

Council
May 25, 1978

NOTICE OF MOTIONS

Notice of Motion, Alderman Wooden Re: Introduction of
Ordinance No. 137 respecting Deferral of Tax Payments

Alderman Wooden gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on Thursday, the 15th day of June, A.D. 1978, she proposes to introduce Ordinance #137.

Alderman Wooden advised that the purpose of the Ordinance is to re-enact the former Ordinance #137 which provided for the deferral of tax payments for low income property owners. She advised the original Ordinance was voided by the repeal of Section 228A of the Halifax City Charter and that the new Ordinance is up-dated as to the income provisions to bring it in line with the tax exemption resolution.

Notice of Motion, Deputy Mayor Shannon Re: Amendments to
Ordinance #168, the Fire Prevention Ordinance

Deputy Mayor Shannon gave Notice that at the next regular meeting of the City Council of the City of Halifax to be held on Thursday, the 15th day of June, A.D. 1978, she proposes to introduce amendments to Ordinance #168, the Fire Prevention Ordinance.

Deputy Mayor Shannon advised that the purpose of the amendments is to change the regulations for Smoke detectors in rooming houses and to extend the regulations to small apartment buildings, and to require that larger apartment buildings have fire safety plans and that these plans be provided to the tenants with their leases or on taking occupancy if there are no leases.

Notice of Motion, Deputy Mayor Shannon Re: Introduction of
Ordinance No. 171 respecting The Establishment, Operation and
Maintenance of a Regional Public Transit System and a Regional
Transit Planning and Traffic Management Advisory Board

Deputy Mayor Shannon gave notice that at the next regular meeting of the City Council of the City of Halifax to be held on Thursday, the 15th day of June, A.D. 1978, she proposes to introduce Ordinance No. 171.

Deputy Mayor Shannon advised that the purpose of the Ordinance is to confer upon the Halifax-Dartmouth Regional Authority the responsibility of the City of Halifax as it may from time to time appear for the operation and maintenance of the ferry system between downtown Dartmouth and Halifax, and for the establishment, operation and maintenance of a regional public transit system to serve the City of Halifax, the City of Dartmouth, and the Municipality of the County of Halifax, and the establishment of a Regional Transit Planning and Management Advisory Board.

ADDED ITEMS

Quotation for Three (3) Tractor/Mowers

The above noted item was added to the agenda at the request of the Acting City Clerk.

A staff report dated May 23, 1978, was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that a contract be awarded to the lowest bidder meeting specifications, Halifax Seed Co. Ltd., in the amount of \$7,917.00 to supply three tractor/mowers in accordance with City specifications. Motion passed.

Tenders 78-78, 78-83, 78-84 Disposal of Surplus Vehicles and Equipment

The above noted item was added to the agenda at the request of the Acting City Clerk.

A staff report dated May 19, 1978, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Hanson that authority be granted to award tenders to the highest bidder as follows:

Tender No. 78-78 (One Surplus 1964 McGinnis Bookmobile - BT1) - B. D. Stevens Limited, 64 Main Avenue, Halifax, N. S. in the amount of \$1,100.00.

Tender No. 78-83 (One Surplus 1972 International Dump Truck with One-way Plow - EV152) - H. W. Longard Enterprises Limited, Timberlea, Halifax County, Nova Scotia, in the amount of \$2,578.90.

Tender No. 78-84 (One Surplus 1972 International Dump Truck with One-way Plow - EV153) - Kaizer Construction and Services Limited, 5571 Cunard Street, Halifax, Nova Scotia in the amount of \$3,750.00.

Motion passed.

NIP II Concept Plan - Report of MDPC

The above noted item was added to the agenda at the request of the Acting City Clerk.

A resolution and attachments was submitted from the Municipal Development Plan Committee as well as a letter dated May 25, 1978 and attachments from the Chairman of the NIP II Core Committee, and a letter dated May 25, 1978, from the Chairman of the Landmarks Commission.

Alderman Maley noted that Council has not had an opportunity to debate the matter and MOVED, seconded by Deputy Mayor Shannon that the Concept Plan and Detailed Rehabilitation Development Plan be referred to the next regular meeting of the Committee of the Whole Council.

The Motion was put and passed with Aldermen Sullivan, Hanson, Moore, and Lawrence against.

Supplementary Report - Tender 78-22 (Traffic Improvements)

A staff report dated May 25, 1978, was submitted.

Alderman Meagher advised that he would like the Monestary Lane part of the tender deferred to the next meeting of the Committee of the Whole Council saying the residents of the area have worked hard on plans which they would like to present to Council at that time.

