the regulations, if any, for locating crosswalks in close proximity to bus stops. She noted that some crosswalks, particularly those heavily used by school children, would appear perilously close to transit stops, and asked that staff investigate the matter.

Question Alderman Dewell Re: Blasting - Prison Lands
Development

Alderman Dewell advised that residents of Memorial Drive have reported a pre-blast survey being undertaken in connection with the ongoing development at the site of the former Prison Lands.

Alderman Dewell emphasized that, to his knowledge, according to the development agreement, no blasting was to take place in connection with this project.

Responding to Alderman Dewell's remarks, the City Manager indicated that it was his understanding that the developer in question wished to carry out some off-site blasting in conjunction with sewer connections, but that the Alderman could be assured that the City will not issue a blasting permit for this work.

With reference to a further question from Alderman Dewell, the City Manager advised that, should illegal blasting take place, the City will take immediate legal action against the developer in question.

Question Alderman Dewell Re: Bright Street

Alderman Dewell made reference to Bright Street off Lady Hammond Road which is separated into two portions by an embankment. The Alderman noted that this division is a source of continual confusion for delivery vehicles and those unfamiliar with the area, and asked that staff consider redesignating a portion of the street as "Bright Place" or some equally appropriate name.

Question Alderman Dewell Re: Detailed Area Plan - Lady Hammond Road

Alderman Dewell emphasized that the Lady Hammond Road area is, in his opinion, in urgent need of coherent planning and sought assurance that a recommendation concerning the feasibility of a detailed area plan will be forthcoming from the Planning Advisory Committee.

The City Manager confirmed that, as part of a recommendation previously forwarded to the Planning Advisory Committee in conjunction with the proposed rezoning of 6130-6142 Lady Hammond Road (Case No. 4888), development patterns in the general Lady Hammond Road area will be reviewed.

Question Alderman O'Malley Re: City Signage - Development Applications

Alderman O'Malley made reference to the small print size used on signs erected to advise the public of proposed developments. The Alderman emphasized that the text of these signs are, in many cases, illegible from the street, and requested staff to consider, at the very least, enlarging the signs' headings.

Question Alderman O'Malley Re: Blasting - Prison Lands Development

Alderman O'Malley expressed deep concern that blasting, either on- or off-site, will be undertaken in conjunction with the development of the Prison Lands. He added that, because he had understood that the development agreement with the City prohibited all blasting, he had assured residents that none would take place. Alderman O'Malley referred to comments made earlier in the meeting by Alderman Dewell and asked what action the City could take if blasting did indeed occur.

Council
May 1, 1986

The City Solicitor advised that he would like the opportunity of reviewing the minutes of the Council deliberations dealing with this matter, as well as the development agreement in question, to ascertain the restrictions placed by the City with regard to both on- and off-site blasting. He indicated that, having conducted this review, a report would be submitted to Council as quickly as possible.

NOTICE OF MOTIONS

Notice of Motion - Alderman R. Grant Re: Establishment of the Lakes and Waterways Committee as a Council Committee

Alderman R. Grant gave notice of motion that at the next regular meeting of Halifax City Council scheduled for May 15, 1986, he intends to introduce a motion which will make the Lakes and Waterways Committee a Committee reporting to City Council on such matters as will be established in the terms of reference of the Committee. The Committee will report directly to City Council on such matters as will be established in the terms of reference of the Committee. These terms of reference will be circulated to members of Council. In addition, the Committee will study and report to the Planning Advisory Committee on matters assigned to them by the Planning Advisory Committee.

Notice of Motion - Alderman Meagher Re: Amendment to Ordinance 170, the Tax Concession Ordinance

Alderman Meagher gave notice of motion that at the next regular meeting of City Council scheduled for May 15, 1986, he intends to introduce a motion to amend Ordinance 170, the Tax Concession Ordinance, the purpose of which is to add two properties to those entitled to tax concessions under the Ordinance.

ADDED ITEMS

Case No. 4692 - Contract Development: 6052-6056 Quinpool Road

This item was added to the agenda at the request of the Acting City Clerk.

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by staff, the agreement signing time limit for the contract development at 6052-6056 Quinpool Road be extended to May 30, 1986.

Motion passed.

Council
May 1, 1986

Proposed Grant - Art Gallery of Nova Scotia

This matter was added to the agenda at the request of Deputy Mayor Flynn.

A report, dated May 1, 1986, was submitted from Alderman N. Meagher, Chairman, Tax Concession and Grants Committee.

MOVED by Deputy Mayor Flynn, seconded by Alderman D. Grant that, as recommended by the Tax Concession and Grants Committee, a grant of \$50,000 be approved from the Tax Concession and Grant budget in 1986 for the Art Gallery of Nova Scotia, and that a commitment be made for a grant of \$50,000 in each of the succeeding four years.

Motion passed.

10:20 p.m. - The meeting was adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. KERR, ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

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HEADLINES FOR CITY COUNCIL MINUTES
of 05/01/86

MINUTES 204
APPROVAL OF ORDER OF BUSINESS	
Presentation - Municipal Awareness Week - Alderman D. Grant and M. Leiper	.... 204
	.... 204
DEFERRED ITEMS	
Closure and Sale - Portion of Williams Lake Road (Lots WL-1 and WL-2)	.... 205
Street Closure and Sale - Warners Court and Adjacent Lots	.... 205
Closure of Tower Road (University Avenue to South Street)	.... 206
Recommended Heritage Properties: 5853, 5857-63 & 5871 Spring Garden Road; 1544 Summer Street (SET DATE FOR HEARING)	.... 206
Case No. 4888 - 6130-6142 Lady Hammond Road - Rezoning	.... 207
Case No. 4945 - Contract Development , Brunswick Street/ Barrington Street	.... 208
REPORT - FINANCE AND EXEC COMM	
Street Prostitution and Related Issues	.... 209
Deferred Taxes - Ordinance No. 137 and Tax Relief for Senior Citizens and Others (City Charter Section 227)	.... 211
Units of Public Housing for Seniors Citizens	.... 211
Expropriation Settlement - 16 & 20 Dakin Drive	.... 212
225 Herring Cove Road - Surplus Property Disposition	.... 212
User Fees - Central Commons	.... 213
Funeral and Burial Allowance Policy	.... 213
Job Training Programs - Basic Skills & Development Program	.... 214
Saint John Disaster	.... 214
Special Meeting on Commission on City Government	.... 215
Halifax Shipyard Coalition Membership	.... 215
Lawn Bowling - St. Mary's Recreation Club	.... 216

HEADLINES FOR CITY COUNCIL MINUTES
of 05/01/86

REPORT - COMMITTEE ON WORKS Integrated Utility Information System	.... 216
Proposed Amendment to Ordinance Number 116, the Taxi Ordinance - SECOND READING	.... 217
REPORT - CITY PLANNING COMM. Case No. 4981 - Contract Development: 2385 Hunter Street - SET DATE FOR HEARING	.... 217
Quinpool Road Commercial Area Plan and Secondary Planning Strategy/PAC Report: SET DATES FOR PUBLIC HEARINGS	.... 218
Planning Advisory Committee Report - General Industrial (I-3) Zone Amendments	.... 219
Planning Advisory Committee Recommendations re: Lakes and Waterways	.... 220
MISCELLANEOUS BUSINESS Seaview Memorial Park Boat Launch - Tender 185-72	.... 220
Federation of Canadian Municipalities: 1986 Annual Conference - Voting Accreditation	.... 221
QUESTIONS Question Alderman Leiper re: World Cup Soccer Canadian Entry	.... 221
Question Alderman Jeffrey re: Major Stevens Ball Park - Garbage	.... 221
Question Alderman Jeffrey re: Pre-Blast Surveys	.... 221
Question Alderman Hamshaw re: Designated Heritage Properties	.... 221
Question Alderman R. Grant re: Traffic Sign - Twin Oaks Road	.... 222
Question Alderman Walker re: Dog Control	.... 222
Question Alderman Walker re: Real Estate Signage	.... 222
Question Alderman Walker re: Unsightly Premises	.... 222
Question Alderman Downey re: Street Repairs - George Street	.... 223
Question Alderman Downey re: Street Cleaning	.... 223
Question Alderman Meagher re: Crosswalks	.... 223
Question Alderman Meagher re: Crosswalk Sign	.... 223
Question Alderman Meagher re: Vehicular Short-Cuts	.... 224
Question Alderman Meagher re: Downtown Vandalism	.... 224
Question Alderman O'Malley re: Possible Detailed Area Plan- Lady Hammond Road	.... 224

HEADLINES FOR CITY COUNCIL MINUTES
of 05/01/86

Question Alderman O'Malley re: Status of Negotiations with the County of Halifax - Sewer Connection	.... 224
Question Alderman Hamshaw re: Annual Vacation - Halifax City Council	.... 225
Question Alderman D. Grant re: Access to Dunbrack Street	.... 225
Question Alderman O'Malley re: City Signage - Development Application	.... 226
Question Alderman O'Malley re: Blasting - Prison Land Development	.... 226
Question Alderman Dewell re: Bright Street	.... 226
Question Alderman Dewell re: Detailed Area Plan - Lady Hammond Road	.... 226
NOTICE OF MOTIONS	
Notice of Motion - Alderman Meagher re: Amendment to Ordinance 170, the Tax Concession Ordinance	.... 227
ADDED ITEMS	
Case No. 4692 - Contract Development - 6052-6056 Quinpool Road	.... 227
Proposed Grant - Art Gallery of Nova Scotia	.... 228

HEADLINES FOR CITY COUNCIL MINUTES
of 05/01/86

MINUTES	.... 204
APPROVAL OF ORDER OF BUSINESS	
Presentation - Municipal Awareness Week - Alderman D. Grant and M. Leiper	.... 204
	.... 204
DEFERRED ITEMS	
Closure and Sale - Portion of Williams Lake Road (Lots WL-1 and WL-2)	.... 205
Street Closure and Sale - Warners Court and Adjacent Lots	.... 205
Closure of Tower Road (University Avenue to South Street)	.... 206
Recommended Heritage Properties: 5853, 5857-63 & 5871 Spring Garden Road; 1544 Summer Street (SET DATE FOR HEARING)	.... 206
Case No. 4888 - 6130-6142 Lady Hammond Road - Rezoning	.... 207
Case No. 4945 - Contract Development , Brunswick Street/ Barrington Street	.... 208
REPORT - FINANCE AND EXEC COMM	
Street Prostitution and Related Issues	.... 209
Deferred Taxes - Ordinance No. 137 and Tax Relief for Senior Citizens and Others (City Charter Section 227)	.... 211
Units of Public Housing for Seniors Citizens	.... 211
Expropriation Settlement - 16 & 20 Dakin Drive	.... 212
225 Herring Cove Road - Surplus Property Disposition	.... 212
Funeral and Burial Allowance Policy	.... 213
User Fees - Central Commons	.... 213
Job Training Programs - Basic Skills & Development Program	.... 214
Saint John Disaster	.... 214
Special Meeting on Commission on City Government	.... 215
Halifax Shipyard Coalition Membership	.... 215
Lawn Bowling - St. Mary's Recreation Club	.... 216

HEADLINES FOR CITY COUNCIL MINUTES
of 05/01/86

REPORT - COMMITTEE ON WORKS	
Integrated Utility Information System	..... 216
Proposed Amendment to Ordinance Number 116, the Taxi Ordinance - SECOND READING	..... 217
REPORT - CITY PLANNING COMM.	
Case No. 4981 - Contract Development: 2385 Hunter Street - SET DATE FOR HEARING	..... 217
Quinpool Road Commercial Area Pland and Secondary Planning Strategy/PAC Report: SET DATES FOR PUBLIC HEARINGS	..... 218
Planning Advisory Committee Report - General Industrial (I-3) Zone Amendments	..... 219
Planning Advisory Committee Recommendations re: Lakes and Waterways	..... 220
MISCELLANEOUS BUSINESS	
Seaview Memorial Park Boat Launch - Tender #85-72	..... 220
Federation of Canadian Municipalities: 1986 Annual Conference - Voting Accreditation	..... 221
QUESTIONS	
Question Alderman Leiper re: World Cup Soccer Canadian Entry	..... 221
Question Alderman Jeffrey re: Pre-Blast Surveys	..... 221
Question Alderman Jeffrey re: Major Stevens Ball Park - Garbage	..... 221
Question Alderman Hamshaw re: Designated Heritage Properties	..... 221
Question Alderman R. Grant re: Traffic Sign - Twin Oaks Road	..... 222
Question Alderman Walker re: Dog Control	..... 222
Question Alderman Walker re: Real Estate Signage	..... 222
Question Alderman Walker re: Unsightly Premises	..... 222
Question Alderman Downey re: Street Repairs - George Street	..... 223
Question Alderman Downey re: Street Cleaning	..... 223
Question Alderman Meagher re: Crosswalks	..... 223
Question Alderman Meagher re: Crosswalk Sign	..... 223
Question Alderman Meagher re: Vehicular Short-Cuts	..... 224
Question Alderman Meagher re: Downtown Vandalism	..... 224
Question Alderman O'Malley re: Possible Detailed Area Plan-	