MOVED by Alderman Meagher, seconded by Alderman Clarke that Tender 78-22 be awarded on the following basis:

- a) The project for Quinpool Road (Item #1) be awarded to Steed & Evans Limited for the unit prices quoted.
- b) Funding transferrals be approved as outlined in Appendix "A" attached to the staff report of May 25, 1978.
- c) Project funds be authorized from Capital Budget Account CEA90 as outlined in Appendix "A" attached to the staff report of May 25, 1978.

Alderman Meagher also requested that staff advise members of Council at the Committee of the Whole Council meeting of the trees to be removed as well as those to be protected in the area of the widening along Quinpool Road.

Motion passed.

Non-Union Salaries

The above noted item was added to the agenda at the request of Alderman Lawrence.

MOVED by Alderman Lawrence, seconded by Alderman Hanson that City Council approve the salary increase of 5.6% for the Non-union employees of the City of Halifax plus 0.4% fringe benefits, and the adoption of the salary policy outlined in a report submitted to members of Council.

His Worship pointed out that the total value of the non-union salaries is 5.6% plus 0.4% to be allocated according to the recommendations of the Acting City Manager.

Motion passed.

11:05 P. M. - Meeting adjourned.

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PUBLIC HEARING
MINUTES

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May 25, 1978

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MAYOR EDMUND L. MORRIS
CHAIRMAN

CATHERINE MacNEIL (Miss)
ACTING CITY CLERK

Date Approved by City Council: _____

Record

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Special Council,
June 14, 1978

Council Chamber,
City Hall,
Halifax, N. S.
June 14, 1978
7:40 p.m.

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

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

Present: His Worship the Mayor, Chairman; Deputy Mayor Shannon, Aldermen Maley, Downey, Sullivan, Clarke, Hanson, Moore and Lawrence.

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

The meeting was called especially to give consideration to the following items:

1. To lay down and confirm a portion of the western street line of Hillcrest Street and to lay down and confirm a portion of the eastern street line of Hillcrest Street;
2. To consider an application under Schedule "C", Section 83, Subsections (c) and (d) of the Zoning Bylaw and consolidation of Lots 1, 2 and 3 (Civic Nos. 5232, 5236 and 5242) Green Street;
3. To confirm the adoption and enactment of certain amendments to the Municipal Development Plan.

To Lay Down and Confirm a Portion of the Western Street Line of Hillcrest Street and to Lay Down and Confirm A Portion of the Eastern Street Line of Hillcrest St.

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

Mr. D. Fox, Engineering and Works Department, with the aid of a sketch, explained the proposal and stated that in order to construct a section of new street along Hillcrest Street, between Frederick Avenue and Rufus Avenue, it is necessary to lay down such street lines.

Special Council,
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He stated that approval of the street construction was made during consideration of the 1978 Capital Budget.

Mr. Fox advised that by resolution of City Council on May 31, 1972 the construction of an apartment building on the west side of Hillcrest Street was approved subject to the developer deeding to the City, at no cost, an area of land shown as Lot "X" on their subdivision plan. He advised that discussions have been held with the developer but to date staff have been unable to obtain that parcel of land. Mr. Fox responded to questions from members of City Council.

Deputy Mayor Shannon referred to a letter from Mr. McGuire, on behalf of the developer, dated May 23, 1972, in which was set out three conditions under which the developer would deed to the City, at no cost, that portion of land shown as Lot "X". She asked that City Council be advised if the stated conditions were met.

His Worship called for those persons present who wished to address City Council in support of the proposed laying down and confirmation of street lines. No persons present wished to address City Council in support of the proposal.

His Worship then called for those persons present who wished to address City Council in opposition to the proposed laying down and confirmation of street lines.

7:55 p.m. - The City Solicitor and Alderman Wooden entered the meeting.

Mr. Douglas A. Caldwell, representing Mr. Herman Newman and Fairfax Developments Limited, addressed City Council and stated that his client is not opposed to the laying down of street lines but wished to address some remarks to the matter of ownership. Mr. Caldwell submitted a brief, copies of which were provided for members of City Council, and commented on information contained therein re the matter of ownership of Lot "X".

His Worship suggested, and it was agreed, that Mr. Caldwell's brief be referred to staff for comments to City Council and that staff attach thereto the letter referred to dated May 23, 1972 and the City Council minutes of May 31, 1972. He further suggested that Mr. Caldwell speak with the City Solicitor to ascertain whether there is a fruitful area for reconciliation in this matter.

No other persons wished to address Council.

Special Council,
June 14, 1978

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

Application under Schedule "C", Section 83, Subsections
(c) and (d) of the Zoning Bylaw and Consolidation of
Lots 1, 2, and 3 (Civic Nos. 5232, 5236 and 5242)
Green Street

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

The following correspondence was received
and circulated to members of City Council re the above
subject:

Letter dated June 7, 1978 from Mr. Fletcher S. Smith,
President, Parkdale Realities Ltd.

Memorandum dated June 12, 1978 from the Detailed Area
Planning Committee I

Letter dated June 13, 1978 from Mrs. Ida Kitchen, Mrs.
Helen Murphy and Mrs. Garth Cobb.

Letter dated June 14, 1978 from Mr. Daniel F. Potter,
Chairman, Board of Directors, The Ward 1 Residents
Association.

Mr. B. Algee, Development Department, with
the aid of sketches, described the proposal for a 53
bachelor unit building. He stated that the height of
the proposal is 55 feet at its highest point, it is located
in an R-3 zone, contains a density of 135 persons per
acre with 18 underground parking spaces. He stated that
open space in excess of that required in the Zoning Bylaw
is being provided.

Mr. Algee stated that the proposal does not
meet the angle controls on the north and south sides of
the building and on the east and west sides the angle
controls are such that an accurate determination as to
whether they meet the requirements can only be made when
construction drawings are submitted. He pointed out that
the building is set back four feet as opposed to the
required 10 or 20 feet.

Alderman Maley stated that she felt the four
foot setback was an attempt by the developer to maintain
the street line of the other residences on Green Street.

Special Council,
June 14, 1978

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

8:40 p.m. - Alderman Meagher entered the meeting.

His Worship called for those persons present who wished to address City Council in support of the proposal.

Mr. Simon Spatz, the developer, accompanied by his architect, addressed City Council at this time. Mr. Spatz stated that the houses on the lots in question are not salvageable.

The architect, with the aid of a sketch, indicated the proposed design of the development and stated that the four-foot setback from the street was so that the building would line up with the other buildings on Green Street and the violation of the angle control on the front was a result of endeavouring to make the roof line of the building compatible with the roof lines of the buildings further down the street. He stated that the proposed building is 5½ stories from the grade at Green Street and six stories at the back. He stated that he had thought that the development had met the angle controls at the rear and, as it is indicated that it has not, he would reconsider the matter. He suggested that the proposed building is a compromise between something that would be too large for the area and something which would be too small to be economically developable and be treated in a proper architectural manner.

Mr. Spatz, responding to questions from members of City Council, stated that the preservation of one of the dwellings could not be incorporated in the design of the project. He advised that because of the size of the land in question, the architect is unable to design an economic proposal which would contain family units on that site.

Mr. Hans Noges, representing Parkdale Realities Ltd. addressed City Council in support of the application. Mr. Noges referred to a letter submitted by Mr. Smith of Parkdale Realities Ltd. dated June 7, 1978. He stated that they are owners of a building next to the Spatz proposal on Green Street and their building is six stories from grade, two stories below grade, and over 60 feet high.

No other persons wished to address Council in support of the proposal.

Special Council,
June 14, 1978

His Worship then called for those persons present who wished to address City Council in opposition to the proposed development.

Mr. Daniel F. Potter, Chairman of the Board of Directors, Ward 1 Residents Association, addressed City Council and stated that the Association is not against a development on the site. He clarified that the building which it is suggested be retained is the building at 5232-36 Green Street.

Mr. Potter referred to his submitted letter of June 14, 1978 and elaborated on the four major concerns of the Association listed therein. He suggested that Policy 1.1.1., Policy 1.2., Objective 5 and related policies in the Municipal Development Plan fit the particular development being considered and give quite clear guidance to City Council when negotiating conditions and terms of the contract.

Mr. Potter stated that the Board is pleased with the four-foot setback from the street but is concerned with the location and design of the windows on the front of the building. He advised that students at the School of Architecture have worked out a design which would infill the lot and save the building at 5232-36 Green Street. Mr. Potter responded to questions from members of City Council.

Mrs. Helen Murphy, a resident and homeowner at 5246 Green Street addressed Council in opposition to the proposed development, and referred to her submitted letter of June 13, 1978. She stated her objection is that because of the height of the proposal, her lot will be deprived of sunlight. She stated that she would not object to a building of three stories.

Mr. John Bradford addressed City Council and stated that plans have been developed for the site which retain the existing duplex, which do not extend higher than three stories, which contain one and two bedroom units, and which are economically viable in the opinion of two mortgage companies. His Worship requested that Mr. Bradford submit the plan referred to for Council's information.

The owner of an abutting property on Smith Street addressed Council and expressed concern that the proposed building will abut the property lines of lots on the north side of Smith Street and thereby deny those backyards of sunlight, etc. He requested that City Council give consideration to the residents on the north side of Smith Street.