HEADLINES FOR CITY COUNCIL MINUTES
of 05/01/86

Lady Hammond Road	....	224
Question Alderman O'Malley re: Status of Negotiations with the County of Halifax - Sewer Connection	....	224
Question Alderman Hamshaw re: Annual Vacation - Halifax City Council	....	225
Question Alderman D. Grant re: Access to Dunbrack Street	....	225
Question Alderman O'Malley re: City Signage - Development Application	....	226
Question Alderman O'Malley re: Blasting - Prison Land Development	....	226
Question Alderman Dewell re: Bright Street	....	226
Question Alderman Dewell re: Detailed Area Plan - Lady Hammond Road	....	226
NOTICE OF MOTIONS		
Notice of Motion - Alderman Meagher re: Amendment to Ordinance 170, the Tax Concession Ordinance	....	227
ADDED ITEMS		
Case No. 4692 - Contract Development - 6052-6056 Quinpool Road	....	227
Proposed Grant - Art Gallery of Nova Scotia	....	228

Mr. Heseltine indicated that the process for the Spring Garden Road Commercial Area Plan had begun in 1980. Mr. Heseltine noted that there was a great deal of interest in the early stages and the present document is essentially a resolution of a number of competing concerns. Mr. Heseltine noted that the proposed Plan had been developed through an extensive Public Participation Program. Mr. Heseltine noted that the report entitled 'Draft Spring Garden Commercial Area Plan' was the final result of careful review by the Planning Advisory Committee and the Spring Garden Road Sub-committee of the Planning Advisory Committee.

Mr. Heseltine indicated that the Commercial Area Plan does not propose any radical changes to the existing zoning or development pattern. Mr. Heseltine noted that the Plan reinforces the assets of the area by:

1. Encouraging existing retail and commercial uses and allowing for expansion and the establishment of new businesses;
2. requiring retail uses on the Spring Garden Road frontage;
3. ensuring that an adequate supply of parking is maintained as the area grows;
4. preserving the character of the area by limiting the height of buildings and requiring setbacks; and
5. encouraging a residential component in the area.

Mr. Heseltine then detailed the objective of the Plan dealing with the commercial nature of Spring Garden Road, the Policies within the Plan relating to parking in the area and the proposed height controls for the area.

In closing Mr. Heseltine indicated that the adoption of the Spring Garden Road Commercial Area Plan would result in the removal of Schedule "C" and "N" from the plan area. Mr. Heseltine indicated that future development will proceed as-of-right within the provision of the Land Use Bylaw and there will be no further development agreements, except for the Clyde Street Parking Lots.

Mr. D. McIlveen, representing the Spring Garden Road Merchants Association, addressed Council indicating that he owned and operated Winsbys shoe store on Spring Garden Road. Mr. McIlveen noted that the Spring Garden Road Merchants Association was composed of retail and commercial businessmen many of whom own the properties they occupy.

Mr. McIlveen indicated that the Association was vitally interested in the promotion and development of Spring Garden Road and have been involved with the Commercial Plan for Spring Garden Road for a number of years. Mr. McIlveen generally supported the Plan, however, had two objections.

Mr. McIlveen indicated that Policy 1.3.1 encourages only residential uses along the Clyde Street frontage. Mr. McIlveen further noted that approximately 130 cars were turned away from parking facilities in this area each day and that the re-opening of the courthouse and the Infirmary take up most of the available spaces in the parking lot located between Spring Garden Road and Barrington Street.

Mr. McIlveen indicated that the Clyde Street area is ideal for parking due to its proximity to the Commercial area of Spring Garden Road. Mr. McIlveen, in referring to the staff report dated July 19, 1985, indicated that there appeared to be support from staff for the removal of this policy of the Plan.

Mr. McIlveen indicated that he felt the most logical separation of commercial and residential uses in the area was Clyde Street and noted there was a significant commercial component on the south side of Clyde Street at present. Mr. McIlveen indicated that it made no sense to have 100% residential on the other side of Clyde Street.

Mr. McIlveen indicated that the Association's second objection related to the 35ft. height restriction and indicated that the height restriction had been discussed at great length. Mr. McIlveen noted that the Merchants Association desired a 75ft. restriction, however, a compromise of 55ft. had been reached between staff and the Association. Mr. McIlveen noted that the proposed restriction before Council this evening was 35ft. Mr. McIlveen noted that this matter was also discussed in the July 19, 1985 staff report.

In closing, Mr. McIlveen indicated that the Association felt that Spring Garden Road was a major commercial area and they would support the Plan with the changes indicated in his presentation this evening.

Mr. McIlveen responded to questions from members of Council.

8:00 p.m. Alderman P. Grant joins the meeting.

Mr. Ted Wickwire, representing Franklin Enterprises Ltd., the former Lord Nelson Hotel Ltd., addressed Council indicating that the Lord Nelson Hotel was a Halifax landmark. Mr. Wickwire indicated that his client had two concerns with respect to the Proposed Commercial Area Plan which could, in his opinion be dealt very neatly with two small additions to the proposed plan.

Mr. Wickwire indicated that the concerns dealt with the height restriction on South Park Street and the parking requirement.

Mr. Wickwire went on to note that a building constructed on the parking lot to the north of the present hotel could be 35ft. in height at the street line and could be terraced back to a 35 degree angle to the Citadel Plane. Mr. Wickwire noted that the Citadel Plane was a plane created within this Plan to ensure that persons standing within the Parade Grounds of the Citadel could not see building below the Citadel.

Mr. Wickwire indicated that in reviewing the Plan he understood the origin of the 55ft. restriction and further noted that he felt it was reasonable for the Spring Garden Road retail/commercial area. Mr. Wickwire indicated, however, that his client would like to be able to come before Council for a contract development to allow an addition to the Lord Nelson Hotel. Mr. Wickwire indicated that this addition would be in conformity with the present character of the hotel. Mr. Wickwire then read into the record his proposed addition to the Plan in this regard, as follows:

"2.7.1 On the Lord Nelson Hotel Parking Lot the City may permit, by development agreement, a new development whose height may equal but not exceed the height of a projection northerly of the parapet line of the present Lord Nelson Hotel, it being a condition of such development agreement that such new development be set back from South Park Street a distance equal to the setback of the Lord Nelson Hotel."

Mr. Wickwire then addressed the matter of the parking requirement within the Land Use Bylaw noting that this allowed one parking space for every 1000 square feet of commercial space. Mr. Wickwire indicated that a hotel was able to serve their patrons by night and shoppers by day and suggested that it would be unnecessary to have one space per 1000 square feet of commercial area. Mr. Wickwire then read into the record his proposed addition to the Land Use Bylaw section of the Plan, as follows:

"1.3.2 On the Lord Nelson Hotel Parking the City may permit, by development agreement, a new development whose parking capacity is less than the minimum stipulated in the Land Use Bylaw for the Spring Garden Road Area, taking into account the fact that a parking facility in a commercial development of which a hotel is an element may serve both the patrons of the hotel and the patrons of the other commercial elements adequately during different hours in the day."

In closing, Mr. Wickwire indicated that his client had been surprised that the Lord Nelson Hotel had not been singled out for special treatment and requested Council's support for the proposed additions to the Plan.

A copy of the proposed additions to the Plan submitted by Mr. Wickwire form a part of the official file of this meeting.

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

The following correspondence has been received in relation to the proposed Spring Garden Road Commercial Area Plan:

1. Correspondence dated May 7, 1986 from Elizabeth Pacey, Projects Chairman, Heritage Trust of Nova Scotia regarding the height restrictions contained in the Plan.
2. Correspondence received at the Public Hearing from Judith Murray, Friends of the Public Gardens regarding the height restrictions contained in the Plan.

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. 4961 - Contract Development and Lot Consolidation -
2388-92 Gottingen Street

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 contract development to permit the conversion of and addition to two existing buildings on the site and new construction at the rear of the site to create 24 dwelling units in one building, as found in the staff report dated February 20, 1986.

Mr. Campbell indicated that staff was recommending approval of the project and that the draft contract contained a two year completion date.

Mr. Richard Pearson, Home Smart Services Incorporated, representing the partnership wishing to build the proposal, indicated that this development reflected similar type infilling in the south end and suggested that the completion of this proposal would result in more of this kind of housing in the north end of the City.

Mr Pearson further indicated that he felt the development to be in keeping with the character of the neighbourhood and would open the way for innovative and sensitive development in the area.

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

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

Motion passed.

ADJOURNED PUBLIC HEARING - Mainland South Secondary Planning
Strategy and Associated Municipal Planning Strategy and
Land Use Bylaw Amendments

This matter was adjourned to this meeting from the Public Hearing held on April 9, 1986. The public hearing into the above matter continued at this time.

Alderman R. Grant submitted two petitions, the first being from the residents and property owners in the area of Clovis Avenue, Whimsical Avenue, Nelson Avenue, Rainforth Avenue, Acorn Road, Lyons Avenue, Granite Avenue, Colpitts Lake Road, Whimsical Lake Road, from Herring Cove Road to the Department of Transport Property, and St. Michaels's Avenue on the East side of Herring Cove Road in Ward 7 objecting to the proposal to rezone their properties from Low Density to Medium Density residential.

The second being from the Residents of Bridget Avenue, Spryfield, objecting to the rezoning of Bridget Avenue from T (Trailer Zone) to R-2 (Residential). Alderman R. Grant indicated that it was his understanding that the residents in this area were of the opinion that the City would be purchasing this property for residential development after the proposed rezoning has been approved. Alderman R. Grant asked if it had ever been the intention of the City, after approval of the proposed rezoning, to buy the property for residential development.

Mr. Robertson responded to the question indicating that this was never the City's intention and further noting that the proposed R-2 zoning would have no impact on the existing homes and park.

A copy of the two petitions now form a part of the official file of this meeting.

Mr. Robertson then responded to further questions from members of Council.

Mr. Robertson briefly outlined the proposed Mainland South Secondary Planning Strategy and associated Municipal Planning Strategy and Land Use Bylaw amendments as found in the report from the Planning Advisory Committee and staff reports dated December 6, 1985, January 14 and 23, 1986 and March 13, 1986.

His Worship leaves the meeting and Deputy Mayor Flynn takes the Chair.

Mr. B. Moore, representing George and Michaelle Barbour, addressed Council noting that he had submitted a written presentation to Council previously, a copy of which forms a part of the official file of this meeting. Mr. Moore indicated that the Barbours were interested in developing a small apartment building at 144 Old Sambro Road. Mr. Moore indicated that an application for Contract Development had been made in this regard.

Mr. Moore indicated that he was aware of opposition to a rezoning to R-2 in the area of 144 Old Sambro Road and noted that he generally agreed that R-1 owners have a right to object to this rezoning. Mr. Moore noted, however, that there was a need for housing in the City of Halifax. Mr. Moore indicated that he felt consideration should be given to multiple family development and noted that to ignore such development would be to the detriment of the City.

Mr. Moore noted that the property in question was currently zoned R-4 and noted that under the proposed zoning the adjacent property would be R-4. Mr. Moore noted that it appeared from the zoning maps that a peculiar jog had been made to avoid rezoning the property located at 144 Old Sambro Road to R-4. Mr. Moore indicated that by merely drawing a straight line the property would be included in the R-4 zoning.

In closing, Mr. Moore, requested that the property not be downzoned to R-2P but that it remain as is.

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

His Worship returns to the meeting and Deputy Mayor Flynn takes his seat in Council.

Mr. Charles Reardon addressed Council, outlining his previously submitted written presentation which now forms a part of the official file of this meeting. Mr. Reardon indicated that he owned property on Mansion Avenue and has tried for a number of years to have this property approved for residential development. Mr. Reardon noted that the Subdivision Regulations required that developers install

Special Council
Public Hearings
May 7, 1986

appropriate storm sewer and indicated that the City required him to install this storm sewer far beyond the property he presently owns.

In response to a questions from Alderman R. Grant, Mr. Reardon, indicated that he felt that the Mainland South Secondary Planning Strategy should not adopt the City wide Subdivision Regulations.

Mr. Reardon further went on to note that he felt that the Mainland South Secondary Planning Strategy should be delayed indefinitely until such time as it can be produced in a manner compatible with South Spryfield.

After questioning from Alderman R. Grant, Mr. Reardon indicated that older subdivisions in South Spryfield should be accepted as they exist without having to meet the requirements of many of the Regulations of the City of Halifax.

Mr. Reardon then briefly outlined the history of the lots on Mansion Road indicating that they had initially fallen within the Regional Development Boundary, however, in 1978 the Municipal Planning Strategy had been adopted taking precedence over the RDB. Mr. Reardon indicated that he had been led to believe that his property was located in a Holding Zone and noted that the 1978 adoption of the MPS had changed this situation. Mr. Reardon suggested that the city had withheld information in regard to this property.

Mr. Reardon then referred to a report from the City Manager dated February 2, 1984 and the Beasy Nicoll report noting that these both indicated that there was sufficient sewer capacity to handle the development of the Mansion Road lots.

Mr. Reardon referred to a lack of success in meeting with the PAC regarding these lots and noted the Department of Municipal Affairs had some concern with the MSSPS in that the document was significantly different than the one they had reviewed in 1982.

In closing Mr. Reardon noted that he felt the MSSPS should be postponed indefinitely until such time as alterations can be made to ensure more flexibility and compatibility with the special conditions existing in the South Spryfield area. Mr. Reardon also recommended that an Engineer be appointed to the Planning Advisory Committee noting there had never been an Engineer serving on this committee.

Mr. Thomas MacDonald, solicitor, representing Mrs. Kathleen Roche, 562 Herring Cove Road, addressed Council indicating on the map the property in question. Mr. MacDonald indicated that Mrs. Roche was a long time resident of Spryfield and noted that Mrs. Roche's property is presently zoned R-4.

Mr. MacDonald indicated that the MSSPS proposed that this property be zoned R-1MS. Mr. MacDonald noted that Mrs. Roche was a widow caring for an invalid brother and this property was her only asset. Mr. MacDonald further noted that in January Mrs. Roche had arranged a purchase and sale agreement which is due to close in July. Mr. MacDonald indicated that the purchase of the property was subject to the purchaser being permitted to develop a 36 unit apartment building on the property.

Mr. MacDonald indicated that the proposed down zoning of this property effectively extinguished any chance of the property being sold and noted that in effect this was an expropriation without compensation. Mr. MacDonald noted that this property was Mrs. Roche's only means of support outside her various pensions.

Mr. MacDonald then described the uses in the surrounding area and indicated that Council should give serious thought to leaving the property R-4.

Mr. Gary Melling addressed Council advising that he was a resident of 71 Purcell's Cove Road. Mr. Melling indicated that he felt the MSSPS was well done and addressed many concerns of the residents of Mainland South. Mr. Melling then referred to areas adjacent to the North West Arm and quoted from the Municipal Services section of the MSSPS. Mr. Melling indicated that there was ample information included in the plan regarding the MacIntosh Run area of Spryfield, however, the same attention had not been given to the North West Arm. Mr. Melling further noted that residents in his neighbourhood considered the North West Arm to be an important feature of Halifax and felt the plan should indicate more concern for this natural feature.

Mr. Melling went on to note that development in his area was primarily R-1 and any development permitted under the proposed R-2 zoning would be out of character and inconsistent with the existing development. Mr. Melling further indicated that the residents in his area did not want the R-1 designation deleted from the plan particularly in their area.

Mr. Melling indicated that development along the North West Arm should be limited to R-1 with setbacks and indicated that regulations would be required to enforce restrictions along the waterfront. Mr. Melling then brought to the attention of Council the areas indicated Parks & Institutional on the map noting that these were deceptive as many of them were of an institutional nature. Mr. Melling indicated that this greatly reduced the park area within the Mainland South.

Mr. Melling then addressed his own neighbourhood and indicated that an apartment building was proposed for 55-63 Purcells Cove Road. Mr. Melling suggested that this was not consistent with the single family dwelling development in the neighbourhood and indicated that he felt the proposed R-3 zoning on this property was too great. Mr. Melling indicated that he felt the property should be zoned R-2.

Mr. Melling then referred to Dead Man's Island proposed zoning as RCDD and indicated that as this was a heavily sensitive area he felt it should be zoned R-1. In closing Mr. Melling indicated that a hodge podge of zoning is not what is desired and the City should not strive for zoning which will allow a quiltwork of development.

Nicholas Jupp, 47 Parkhill Road, addressed Council indicating that Parkhill Road was located in Fleming Park. Mr. Jupp indicated that he felt this area should remain R-1 and noted the building irregularities and the lack of sidewalks in this area.

Mr. Jupp indicated that the reason given for zoning to R-2, the number of illegal apartments in Mainland South, was not reasonable. Mr. Jupp noted that any number of requirements under the Bylaw were not adhered to in this area each day. Mr. Jupp further noted that changing of the regulations to accommodate an exception would be a precedent setting situation.

Mr. Jupp then responded to questions from members of Council with Alderman Dewell requesting that staff look into other methods of regulating illegal apartments found in single family dwellings.

Linda Rosborough, 71 Purcell's Cove Road, indicating that she was in support of the comments made by the previous two speakers in relation to retaining the R-1 zoning and the focus on the North West Arm Drive. Ms. Rosborough submitted a petition containing approximately 124 signatures outlining suggested amendment to the Mainland South Secondary Planning Strategy regarding development remaining low density, zoning remaining R-1, and the establishment of bylaws to uphold this land use. A copy of this petition now forms a part of the official file of this meeting.

Ms. Rosborough then responded to questions from members of Council.

Mr. Paul Huber, 18 Armshore Drive, addressed Council and outlined his written submission previously distributed to members of Council. This submission now forms a part of the official file of this meeting.

Mr. Huber addressed Council noting that he felt the MSSPS was a thoughtful, forward looking document which will serve the City well in the years to come. Mr. Huber noted, however, that he had some concerns with the plan. Mr. Huber then outlined his concerns regarding protection of the North West Arm, concern for the retention of recreational areas, the proposed residential rezoning and the continuation of the North West Arm Walkway.

Mr. Huber thanked Council for their time and noted once again that the draft plan was impressive.

Mr. Bill Chaddock, 9 Forward Avenue, addressed Council referring to the Fleming Park and asked if the Fleming Park Grant had been included in the Point Pleasant Park Grant. Mr. Chaddock noted that this property was not owned by the City and asked why the zoning indicated had been placed on the property.

The Chairman indicated that the zoning on the property merely indicated the use of the property and not the ownership.

Mr. Grant Mosher, 18 Redwood Avenue, addressed Council indicating most of his points had been covered by previous speakers. Mr. Mosher noted that he had moved to Fleming Park because it was zoned R-1 and because it was near the North West Arm and a number of parks. Mr. Mosher indicated that he felt a number of the residents in the area had moved to this area to enjoy the natural setting and not R-2 development.

Mr. Mosher referred to the park located opposite to his property on Whimsical Lake noting that this was a supervised swimming area with playground equipment. Mr. Mosher indicated that this property was zoned R-2 on the map and asked if this was an error.

The Chairman indicated that this was an error and would be corrected.

Mr. Peter Barry, 4 Forward Avenue, addressed Council and indicated a triangular section of land located beneath Fleming Park and asked if this land was part of Fleming Park, and if so, why was this property designated R-2.

Mr. Robertson indicated that the property was presently zoned P and was proposed to be rezoned to R2P. Mr. Robertson further noted that the Province presently owned the property and negotiations were underway between the City and the Province for purchase of this property.

Mr. Barry asked if this property had been included within the boundaries of the original Fleming Park Grant. Mr. Robertson noted that he would have to verify whether or not it had been included.

Mrs. Eva Huber, Armshore Drive, addressed Council indicating that she felt the MSSPS had been a major challenge and went a long way to creating a credible and viable plan for the area. However, Mrs. Huber, noted that she had a number of concerns.

Mrs. Huber indicated that she felt that public participation had been lacking in the last few years, noting that the public meetings with regard to this plan had been held five to six years ago. Mrs. Huber further indicated that she felt area residents were not aware of the provisions of the Plan and how they would affect their properties. Mrs. Huber noted that this was evidenced by the number of persons unaware of the rezoning of their properties from R-1 to R-2.

Mrs. Huber went on to note that it appeared the specific policies of the plan did not carry out the good intentions of the plan in regard to protection of the North West Arm, the development and expansion of recreation areas, and traffic flow on the Herring Cove Road.

Mrs. Huber further noted that it appeared that the direction of development within the City was being determined by developers and City staff rather than City Council. Mrs. Huber urged Council to send this matter back to the community for further input.

Mr. Alan Gaudet, St. Michael's Avenue, a new resident of the area, addressed Council and expressed concern regarding the proposed rezoning from R-1 to R-2 of his property. Mr. Gaudet noted that he had a large mortgage and did not wish to have his property downzoned.

Mr. Lou Dursi, 29 Redwood Avenue, addressed Council indicating that he had worked for the City of Halifax in the 1970's as an Environmental Health Services Engineer. Mr. Dursi indicated he had been involved in the planning and executing of the sewage and drainage system underway or constructed in the Mainland South at that time.

Mr. Dursi further noted that he was also a member of the Detailed Area Plan #2 Committee during late 1979 and early 1980. Mr. Dursi indicated that the committee had met bi-weekly for a period of 6 months. Mr. Dursi suggested that City staff had felt the public input was progressing too slowly in light of the two year completion date on the MSSPS outlined in the Municipal Planning Strategy. Mr. Dursi indicated that the committee had ceased to meet and public input at this level had stopped. Mr. Dursi noted that he was not aware of any further contact made with the Detailed Area Plan Committees.

Mr. Dursi further noted that in relation to the proposed rezoning of a large part of Mainland South to R-1 the City had commissioned a report in 1981 regarding the Williams Lake Pumping Station upgrading and sanitary force mains. Mr. Dursi noted that this study included a population growth survey. Mr. Dursi noted that the Williams Lake Pumping Station served most of the Detailed Plan Area #2 and indicated this area on the map.

Mr. Dursi went on to note that the population growth survey was based upon the existing zoning, uses and housing types located in the Mainland South. Mr. Dursi indicated that the survey resulted in an average density of 17.8 persons per gross acre and included the infilling of areas already defined as being developed but not meeting the 17.8 persons per gross acre density.

Mr. Dursi indicated that both the lack of participation by the public in the later part of the planning process and the density upon which the sewage system has been constructed were factors which Council must consider in making a decision in regard to this matter.

Mr. F. Gilroy, Maritime Tel & Tel, addressed Council regarding the Maritime Tel & Tel building located on the Herring Cove Road. Mr. Gilroy indicated that the building was presently zoned C-1 and was proposed to be rezoned R-2P. Mr. Gilroy suggested that consideration should be given to rezoning this property C-2.

Mr. Carl Goodwin, 3 Glenmore Avenue, addressed Council indicating that he was sympathetic with those persons commenting on the protection of the North West Arm. Mr. Goodwin indicated that a residents committee he was a member of had taken the position that any rezoning of their neighbourhood should be consistent with the existing uses in this area. Mr. Goodwin indicated that the residents had fought for responsible development in this area for a number of years.

Mr. Goodwin indicated that he felt that the MSSPS would go a long way to ensuring responsible development. Mr. Goodwin noted that he did not believe the document was perfect, however, it carried a happy note of compromise between developers and the Community. In closing Mr. Goodwin indicated that he overwhelmingly supported the MSSPS and implored Council to approve the Plan.

The following correspondence has been received relating to the proposed Mainland South Secondary Planning Strategy and Associated MPS and Land Use Bylaw Amendments:

Special Council
Public Hearings
May 7, 1986

1. Correspondence dated April 10, 1986 from Sheldon Bell, 6 Stonehave Road.
2. Correspondence dated April 11, 1986 from Paul M. Murphy, Patterson Kitz, on behalf of the Royal Nova Scotia Yacht Squadron.
3. Correspondence dated April 15, 1986 from Graham Read, 5 Herring Cove Road.
4. Correspondence dated April 16, 1986 from H. Brett Woodbury, 82 St. Margaret's Bay Road.
5. Correspondence dated April 17, 1986 from Carl Goodwin, 3 Glenmore Avenue.
6. Correspondence dated April 21, 1985 from E. H. Gilroy, Maritime Tel & Tel.
7. Correspondence dated May 6, 1986 from Mrs. Daisy Goodall, 20 Margaret Road.
8. Correspondence dated May 7, 1986 from W. Mark Penfound, Metcalf Holm, on behalf of Duncan and Mary Kiely, 1 Boulderwood.
9. Correspondence received May 7, 1986 from W. J. Phillips, 9 Crestview Drive.
10. Correspondence received May 7, 1986 from Glen R. Anderson, 8 Shaw Crescent.

11:00 p.m. As there were a number of persons in the gallery wishing to speak, the hearing was adjourned to Wednesday, May 21, 1986 at 7:30 p.m. in the Council chamber City Hall.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

/sg

HEADLINES FOR CITY COUNCIL MEETING
01 05/07/66

Appropriation of Parcel 123A, Civic #50 Old Sasser Road	....	232
Spring Garden Road Commercial Area Plan and Associated MPS and Land Use Bylaw Amendments	....	232
Case No. 4961 - Contract Development and Lot Consolidation - 2388-92 Gottingen Street	....	236
ADJOURNED PUBLIC HEARING - Mainland North Secondary Planning Strategy and Associated MPS and Land Use Bylaw Amendments	....	237

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
May 15, 1986
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 Acting City Clerk in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, and Leiper.

ALSO PRESENT: City Manager; City Solicitor; E. A. Kerr, Acting City Clerk; and other members of City staff.

MINUTES

Minutes of the regular meeting of Council held on May 1, 1986 and of the Special Council meeting held on May 7, 1986 were approved on a motion by Alderman Walker, seconded by Alderman Jeffrey.

Municipal Awareness Week

As part of the Municipal Awareness Week celebrations, His Worship and members of Council welcomed various former members of Council including Judge T. Coffin, Mr. Leonard A. Kitz, Q.C., Messrs. W. Fitzgerald, D. Clarke, R. Allen, D. Wentzell, R. Ferguson, and T. Trainor; and Senator R. Donohoe.

Deputy Mayor Flynn, on behalf of His Worship and members of Council, presented Aldermen D. Grant and Leiper with bouquets of roses in recognition of their efforts toward ensuring the success of the 1986 Halifax Municipal Awareness Week.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Use of Ball Diamonds - Alderman Walker
- 20.2 Lease: Punch Bowl Land - Alderman Walker

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Council
May 15, 1986

The Acting City Clerk advised that a staff report regarding Item 10.6, Motion from the Advisory Committee on Devonshire Centre, had not yet been received by members of Council and therefore proposed that the item be deleted. However, at Alderman Jeffrey's request, it was agreed that the item be retained on the agenda.

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that the agenda, as amended, be approved.

DEFERRED ITEMS

Case No. 4961 - Contract Development: 2388-2392 Gottingen Street

A public hearing into this matter was held on May 7, 1986.

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

- a) City Council approve the development of 24 dwelling units, as shown on Plans No. P200/14781-14789 inclusive, at 2388-2392 Gottingen Street under Section 83 (Schedule "C") of the Land Use Bylaw;
- b) the contract shall be signed within 120 days or any extension thereof 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.

Motion carried.

Spring Garden Road Commercial Area Plan, and Associated Municipal Planning Strategy and Land Use Bylaw Amendments

A public hearing on this matter was held on May 7, 1986.

Mr. Simpson McLeod, Senior Planner, responded to questions from Alderman Cromwell.

MOVED by Alderman Downey, seconded by Alderman R. Grant that City Council adopt amendments to the Municipal Planning Strategy and Land Use Bylaw affecting the Spring Garden Road areas as follows:

- 1) adopt the Spring Garden Road Commercial Area Plan, dated December, 1985, as an official City report;
- 2) Part II of that document as an amendment to the Municipal Planning Strategy, subject to the following amendments:
 - (a) that Policies 1.3.1(iii) and 2.8 be deleted, as requested by Mr. McIlveen, Spring Garden Road Merchants Association;
 - (b) that Policies 2.7.1 and 1.3.2 be added, as submitted by Mr. Wickwire on behalf of Franklin Enterprises;
- 3) Part III of that document as an amendment to the Land Use Bylaw, with amendments necessary to implement changes made by Council to Part II;
- 4) other amendments to the Municipal Planning Strategy and Land Use Bylaw contained in the Planning Advisory Committee report of December 31, 1985.

Motion carried.

Quinpool Road Commercial Area Plan and Peninsula Centre
Secondary Planning Strategy - DATE FOR PUBLIC HEARINGS

(a) Quinpool Road Commercial Area Plan

This matter was deferred from a regular meeting of City Council held on May 1, 1986.

A supplementary staff report, dated May 9, 1986, was submitted.

MOVED by Alderman Meagher, seconded by Alderman
Cromwell that a public hearing date be scheduled to consider:

- 1) the Quinpool Road Commercial Area Plan, attached to the April 11, 1986 report from the Planning Advisory Committee, as an official City report;
- 2) the policy section of that official report as Part XII of the Municipal Planning Strategy;
- 3) Land Use Bylaw amendments required to implement the Quinpool Road Commercial Area Plan; and
- 4) amendments to the Municipal Planning Strategy and Land Use Bylaw, as contained in Appendix I attached to the April 11, 1986 report from the Planning Advisory Committee, which are necessary

to incorporate and implement the Quinpool Road Commercial Area Plan.

Motion carried.

A public hearing date for the Quinpool Road Commercial Area Plan will be scheduled pending completion of Council's deliberation concerning (b) Peninsula Centre Secondary Planning Strategy.

(b) Peninsula Centre Secondary Planning Strategy

This matter was last discussed at a meeting of City Council held on May 1, 1986.

A supplementary staff report, dated May 9, 1986, was submitted.

MOVED by Alderman Crowell, seconded by Alderman Dewell that Council set a date for a public hearing to consider:

- 1) the adoption of amendments to Part II, Section VI (Peninsula Centre) of the Municipal Planning Strategy concerning the Pepperell Street area and Land Use Bylaw amendments required to implement the Municipal Planning Strategy amendments as set out in Appendix II and Map 1 attached to the April 11, 1986 report from the Planning Advisory Committee;
- 2) the adoption of an amendment to Policy 3.11 of the Implementation Policies Set of the Municipal Planning Strategy also contained in Appendix II attached to the April 11, 1986 report from the Planning Advisory Committee; and
- 3) the rezoning of two properties as shown on P200/14990 of Case No. 5033 and Map 2 as attached to the April 11, 1986 report from the Planning Advisory Committee as follows:
 - (a) lands used for McDonald's parking lot (Pepperell Street) from C-2 (General Business) to R-2 (General Residential); and
 - (b) lands at the rear of 1981 Oxford Street (Shaar Shalom Synagogue) from C-2 (General Business) to R-2 (General Residential).

Mr. Simpson McLeod, Senior Planner, responded to questions regarding the secondary planning process from Deputy Mayor Flynn, who expressed concerns that by advertising the recommendations included in the above motion, Council may be seen as predetermining the outcome of the proposed public hearing.

Noting that, in his opinion, the matter warranted further debate, it was moved by Alderman O'Malley, seconded by Alderman Dewell that the amendments to the Peninsula Centre Secondary Planning Strategy be deferred to the next regular meeting of Committee of the Whole Council scheduled for May 21, 1986.

Motion passed.

8:35 p.m. - Council adjourned for a brief recess.

9:00 p.m. - The meeting was reconvened with the same members being present.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on May 7, 1986 as follows:

Acquisition of Block P.C. - Cowie Hill

MOVED by Alderman Walker, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, Block P.C., as shown on Plan TT-37-28566, be acquired from the Public Service Commission for \$113,450, and that \$38,450 be brought forward from the Recreation Reserve Account to Account FA002 (Chebucto Heights Sports Field) for that purpose.

Motion passed.

Housing Sites and Programs (Nova Scotia Department of Housing Requests)

An Information Report, dated May 14, 1986, was submitted.

Responding to a question from Deputy Mayor Flynn, the City Manager advised that housing units presently under construction in the City had not been considered in calculating the vacancy rates noted in the May 14 Information Report.

Deputy Mayor Flynn referred to CMHC's definition of a two percent vacancy rate as the minimum vacancy for a healthy consumer rental market, and requested information as to whether, if the development projects now underway were taken into consideration, that target would be met. The City Manager advised that staff would undertake those calculations and submit a further report on the matter.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley, as recommended by the Finance and Executive Committee, that with the exception of Items II(i), III(iv) and III(v), the Finance and Executive Committee recommend to City Council that:

- 1) negotiations be authorized with the Department of Housing towards purchase and development of the lands listed in Section II of the staff report dated April 28, 1986;
- 2) negotiations be further authorized with the Department of Housing on the 1986-87 Special Housing Program, and a report be submitted concerning the actual land and monetary contributions required to be provided by the City for the proposed projects, in order to make available the Provincial cost-sharing.

Motion passed.

Statement of Revenue and Expenditure - TO BE TABLED

MOVED by Alderman Dewell, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the Statement of Revenue and Expenditure for the three months ending March 31, 1986 be tabled.

Motion passed.

Recommendation - Audit Committee

MOVED by Alderman Crowell, seconded by Alderman Dewell that with reference to Recommendation #1 (Mayor and Aldermen's Travel Expenses) of the Audit Committee's report dated May 5, 1986, the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, May 21.

Motion passed.

MOVED by Alderman Crowell, seconded by Deputy Mayor Flynn that, as recommended in the Audit Committee's report of May 5, 1986, the 1985 Financial Statements be approved as submitted, and that the Mayor and Acting City Clerk be authorized to sign on behalf of the City of Halifax.

Motion passed.

MOVED by Alderman Crowell, seconded by Alderman R. Grant that, with reference to Recommendation #3 (concerning electronic data processing matter:) as contained in the May 5, 1986 Audit Committee report, this matter be deferred pending review by the City Manager.

Motion passed.

Ardmore Playground - Supervisor

This matter was referred from the May 7 meeting of the Finance and Executive Committee at which time a staff report on the matter was requested.

At the request of the City Manager, it was moved by Alderman Dewell, seconded by Alderman R. Grant that the matter be referred to the May 21 regular meeting of Committee of the Whole Council.

Motion passed.

Motion from Advisory Committee on Devonshire Centre

A memorandum, dated May 13, 1986, was submitted from Mr. A. M. Driscoll, Secretary Manager, Halifax Forum Commission.

Responding to a question from Alderman Leiper, the City Manager advised that while a report had been received on this matter from the Recreation Committee, it had not been circulated to members of Council in order to provide staff with an opportunity to review its contents.

MOVED by Alderman Leiper, seconded by Alderman O'Malley:

1. That an intensive examination of all possible uses of the facility, including its present use with extended programs, be undertaken by the Recreation Commission and staff jointly with the Committee of Council;
2. That management and operation of the facility be transferred by Council from the Forum Commission to the Recreation Department, effective July 1, 1986;
3. That all remaining funding in the Forum Commission Budget, designated by Council for Devonshire Center operation and development, as of June 30, 1986 be transferred from the Forum Commission Estimates to the Estimates of the Recreation Department to sustain operation;
4. That the Devonshire Center continue its rink operation along with any possible extended programs during the 1986-87 season in order that the study's decisions and any possible changes in facility use are carried out. Upon lengthy discussion with all at the joint meeting, the period of one year was found necessary for a variety of reasons.
5. That upon approval by Council of these recommendations, the Forum Commission will carry out

all annual maintenance prior to June 30, 1986 in order that the Recreation Department assume a fully functional facility for July 1, 1986.

6. That this Committee bring forth to Council, upon completion of its mandate, such recommendations as it deems suitable for the long term operation of this Recreation Facility.

Noting that, in their opinion, sufficient information had not been received on which to base a decision at this time, it was moved by Alderman D. Grant, seconded by Alderman Cromwell that the matter be deferred to the next regular meeting of Committee of the Whole Council.

The motion to defer was put and lost

Mr. H. J. Oehmen, Director of Recreation, and Mr. A. M. Driscoll, Secretary Manager, Halifax Forum Commission, responded to questions from members of Council.

After a lengthy discussion, the original motion was put and passed.

Halifax Industrial Commission Recommendations

MOVED by Alderman O'Malley, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, City Council approve of the Halifax Industrial Commission issuing a Letter of Understanding to the Developer based on the terms and conditions outlined in the report, dated May 2, 1986, from Mr. A. Gordon Archibald, Chairman of the Halifax Industrial Commission.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on May 7, 1986 as follows:

Tender #86-01 - Lower Water Street

MOVED by Alderman Jones, seconded by Alderman Baker, as recommended by the Committee on Works, that:

- 1) Tender #86-01 not be awarded; and
- 2) the Paving Renewal Project for Lower Water Street be deferred.

Motion carried.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

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

This matter was given First Reading at a regular meeting of Council held on April 17, 1986.

MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that the following amendment to Ordinance 116, the Taxi Ordinance, be read and passed a SECOND TIME:

Subsection (3) of Section 19 is hereby repealed and the following substituted therefor:

19(3) No license shall be granted to an applicant for a driver's license, except a renewal, unless:

- (a) he is at least nineteen years of age; and
- (b) he has successfully completed a course of instruction and examination in
 - (a) the provisions of the Taxi Ordinance and the Motor Vehicle Act;
 - (b) streets and prominent buildings; and
 - (c) such other things as may be determined by the Taxi Commission to be in the best interests of the public and the taxi industry.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on May 7, 1986 as follows:

Art Allocation in Development Projects - Planning Advisory Committee

MOVED by Alderman E. Grant, seconded by Alderman Downey that, as recommended by the City Planning Committee, Council approve the concept of art allocation in public places, and that a committee be formed immediately to meet with members of the art community and receive submissions as to how this may be implemented and/or encouraged.

Motion passed.

Grosvenor School Development Proposal

MOVED by Alderman Deputy Mayor Flynn, seconded by Alderman Leiper that, as recommended by the City Planning Committee, should the required Development and Subdivision Agreements not be fully executed and deposits received by the close of business on May 30, 1986, Council's motion of June 13, 1985, respecting the proposal of Messrs. Joseph and Carl Potter, be rescinded.

Motion passed.

Detailed Area Plan - Lady Hammond Road and Area

MOVED by Alderman Dewell, seconded by Alderman R. Grant that, as recommended by the City Planning Committee, a detailed area plan be undertaken as quickly as possible for the area bounded on the south by the north side of Young Street, on the west by Windsor Street, on the north by the Bedford Basin, and on the east by Halifax Harbour.

Motion passed.

MOTIONS

Motion - Alderman Meagher Re: Amendment to Ordinance Number 170, the Tax Concession Ordinance - FIRST READING

Alderman Meagher gave Notice of Motion of his intention to introduce a motion to amend Ordinance 170, the Tax Concession Ordinance at the City Council meeting held on May 1, 1986.

MOVED by Alderman Meagher, seconded by Alderman Walker that City Council give First Reading to the amendment to Ordinance 170, the Tax Concession Ordinance to add two properties to those entitled to tax concessions under the Ordinance, as follows:

Schedule "A" of Ordinance 170, the Tax Concession Ordinance is amended by adding the following property:

Halifax Transition House Association
1267 South Park Street

Schedule "B" of Ordinance 170, the Tax Concession Ordinance is amended by adding the following property:

Nova Scotia Drama League
-5527 Cunard Street

Motion passed.

Council
May 15, 1986

Motion Alderman R. Grant re: Establishment of the Lakes and Waterways Committee as a Council Committee

Alderman R. Grant gave Notice of Motion of his intention to introduce a motion which will make the Lakes and Waterways Committee a Committee reporting to City Council on such matters as will be established in the terms of reference of the Committee at the City Council meeting held on May 1, 1986.

Alderman R. Grant indicated that the Terms of Reference had not yet been distributed to Council and MOVED, seconded by Alderman Dewell that this matter be deferred to the next regular meeting of Halifax City Council.

The motion to defer was put and passed.

MISCELLANEOUS BUSINESS

Prison Lands

A staff report dated May 13, 1986 was submitted.

Alderman Dewell addressed the matter noting that he and Alderman O'Malley had discussed the report and were satisfied with the response given by the City Manager and with the manner in which staff are handling the matter.

MOVED by Alderman Dewell, seconded by Deputy Mayor Flynn that the staff report dated May 13, 1986 be tabled.

Motion passed.

Metropolitan Authority Proposed Amendments

A staff report dated May 15, 1986 was submitted.

Deputy Mayor Flynn addressed the matter noting that there seemed to be some feeling that Council wished to see Metropolitan Authority disbanded and suggested that this was not the case. Deputy Mayor Flynn indicated there was a desire to have a re-examination of what the role of the Metropolitan Authority was going to be now that the major component, the Correctional Centres, has been removed.

Deputy Mayor Flynn indicated that he had examined the proposed amendments to the legislation and that he had no difficulty making the recommendation that Metropolitan Transit remain as it is until there is a better understanding of what the actual role of Metropolitan Authority will be in relation to Transit. In referring to the proposed representation from Bedford on the Authority, Deputy Mayor Flynn indicated that he did not fully agree with the two members noting; however, that an independent inquiry will be conducted and recommendations brought forward.

Deputy Mayor Flynn referred to the recommendations of the Authority and MOVED, seconded by Alderman O'Malley that City Council endorse the amendments to the Metropolitan Authority Act providing for two members from Bedford on the Authority, a non-elected independent Chairman for the Authority, the establishment of legislation to create a Bylaw for an Executive Committee of Chief Administrative Officers, but that the status quo remain with respect to the Metropolitan Transit Commission.

Deputy Mayor Flynn indicated he would prefer to put in abeyance any decision with regard to the Metropolitan Transit Authority until the Chief Administrative Officers and Metropolitan Authority have had an opportunity to review the actual structure as to how the Authority will function and whether it is necessary for Transit to be on-line.

Alderman Dewell addressed the matter referring to a recent meeting of the Metropolitan Authority and indicated that it was his understanding that additional information was to be forwarded to Council in this regard.

MOVED by Alderman Dewell, seconded by Alderman R. Grant that this matter be deferred to the next meeting of the Committee of the Whole Council pending the receipt of additional information from the Metropolitan Authority in this regard.

The motion to defer was put and lost.

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

QUESTIONS:

Question Alderman Jeffrey re: Garbage - School Avenue

Alderman Jeffrey referred to the matter of garbage on School Avenue near the Bicentennial Highway which he had brought to the attention of Council previously. Alderman Jeffrey noted that the garbage had not been removed and that he was receiving phone calls in this regard. Alderman Jeffrey advised that the area he was talking about was between two fences that exist in the area.

Alderman Jeffrey requested that Parks and Grounds advise him of the necessary action to have this garbage removed from School Avenue.

Question Alderman Jeffrey re: Topsoil - Halifax Forum

Alderman Jeffrey referred to 500 sq. yds. of topsoil which is being stored behind the Halifax Forum and asked if Parks and Grounds would have any use for this topsoil. Alderman Jeffrey further indicated that he hoped that Parks and Grounds would reimburse the Forum for this topsoil.

Question Alderman Walker re: Traffic Lights - MacDonald Street and Quinpool Road

Alderman Walker requested a report regarding the possibility of installing traffic lights at MacDonald Street and Quinpool Road. Alderman Walker indicated that a number of Ward 7 and 8 residents used this route to access the rotary and during the evening rush hours often had to wait 10 to 15 minutes at that intersection.

Question Alderman Walker re: Street Width - Purcell's Cove Road Melville Development

Alderman Walker referred to a proposed street from Purcell's Cove Road to the Melville development and asked what the width of this street would be. Alderman Walker noted that concern had been expressed by an abutter that the street would be located within four feet of his property.

Question Alderman Walker re: Deferred Taxes - Widows

Alderman Walker asked if the heirs of a deceased widow who had deferred property taxes for a number of years would be responsible to pay back the deferred taxes.

His Worship indicated that the heirs would be responsible to pay back deferred taxes.

Question Alderman Walker re: Cost of Use of Ball Diamonds

Alderman Walker referred to a call he had received from a Veteran's Organization from outside the City who are holding a Ball Tournament in the City. Alderman Walker indicated that the Veteran's Organization was being charged \$400.00 for a weekend tournament and asked for a report on the matter.

Question Alderman Walker re: Control of Signs on Rotary

Alderman Walker referred to concerns he had received regarding the number of signs on the Armdale rotary and asked if the City had any control of the signs on the Armdale rotary and area, and asked if such signs could be removed.

Question Alderman Jeffrey re: Main Avenue Storm Sewer
Construction

Alderman Jeffrey referred to the blasting being carried out in relation to the installation of storm sewer and drainage on Main Avenue and noted that he had received a number of complaints from residents in the area of Flint and Borden Streets. Alderman Jeffrey indicated that residents were concerned with the amount of dirt entering their homes as a result of the blasting and were asking who was to be responsible for damage caused to their homes by this dirt.

Alderman Jeffrey further noted that the residents had been assured that the street would not be blocked, however, heavy machinery was blocking the street regularly. Alderman Jeffrey further noted that the crew was not cleaning up after they completed their work for the day and suggested that the foreman should use more discretion in his conversations with area residents.

The Chairman indicated that staff would look into the matter and see what could be done in relation to the situation.

Questions Alderman Walker re: Land on Punch Bowl

Alderman Walker asked for a report from staff on the possibility of leasing land on the west shore of the Punch Bowl.

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NOTICE OF MOTIONS

Notice of Motion Alderman Cromwell re: Reconsideration of May 15, 1986 City Council Agenda Item 10.6 - Motion from Advisory Committee on Devonshire Centre

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on May 29, 1986 he proposes to introduce a Motion of Reconsideration on Agenda Item 10.6, Motion from Advisory Committee on Devonshire Centre.

ADDED ITEMS

Use of Ball Diamonds - Alderman Walker

This matter was dealt with during the Question Period.

Lease - Punch Bowl Land - Alderman Walker

This matter was dealt with during the Questions Period.

There being no further business to be discussed, the meeting was adjourned at 11:10 p.m.

HEADLINES

Minutes	247
Approval of the Order of Business	247
DEFERRED ITEMS	
Case No. 4961 - Contract Development: 2388-2392 Gottingen Street	248
Spring Garden Road Commercial Area Plan, and Associated Municipal Planning Strategy and Land Use Bylaw Amendments	243
Quinpool Road Commercial Area Plan and Peninsula Centre Secondary Planning Strategy - DATE FOR PUBLIC HEARINGS	249
REPORT - FINANCE AND EXECUTIVE COMMITTEE	
Acquisition of Block P.C. - Cowie Hill	251
Housing Sites and Programs (Nova Scotia Department of Housing Requests)	251
Statement of Revenue and Expenditure - TO BE TABLED	252
Recommendation - Audit Committee	252
Ardmore Playground - Supervisor	253
Motion from Advisory Committee on Devonshire Centre	253
Halifax Industrial Commission Recommendations	254
REPORT - COMMITTEE ON WORKS	
Tender #86-01 - Lower Water Street	254

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HEADLINES (CONT'D)

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS Proposed Amendment to Ordinance Number 116, the Taxi Ordinance - SECOND READING	255
REPORT - CITY PLANNING COMMITTEE Art Allocation in Development Projects - Planning Advisory Committee	255 256
Grosvenor School Development Proposal	256
Detailed Area Plan - Lady Hammond Road and Area	256
MOTIONS Motion - Alderman Meagher Re: Amendment to Ordinance Number 170, the Tax Concession Ordinance - FIRST READING	256
Motion - Alderman R. Grant Re: Establishment of the Lakes and Waterways Committee as a Council Committee	257
MISCELLANEOUS BUSINESS Prison Lands	257 257
Metropolitan Authority Proposed Amendments	257
QUESTIONS Question Alderman Jeffrey Re: Garbage - School Avenue ...	258
Question Alderman Jeffrey Re: Topsoil - Halifax Forum ...	259
Question Alderman Walker Re: Traffic Lights - MacDonald Street and Quinpool Road	259
Question Alderman Walker Re: Street Width - Purcell's Cove Road (Melville Development)	259
Question Alderman Walker Re: Deferred Taxes - Widows	259
Question Alderman Walker Re: Cost - Use of Ball Diamonds	259
Question Alderman Walker Re: Control of Signs on Rotary	259
NOTICE OF MOTIONS Notice of Motion Alderman Cromwell Re: Reconsideration of May 15, 1986 City Council Agenda Item 10.6 - Motion from Advisory Committee on Devonshire Centre	260
ADDED ITEMS Use of Ball Diamonds - Alderman Walker	260
Lease - Punch Bowl Land (Alderman Walker)	260

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

DATE APPROVED BY COUNCIL: _____

*K/sg

HEADLINES

Minutes	247
Approval of the Order of Business	247
DEFERRED ITEMS	
Case No. 4961 - Contract Development: 2388-2392	
Gottingen Street	248
Spring Garden Road Commercial Area Plan, and Associated Municipal Planning Strategy and Land Use Bylaw Amendments	248
Quinpool Road Commercial Area Plan and Peninsula Centre Secondary Planning Strategy - DATE FOR PUBLIC HEARINGS	249
REPORT - FINANCE AND EXECUTIVE COMMITTEE	
Acquisition of Block P.C. - Cowie Hill	251
Housing Sites and Programs (Nova Scotia Department of Housing Requests)	251
Statement of Revenue and Expenditure - TO BE TABLED	252
Recommendation - Audit Committee	252
Ardmore Playground - Supervisor	253
Motion from Advisory Committee on Devonshire Centre	253
Halifax Industrial Commission Recommendations	254
REPORT - COMMITTEE ON WORKS	
Tender #86-01 - Lower Water Street	254
REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS	
Proposed Amendment to Ordinance Number 116, the Taxi Ordinance - SECOND READING	255
REPORT - CITY PLANNING COMMITTEE	
Art Allocation in Development Projects - Planning Advisory Committee	255
Grosvenor School Development Proposal	256
Detailed Area Plan - Lady Hammond Road and Area	256
MOTIONS	
Motion - Alderman Heagher Re: Amendment to Ordinance Number 170, the Tax Concession Ordinance - FIRST READING	256
Motion - Alderman R. Grant Re: Establishment of the Lakes and Waterways Committee as a Council Committee	257
MISCELLANEOUS BUSINESS	
Prison Lands	257
Metropolitan Authority Proposed Amendments	257

HEADLINES CONT'D

QUESTIONS

Question Alderman Jeffrey Re: Garbage - School Avenue ...	258
Question Alderman Jeffrey Re: Main Avenue Storm Sewer Construction ...	259
Question Alderman Walker Re: Land on Punch Bowl ...	259
Question Alderman Jeffrey Re: Topsoil - Halifax Forum ...	259
Question Alderman Walker Re: Traffic Lights - MacDonald Street and Quinpool Road	259
Question Alderman Walker Re: Street Width - Purcell's Cove Road (Melville Development)	259
Question Alderman Walker Re: Deferred Taxes - Widows	260
Question Alderman Walker Re: Cost - Use of Ball Diamonds	260
Question Alderman Walker Re: Control of Signs on Rotary	260

NOTICE OF MOTIONS

Notice of Motion Alderman Cromwell Re: Reconsideration of May 15, 1986 City Council Agenda Item 10.6 - Motion from Advisory Committee on Devonshire Centre	260
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ADDED ITEMS

Use of Ball Diamonds - Alderman Walker	260
Lease - Punch Bowl Land (Alderman Walker)	260

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

DATE APPROVED BY COUNCIL: _____

*K/sg

SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
May 21, 1986
7:30 P. M.

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

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, and Leiper.

ALSO PRESENT: R. J. Matthews, Acting City Manager; G. J. Goneau, Acting City Solicitor; S. Gauthier, Acting City Clerk; and other members of City staff.

- (A) Quinpool Road Commercial Area Plan; and
- (B) Peninsula Centre Secondary Planning Strategy

This matter was added to the agenda from a meeting of the City Planning Committee held earlier in the day.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a date be set for a public hearing to consider:

- 1) the Quinpool Road Commercial Area Plan, attached to the April 11, 1986 report from the Planning Advisory Committee, as an official City report;
- 2) the policy section of that official report as Part XII of the Municipal Planning Strategy;
- 3) Land Use Bylaw amendments required to implement the Quinpool Road Commercial Area Plan; and
- 4) amendments to the Municipal Planning Strategy and Land Use Bylaw, as contained in Appendix I attached to the April 11, 1986 report from the Planning Advisory Committee, which are necessary to incorporate and implement the Quinpool Road Commercial Area Plan.

AND

- 1) the adoption of amendments to Part II, Section VI (Peninsula Centre) of the Municipal Planning Strategy concerning the Pepperell Street area and Land Use Bylaw amendments required to implement the Municipal Planning Strategy amendments as set out in Appendix II and Map 1 attached to the April 11, 1986 report from the Planning Advisory Committee;
- 2) the adoption of an amendment to Policy 3.11 of the Implementation Policies Set of the Municipal Planning Strategy also contained in Appendix II attached to the April 11, 1986 report from the Planning Advisory Committee; and
- 3) the rezoning of two properties as shown on P200/14990 of Case No. 5033 and Map 2 as attached to the April 11, 1986 report from the Planning Advisory Committee as follows:
 - (a) lands used for McDonald's parking lot (Pepperell Street) from C-2 (General Business) to R-2 (General Residential); and
 - (b) lands at the rear of 1981 Oxford Street (Shaar Shalom Synagogue) from C-2 (General Business) to R-2 (General Residential).

Motion passed.

The Acting City Clerk advised that the public hearing was scheduled for WEDNESDAY, JULY 9, 1986 at 7:30 p.m. in the Council Chamber.

Sale of Proctor Street/Trade Mart Lands

This matter was added to the agenda from a meeting of the Finance and Executive Committee held earlier in the day.

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

1. a portion of Proctor Street, as outlined on City of Halifax Plan TT-37-28642, be sold to Halifax Developments Limited at a price of \$181,875;
2. a date be set for a Public Hearing to consider an amendment to the official City Plan incorporating the street lines on that portion of Barrington Street and Cogswell Street as outlined on Section 11-N of the official City Plan.

3. upon designation of the aforementioned street lines in the official City Plan, the residual land of approximately 20,756 square feet, be conveyed to Halifax Developments Limited for the sum of One Dollar (\$1.00).

Motion passed.

The Acting City Clerk advised that the aforementioned public hearing was scheduled for WEDNESDAY, JUNE 18, 1986 at 7:30 p.m. in the Council Chamber.

Recommendation for Promotion - WO1 Gordon Hawkins

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

MOVED by Alderman Cromwell, seconded by Alderman Meagher that a recommendation be forwarded on behalf of Halifax City Council to Major L. R. Johns, Adjutant, that Warrant Officer (First Class) Gordon Hawkins be elevated immediately to the position of Captain in the Canadian Corps of Commissionaires.

Motion passed with unanimous consent.

Alderman Meagher, on behalf of all members of City Council, congratulated WO1 Hawkins on his upcoming promotion.

Heritage Hearing Re: 1544 Summer Street - Heritage Property

This matter was last discussed at a regular meeting of City Council held on May 1, 1986 at which time a hearing was scheduled for May 21 to consider the designation of 1544 Summer Street as a heritage property.

A supplementary staff report, dated May 15, 1986, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Walker that the hearing to consider the designation of 1544 Summer Street as a heritage property be deferred, pending receipt of the owner's written communication regarding the matter.

Motion passed.

Case No 4947 - Rezoning From R-1 to R-2: Portion of Cresthaven
Estates Subdivision (Phase One)

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

Mr. W. D. Campbell, Development Control Division, with the aid of subdivision maps, described the implications of the proposed rezoning, noting that the developer wishes to provide only single-family dwellings in the Phase One portion of the subdivision, rather than the semi-detached and duplex units which are permitted under the existing R-2 zoning classification.

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

Correspondence, dated May 21, 1986, in opposition to the proposed rezoning, was received from Mr. Derrill Drake, 18 Cresthaven Drive, Halifax, Nova Scotia B2M 2E4.

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

Motion passed.

Case No. 4847 - Contract Development: 2029 North Park
Street (Fire Fighters Club Building)

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

A report, dated April 28, 1986, from A. C. McMillin, Chairman of the Heritage Advisory Committee, was submitted.

Mr. W. D. Campbell of the Development Control Division, using maps and diagrams of the site in question, gave a brief overview of the application for contract development, emphasizing that, in staff's opinion, the proposed expansion of this existing non-conforming use will have considerable negative implications for the surrounding residential neighborhood and, moreover, is in contravention of both the Residential Environments policy set of the Municipal Planning Strategy and of the proposed Peninsula North Secondary Planning Strategy.

Mr. Peter McDonough, solicitor for Titan Construction Services and the Fire Fighters Club, addressed members of Council, emphasizing the care given to the design of the proposed building to ensure its compatibility with neighboring structures. He further advised that, in deference to abutting property owners, the original plans had been amended to close

the property off from Bauer Street, thereby prohibiting access, either vehicular or pedestrian, from that direction. Mr. McDonough added that the Club does not intend to increase either its activities or its hours of operation, and is prepared to submit a letter to City Council to that effect.

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

Ms. Therese Dube of 2113 Bauer Street addressed Council in opposition to the proposed contract development, advising that the presence of a club facility in this area is, in her opinion, detrimental to the surrounding residential neighborhood in terms of noise and individuals loitering in the vicinity of the building. Referring to a petition, signed by approximately 40 area residents and previously submitted to Council, Ms. Dube noted that property owners on Bauer and North Park Street are extremely concerned that larger premises for the Fire Fighters Club will greatly intensify its use and exacerbate the problems already created by its presence in the neighborhood. Referring to Mr. McDonough's comment that no access would be provided from Bauer Street to the Club's premises, Ms. Dube strongly recommended that, should Council approve the application, a requirement be included in the contract for a fence extending along the Bauer Street frontage.

Mr. Nick Antoft, a resident of Cogswell Street, advised that a meeting of several neighborhood property owners had been held with the Fire Fighters Club early in May, and emphasized that the proceedings had been conducted on a non-prejudicial basis only.

In his subsequent remarks, Mr. Antoft stated that the Bauer/North Park/Cogswell Street area is presently undergoing a revitalization process, and suggested that the presence of an expanded club would not be compatible with what residents are trying to achieve, particularly owing to the impacts on parking, the creation of litter, and other disturbances. He also noted that if ownership of the existing club were to change, area residents would have no guarantee that the new proprietors would defer to area concerns even to the extent attempted by the current Club's executive.

Mr. Brian MacKay-Lyons, a resident of 2085 Bauer Street, spoke in opposition to the proposed contract development, emphasizing its incompatibility with policies of the Municipal Planning Strategy and the proposed Peninsula North Secondary Planning Strategy.

Mr. Sydney Langmaid, a resident of 2016 Bauer Street and co-owner of a property located at 2088-90 Bauer Street, questioned whether, in view of the fact that plans for the proposed building had been amended by the developer after the public hearing was advertised, the public hearing could legally proceed.

Mr. Langmaid was advised by the Chairman that, in the opinion of the Acting City Solicitor, Council was indeed legally entitled to proceed with the public hearing into this matter.

Mr. Langmaid addressed Council in opposition to the application, particularly with regard to the proposed parking facilities and to the building's facade abutting his property at 2088-90 Bauer Street.

Mr. Brian Murphy, a resident of 2012A Bauer Street, addressed Council on behalf of the residents of Bauer Court (2012A-2020 Bauer Street) in opposition to the proposed contract development, noting, in particular, that the Club's expansion will negatively affect property values in the surrounding neighborhood.

Mr. Charles Lapp of 2103 Bauer Street voiced his objections to the application, noting the negative impacts of a drinking establishment in close proximity to a residential neighborhood.

Ms. Beverley Miller, co-owner of the dwelling units located at 2088-90 Bauer Street, addressed Council in opposition to the contract development proposal, expressing reservations concerning the Club's assertion that, despite its expansion, the intensity of its use will not be increased. Ms. Miller further noted that, owing to the fact the proposed building is intended to be constructed directly to the property line abutting 2088-90 Bauer Street, any future maintenance to that adjacent building will be extremely difficult to undertake.

Mr. Patrick Shaw, a resident of 2657 Oxford Street and a life member of the Fire Fighters Club, spoke in support of the application, emphasizing the Club's contribution to the community and the services it renders, particularly to athletes participating in events at the Halifax Commons.

Mr. James Drescher, owner of various properties located on Bauer and North Park Street, emphasized that, while he has no objection in principle to the Fire Fighters Club, it is his opinion that, as recommended by staff, the Club should relocate in a more appropriate area away from a predominantly residential neighborhood.

Mr. Robert Sutherland, the owner of properties located at 2045 and 2049 North Park Street, suggested that the Fire Fighters Club represents an exception to the single-family dwellings composing the North Park/Bauer Street neighborhood and, as such, is a hindrance to the area's revitalization currently underway.

Mr. Alan Story, a resident of 2019 Bauer Street, emphasized that, should the application presently before

Council be approved, area residents will have to rely on the Fire Fighters Club to comply with its present assurances that the grounds will be maintained in an orderly fashion and that its intensity of use will not be dramatically increased.

Mr. Peter McDonough indicated that he will forward a written response on behalf of his clients to members of Council concerning the points raised during this public hearing. The Chairman emphasized that copies of this response will be made available to interested members of the public.

Correspondence regarding this matter was received from the following:

Letter, dated March 9, 1986, from Mr. Brian Murphy, President, Bauer Court, 2012A Bauer Street, Halifax, Nova Scotia B3K 3W3;

Letter, dated March 10, 1986, from Mr. Bruce H. Sterling, P. O. Box 925, Halifax, Nova Scotia B3J 2V9;

Petition, dated March 12, 1986 and signed by approximately 40 area residents, submitted by Ms. Therese Dube, 2113 Bauer Street, Halifax, Nova Scotia B3K 3W4;

Letter, dated May 20, 1986, from Mr. Alan Story, 2019 Bauer Street, Halifax, Nova Scotia

Letter, dated May 21, 1986, from Mr. Sydney J. Langmaid, 2016 Bauer Street, Halifax, Nova Scotia B3K 3W3;

Letter, dated May 22, 1986, from Mr. Brian Murphy, President, Bauer Court, 2012A Bauer Street, Halifax, Nova Scotia B3K 3W3

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

Motion passed.

SECOND ADJOURNMENT - PUBLIC HEARING - Mainland South Secondary Planning Strategy and Associated Municipal Planning Strategy and Land Use Bylaw Amendments

This matter was adjourned to this meeting from the Adjourned Public Hearing held on May 7, 1986. The public hearing into the above matter continued at this time.

His Worship addressed the matter indicating that a number of persons had registered with the City Clerk as wishing to address Council at this meeting at the conclusion of the May 7, 1986 meeting. His Worship indicated that he would call these persons to speak in order of their registration, beginning with Mr. Larry Powell.

Mr. Larry Powell, 24 Westgate Drive, addressed Council indicating that he had planned to address Council with regard to a rezoning application he presently has before the City and the matter of central water and sewage; however, he understood that the matter of central water and sewage was to be the subject of another public hearing. Mr. Powell indicated on the map the area for which he had applied for a rezoning noting that it was between the Nova Scotia Yacht Squadron and the City line.

Mr. Powell indicated that the application was to rezone this area to R-1 and indicated that he would present a written submission regarding the matter of central sewage and water.

Mr. Bob Douglas, Regatta Point, addressed Council complimenting staff on their work in bringing forward this plan and noting that he understood the difficulties in pleasing all the residents affected by this plan.

Mr. Douglas then voiced a concern regarding the restrictive nature of commercial areas in this plan, noting that they were concentrated in areas having larger commercial uses. Mr. Douglas indicated that he felt the worldwide romance with the automobile was ebbing and that persons should have the option of working close to their home. Mr. Douglas indicated that for this reason he felt commercial should not be concentrated in the larger commercial areas.

Mr. Douglas further noted that the present neighbourhood commercial use did not include offices and suggested that the 1000 sq. ft. restriction on neighbourhood commercial should be increased to 2000 sq. ft.. Mr. Douglas noted that this would allow for small offices, banks, service uses, etc. but, would not allow the larger type of commercial uses.

Mr. Douglas then referred to the reference to sideyard access to commercial areas adjacent to a residential area within the Plan and asked if this meant that commercial properties adjacent to residential properties would not be permitted to have a sideyard access to the property.

Mr. Douglas then referred to the requirement in the Plan that a minimum of three acres must be involved before a development agreement could be considered. Mr. Douglas indicated that he felt development under the development agreement procedure was desirable and resulted in good development within the City.

Mr. Douglas suggested that the reference to a minimum acreage requirement for development agreement be deleted from the final plan.

Mr. Douglas further indicated that he had some difficulty with the Plan restricting commercial use in apartment buildings to buildings of 100 units or more. Mr. Douglas suggested that a building with 50-60 units could benefit from a small store/concession. Mr. Douglas noted that restrictions would have to be made on the amount of commercial in the building and suggested that consideration should be given to permitting small commercial uses in buildings having fewer than 100 units.

Mr. Douglas went on to note that a commercial component had been stricken from a development he was involved in relating to the Edmonds Grounds and noted that he would be bringing this matter back to Council at a later date.

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

Mr. R. Robertson, Planning Department, in response to Mr. Douglas's question regarding sideyard access, noted that this policy related to strip commercial. Mr. Robertson indicated that this policy attempted to control access to commercial uses and not permit a commercial use access to locate adjacent to fringe residential uses.

Mr. Gerry Bastarache, Lower Sackville, representing Ms. Audrey Power, 22 Stonehaven Road, addressed Council noting that it was his understanding that some concern had been expressed with regard to the width of streets in the St. Margarets Bay Road, Quarry Road, Edgehill Road and Stonehaven Road area should a development occur on the Kelly Street property. Mr. Bastarache noted that Ms. Power had measured certain of these roads and found that the least wide was 24 ft. Mr. Bastarache indicated that it was Ms. Power's position that these roads could accommodate any increased traffic from development of the Kelly Street lands and suggested that refusal to permit these lands to be developed should not be based only on traffic considerations.

Mr. Bastarache further noted that Ms. Power felt the lands could not be economically developed as R-1 or R-2 and considering the need for additional housing in the City suggested that Council should give consideration to zoning these lands to allow for a greater density.

Mr. B. L. Blackford, 3 Milton Drive, who registered his wish to address Council at the May 7, 1986 meeting, was not present at this meeting.

Mr. Ed Wdowiak, 28 Inverness Avenue, addressed Council and read his written submission presented at this meeting. A copy of this submission forms a part of the official file of this meeting.

Mr. Wdowiak indicated that he agreed with the concerns of previous speakers regarding the areas which are presently zoned R-1. Mr. Wdowiak noted that although there was no doubt that existing neighbourhoods would not be drastically affected by a change of zoning, the present illegal or non-conforming uses in these zones are insignificant. Mr. Wdowiak indicated that he was more concerned with the development of undeveloped lands in these areas and noted that duplex development would impact on the present transportation capability and sanitary sewage capacity.

Mr. Wdowiak went on to note that the high cost of R-1 development appeared to have influenced the broad elimination of all existing R-1 in the Mainland South. Mr. Wdowiak indicated that he objected to not having been informed of proposals which would affect his property.

Mr. Wdowiak noted that the northerly side of Whimiscal Lake abutted his property and was presently zoned park. Mr. Wdowiak indicated that he was distressed that the proposed R-2 zoning would permit duplex development on this parkland. Mr. Wdowiak indicated that at the time he purchased the land he understood that this land was to be developed for park use only. Mr. Wdowiak indicated that the R-2 zoning could mean the filling in of Whimiscal Lake and the extension of Mabou Avenue both of which would be undesirable.

In closing, Mr. Wdowiak urged Council to support amendments to the proposed plan which would maintain all present R-1 zoning as single family detached housing and all existing park designations be maintained and identified as Park zoning.

Mr. Jim Purves, 1 Glenmore Avenue and a member of the Executive of the Armdale Residents Association, addressed Council encouraging them to adopt the MSSPS indicating that he felt it to be a carefully prepared and articulate document. Mr. Purves indicated that a great deal of work and participation had gone into the development of this plan.

Mr. Purves indicated that the Armdale Residents Association was particularly concerned with the zoning of the Kelly Street property and noted that they felt it should be zoned and developed in such a manner as is compatible with the surrounding single family development. Mr. Purves further noted that any other development would burden the already insufficient amenities and add to the difficulties caused by the lack of sidewalks.

9:55 p.m. Deputy Mayor Flynn and Alderman Hamshaw join the meeting.

Mr. Ed Wdowiak, 28 Inverness Avenue, addressed Council and read his written submission presented at this meeting. A copy of this submission forms a part of the official file of this meeting.

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In closing, Mr. Purves urged Council to adopt the MSSPS which would improve and stabilize the development situation in Mainland South.

Mr. Lawrence Kidd, 7 Martins Drive, who registered his wish to address Council at the May 7, 1986 meeting, was not present at this meeting.

Mr. Robin Falconer, 20 Colindale Avenue, addressed Council and outlined his written submission presented this evening. A copy of this submission forms a part of the official file of this meeting. Mr. Falconer indicated that a meeting had been held last Wednesday with 180 residents, primarily of Ward 8, attending. Mr. Falconer indicated that these residents did not object to the MSSPS specifically; however, they did have concerns with certain aspects of the Plan.

Mr. Falconer noted that the residents attending that meeting had four major concerns. Mr. Falconer indicated that the residents were concerned with the proposed R-2 rezoning of their properties and wished to retain the R-1, Single Family Dwelling Zoning in their communities. Mr. Falconer noted that residents were concerned that they were not advised of this proposed rezoning and had indicated that in future adequate citizen participation should be carried out to ensure that a similar situation does not occur.

Mr. Falconer further noted that protection of the North West Arm and the retention of existing and proposed parkland were of concern to these residents.

Mr. Falconer then submitted a petition from residents of Mainland South, many of which are living close to the North West Arm and Williams Lake, requesting City Council to not proceed on the matter of the Draft Mainland South Secondary Planning Strategy but, send it back to the Planning Advisory Committee for additional public input. The petition forms a part of the official file of this meeting.

Mr. Robert Gough, 18 Towerview Drive, addressed Council and outlined his written submission presented this evening. A copy of this submission forms a part of the official file of this meeting.

Mr. Gough addressed the matter indicating that the proposed rezoning of R-1 areas to R-2 in the Mainland area had come to his attention only last week. Mr. Gough indicated that he was greatly disturbed by the proposed zoning change and indicated that he did not feel there was a need for such a drastic change in established neighbourhoods. Mr. Gough indicated that the present sewage system would be burdened as it was designed for 18 persons per acre and the proposed rezoning would double this number. Mr. Gough further noted that the problems experienced at the outfall in Herring Cove would only be worsened.

Mr. Gough indicated that in the event that a number of residents decide to renovate their homes to allow for a second unit, the value of a home which remains a single family dwelling will be depreciated. Mr. Gough indicated that he did not believe the existence of illegal or non-conforming second units was widespread.

In closing, Mr. Gough suggested that there should be uniformity of definitions within the Land Use Bylaw and that the R-1 areas in the Mainland South should be retained. Mr. Gough noted that he could find no reference in any background documentation to rezoning these areas to R-2.

Mr. Lloyd Foster, 28 Towerview Drive, who registered his wish to address Council at the May 7, 1986 meeting, was not present at this meeting.

Ms. Michele Walling, 5539 Columbus Place, addressed Council indicating that she had grown up in the area of Jolimore in Mainland South. Ms. Walling indicated that during the previous meetings a number of concerns had been raised including the proposed zoning of R-1 areas to R-2, traffic, and protection of the North West Arm and other waterways within Mainland South. Ms. Walling indicated that she wished to add her concern to those already voiced.

Ms. Walling referred to the unique character of Mainland South and particularly to the development along the North West Arm. Ms. Walling indicated that area residents were not opposed to all development but, felt the R-1 nature of their areas should be retained. Ms. Walling then referred to the significant historical value of the Single Family Dwelling areas of Mainland South and suggested they should not be destroyed by overcrowding.

Ms. Walling referred to the historical value of the North West Arm and the importance of the walking path along the Arm as a recreational facility and noted she felt the North West Arm should be preserved. Ms. Walling also noted that the North West Arm was a significant water recreation area during the summer months.

Ms. Walling then referred to the wooded areas of the Mainland South and noted that although all of these were not parkland they were appreciated for their parkland character. Ms. Walling noted that much of this wooded area was zoned RCDD, comprehensive development districts, and suggested they should more properly be zoned R-1.

Ms. Walling went on to note that she did not understand the justification for widespread rezoning of R-1 areas to R-2 and indicated that this rezoning would effectively eliminate Single Family Dwelling development on Mainland South. Ms. Walling further noted that transportation and traffic were also of concern to her.

Mr. Gough indicated that in the event that a number of residents decide to renovate their homes to allow for a second unit, the value of a home which remains a single family dwelling will be depreciated. Mr. Gough indicated that he did not believe the existence of illegal or non-conforming second units was widespread.

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In closing, Ms. Walling, indicated that Council had three choices they could adopt the Plan as submitted, adopt the plan with modifications or return the Plan to the Planning Advisory Committee for further public input. Ms. Walling indicated that the first choice was not acceptable and that further input into the Plan would be desirable.

Mr. Paul Huber, 18 Armshore Drive, addressed Council stressing the importance of the public meeting held last Wednesday which was attended by so many area residents and at which such concern in relation to the proposed Plan was expressed. Mr. Huber indicated that a number of citizens had voiced a concern that the areas presently zoned R-1 and proposed to be zoned R-2 be retained as R-1. Mr. Huber noted that it was his understanding that zoning was linked directly with land use designation. Mr. Huber indicated that the proposed land use designation would permit a higher density of development than the R-1 zoning requested by residents and that this would result in requests for spot rezonings.

Mr. Huber then indicated the areas affected on the map and noted that the proposed R-2 zoning would allow R-2 and R-3 development in these areas. Mr. Huber further noted that attached to his written submission on this matter were changes to the land use designation which would bring it in line with the R-1 zoning requested by area residents.

Mrs. Anne Von Maltzahn, 15 Wenlock Drive, addressed Council indicating that she objected to the proposed rezoning of R-1 properties in her area to R-2. Mrs. Von Maltzahn indicated that there was presently a traffic problem on the Purcell's Cove Road and that higher density development would result in further difficulties.

Mrs. Von Maltzahn further noted that the maps indicated that parkland would be reduced under this Plan and, quoting from the Plan, indicated that this was contradictory to the Policies of the Plan. Mrs. Maltzahn then referred to the unique historical and recreational value of Williams Lake and indicated that she felt it should be preserved. Mrs. Maltzahn indicated that development of a greater density than single family would be destructive to the lake and noted that the area designated RCCD at the end of Williams Lake should be designated parkland.

In closing, Mrs. Maltzahn encouraged Council to listen to the views of area residents and not approve this Plan in its present form.

Mr. Phillip Saunders, 25 Kirk Road, addressed Council referring to the amendment approved by Council regarding density in relation to the proposed RCCD designations and noted that this amendment allowed development of these areas providing the development met the existing or proposed sewer

and water capacity. Mr. Saunders indicated that this amendment effectively nullified the guidelines set out under the plan and provided little or no restriction on development in these areas.

Mr. Saunders further went on to note that the Plan had attempted to give developers and residents guidelines regarding permitted development in these areas. Mr. Saunders indicated that this amendment left residents insecure once again in relation to permitted development in these areas.

Mr. Saunders went on to note that transportation was also one of his concerns and indicated that the proposed R-2 and RCDD zoning would allow development which would impact on rotary traffic. Mr. Saunders further noted that the junction of Purcell's Cove Road and Herring Cove Road should also be of concern. Mr. Saunders indicated that he was not aware of any projected traffic figures or targets and noted that under Section 4 of the Plan there was no implementation vehicle traffic. Mr. Saunders suggested that further research and study should be carried out in this area and an implementation policy put into place.

Mr. Saunders then referred to parklands within Mainland South noting that Policy 4.4 of the Plan called for staff to seek public access to the Arm in relation to all development. Mr. Saunders further noted that there was no implementation policy in relation to seeking this access. Mr. Saunders indicated that the RCDD designation was a threat to parks in the area and that Council should seek to protect not only the area within parks but, control the development around parks.

Dr. Donald Morrison, 46 Litchfield Crescent, addressed Council on behalf of the Pine Bluff Residents Association. Mr. Morrison read a letter submitted under the signature of A. Gordon Archibald, President, Pine Bluff Residents Association dated May 21, 1986 and distributed to members of Council previously. A copy of this letter forms a part of the official file of this meeting.

Mr. Morrison indicated that his Association was opposed to the implementation of proposed zoning changes to the Mainland South area, specifically, the proposal to change current R-1 areas to R-2 and to re-define some areas now zoned as parkland for other non-parkland use.

Mr. Morrison indicated that these proposed changes would not be in keeping with the character of the area and noted that the Aldermen for the area were aware of the concerns of the residents. Mr. Morrison indicated that the Aldermen had agreed to propose a motion that these areas be retained as R-1.

Mr. Morrison further noted that a rezoning of the properties in the Pine Bluff area would reduce property values and indicated that his Association was confident that Council would respond favorably to the concerns of the Pine Bluff residents.

Mrs. Regine Maas, 53 Albion Road, addressed Council indicating that she had read the MSSPS and thought there were some excellent ideas contained in the plan. Mrs. Maas indicated that the residents in her area would like to retain their R-1 status which permits only single family detached housing. Mrs. Regine Maas indicated that the retention of R-1 should also be introduced into the Generalized Future Land Use Map.

Mrs. Maas then referred to the walkway along the North West Arm noting that the walkway ran along her property and indicated that she was not in favor of the City acquiring this land. Mrs. Maas indicated that she was concerned with the requirements the City might place on the walkway such as an increase in the width of the walkway and possibly gravelling the walkway. Mrs. Maas noted that there were some sections of the walkway which were in poor condition and suggested the city might upgrade these sections.

Mrs. Maas then referred to pathways that she would like to see preserved in the Mount Misery area and around Purcell's Pond along to Colpitt Lake and Williams Lake. Mrs. Maas further indicated that the paths on the south eastern side of Williams Lake and the swimming areas should be preserved. Mrs. Maas then noted that a request from the residents of her area that the traditional swimming area be preserved at the time of the development of the Pine Bluff subdivision had not met with success. Mrs. Maas noted that residents of the area felt they had lost some of their quality of life.

Mrs. Maas then expressed concern regarding a lack of recreation lands, surface water run off, and sewage overflows in her area.

In closing Mrs. Maas indicated that the Plan appeared to be optimistic, however, the reality of the situation does not leave much room for optimism.

Mr. Wolf Novah, 33 Westage Drive, addressed Council and noted that the plan indicated there were 2.2 acres of parkland per 1000 persons in the Mainland South. Mr. Novah indicated that the ideal was 5 acres per 1000 persons and further noted that much of the parkland designated on the Mainland was of a private club or institutional nature.

Mr. Novak indicated that he did not feel this was a meaningful way of increasing parkland in Mainland South and suggested an effort should be made to increase acreage.

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Ms. Cathleen Hall, 11 Hall Road, addressed Council indicating that the lack of public input and knowledge of the Mainland South Plan very greatly concerned her and that Council could not ignore the petitions and presentations made over the past number of weeks. Ms. Hall further indicated that the lack of a Ward Association in the Mainland area also very gravely concerned her and she would be becoming involved in the establishment of such an association.

Ms. Hall indicated that the matters of traffic and parkland have not been fully discussed and noted that she felt it has been made clear by the number of concerns voiced that the matter should be sent back to the Planning Advisory Committee. Ms. Hall urged Council to send the matter back to the PAC and suggested that concerned residents should meet to determine exactly what they wanted the Plan to achieve.

Mr. Sidney Hughes, 15 Shaw Crescent, addressed Council indicating that the area in which he lived was zoned R-1 and that this R-1 zoning was protected by covenants within the deeds of the properties in the area. Mr. Hughes noted that a number of fine developments had been established in this area over the last number of years.

Mr. Hughes referred to parkland in the area indicating that it should be defined and expanded particularly along the MacIntosh Run and in the area of the Captain William Spry Community Centre. Mr. Hughes further noted that the water courses within the Mainland should be protected including the North West Arm and referred to the walkway along the North West Arm as an asset to the City.

Mr. Hughes then referred to the expression of concern voiced in relation to the proposed rezoning of R-1 properties to R-2 and indicated that Council could not ignore this outcry. Mr. Hughes suggested that the Plan should be sent back for further resident input.

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

The following correspondence has been received in relation to the matter:

1. Correspondence dated May 12, 1986 from Andrew G. Batcup, P. Eng., 8 Saraguay Place.
2. Correspondence dated May 12, 1986 from Nancy Covington, M.D., 5 Stonehaven Road.
3. Correspondence dated May 13, 1986 from R. Morehouse, owner of 59 Purcell's Cove Road.

Special Council
Public Hearings
May 21, 1986

4. Correspondence dated May 15, 1986 from Thomas M. MacDonald, Blois, Nickerson, Palmeto & Bryson, on behalf of Kathleen Roach.
5. Correspondence dated May 15, 1986 from William L. Ryan, on behalf of a number of residents affected by the proposed Mainland South Secondary Planning Strategy.
6. Correspondence dated May 15, 1986 from D. J. Tanning, M.D., 39 Wyndrock Drive.
7. Correspondence dated May 15, 1986 from David M. Howitt, 12 Wenlock Grove.
8. Correspondence dated May 16, 1986 from Afoa Kavanagh, 8 Parkhill Road.
9. Correspondence dated May 16, 1986 from Ralph M. Logan, 17 Litchfield Crescent.
10. Correspondence dated May 17, 1986 from Thelma and Jack Robinson, 18 Randolph Street.
11. Correspondence dated May 17, 1986 from C. Anthony Law, President, Williams Lake Conservation Company.
12. Correspondence dated May 19, 1986 from Edward S. and J. Alexandra Bringloe, 6 Wenlock Grove.
13. Correspondence dated May 17, 1986 from Harold K. Attwood and Maureen C. Attwood, 27 Redwood Avenue.
14. Correspondence dated May 19, 1986 from Dorothy Dolan, 25 Wenlock Grove.
15. Correspondence dated May 19, 1986 from Anne E. Von Maltzahn, 15 Wenlock Grove.
16. Correspondence dated May 20, 1986 from Hugh B. and Margaret Vincent, 17 Wenlock Grove.
17. Correspondence received May 21, 1986 from Donald A. Mahon, 319 Purcell's Cove Road.
18. Correspondence received May 21, 1986 from Paul B. Huber 18 Armshore Drive.
19. Correspondence received at the Public Hearing on May 21, 1986 from Gary L. Melling, 71 Purcell's Cove Road.

Special Council
Public Hearings
May 21, 1986

MOVED by Alderman R. Grant, seconded by Alderman Walker that this matter be forwarded to City Council pending receipt of the staff report relating to the comments and concerns expressed to Council over the past number of weeks in regard to the proposed Mainland South Secondary Planning Strategy.

Motion passed.

11:15 p.m. The meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN

S. GAUTHIER
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

*K/sg

HEADLINES FOR CITY COUNCIL MINUTES
of 05/21/86

(A) Quinpool Road Commercial Area Plan; and (B) Peninsula Centre Secondary Planning Strategy Sale of Proctor Street/Trade Mart Lands	.... 263
Recommendation for Promotion - W01 Gordon Hawkins	.... 264
Heritage Hearing Re: 1544 Summer Street - Heritage Property	.... 265
Case No. 4947 - Rezoning from R-1 to R-2: Portion of Cresthaven Estates Subdivision (Phase One)	.... 266
Case No. 4847 - Contract Development: 2029 North Park Street (Fire Fighters Club Building)	.... 266
SECOND ADJOURNMENT - PUBLIC HEARING - Mainland South Second. Plan. Strat. and Associated MPS and LUB Amendments	.... 269