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Mr. John McKay, a resident of Ward I, addressed City Council and referred to a statement made during the meeting re bachelor units being predominant in the south end of the City. He stated he is particularly concerned re the proliferation of bachelor units in Ward I and suggested that it is apparently destroying the school infrastructure in the area. He asked that City Council examine the possibility of inclusion of some family units in the proposed development.

Mr. Michael Agrand, 5254 Green Street, addressed City Council in support of the proposed development. He stated he is presently restoring a home on Green Street and plans to live in the area for a considerable length of time.

No other persons present wished to speak at this time.

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

Confirmation of Adoption and Enactment of Certain Amendments to the Municipal Development Plan

A public hearing was held at this time re certain amendments to the Municipal Development Plan which was duly advertised.

A staff information report dated June 9, 1978 was submitted with attached "List of Amendments Municipal Development Plan".

No persons present wished to address City Council in support of or in opposition to the proposed amendments to the Municipal Development Plan.

MOVED by Alderman Lawrence, seconded by Alderman Hanson that the matter be referred to City Council at a meeting scheduled for June 15, 1978 without recommendation. Motion passed.

Meeting adjourned - 9:55 p.m.

HEADLINES

To Lay Down and Confirm a Portion of the Western Street Line of Hillcrest Street and to Lay Down and Confirm a portion of the Eastern Street Line of Hillcrest Street 277

Application under Schedule "C", Section 83, Sub-sections (c) and (d) of the Zoning Bylaw and Consolidation of Lots 1, 2, and 3 (Civic Nos. 5232, 5236 and 5242) Green Street 279

Confirmation of Adoption and Enactment of Certain Amendments to the Municipal Development Plan 282

 MAYOR EDMUND MORRIS
 CHAIRMAN

 G. I. BLENNERHASSETT (MRS.)
 CITY CLERK

MINUTES
 Date approved by City Council _____

CITY COUNCIL
M I N U T E S

City Council,
June 15, 1978

Council Chamber,
City Hall,
Halifax, N. S.
June 15, 1978
8:10 p.m.

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

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

Present: His Worship the Mayor, Chairman; Deputy Mayor Shannon, Aldermen Maley, Downey, Meagher, Sullivan, Clarke, Wooden, Hanson, Moore and Lawrence.

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

PRESENTATION - LONG SERVICE AWARD - GERALD IRVING

His Worship paid tribute to Mr. Gerald Irving of the Halifax School Board in recognition of his thirty years' service and Alderman Downey, on behalf of City Council, presented a scroll to Mr. Conrod.

MINUTES

Minutes of previous meetings held on May 25, 1978 were approved on Motion of Alderman Lawrence, seconded by Alderman Sullivan.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

At the request of the City Clerk, it was agreed to add:

- 5(a) - Amendments to the Municipal Development Plan
- 20(a) - Application for a Bill Poster's License -
Jean E. Fraser
- 20(c) - City-Owned Land - Northridge Road

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

City Council,
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20(b) - Tenders - Demolition - Hilden Heights

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

20(d) - Power Rates

20(e) - Use of Halifax Forum Commission Property

The Order of Business, as amended, was approved.

DEFERRED ITEMS

Amendments to the Municipal Development Plan

A public hearing re the above proposed amendments was held on June 14, 1978.

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that City Council approve amendments to the Municipal Development Plan as set forth in a document entitled "List of Amendments Municipal Development Plan" and attached to a staff information report dated June 9, 1978. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on June 14, 1978 as follows:

Revenue and Expenditure Statement - TO BE TABLED

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, the Revenue and Expenditure Statements for the period ended April 30th, be tabled and be available for consultation on June 19, 1978. Motion passed.

Dog Control Service Contract

A staff report dated May 31, 1978 was submitted.

MOVED by Alderman Lawrence, seconded by Alderman Maley that the Mayor and the City Clerk be authorized to sign the contract re dog control service as attached to the staff report dated May 31, 1978.

City Council,
June 15, 1978

Deputy Mayor Shannon requested that a staff information report be submitted within ninety days outlining a comparison of the present system and the previous system of dog control in the City.

Alderman Wooden stated she was of the understanding that this contract would include the control of cats in the City, especially insofar as the nuisance factor associated with stray cats is concerned. His Worship stated that the matter of cat control had been referred to the City Solicitor for consideration.

The motion was put and passed.

Hemlock Ravine - Lease of Province of Nova Scotia Lands

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance and Executive, City Council authorize the Mayor and the City Clerk to execute a lease between the City and Her Majesty the Queen in the Right of the Province of Nova Scotia in the form attached to the staff report dated June 2, 1978. Motion passed.

Cunard Street School Renovation - NIP Multi-Service Project - Old Northern Suburb - Appointment of Architects

A supplementary staff report dated June 14, 1978 was submitted.

MOVED by Alderman Downey, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee:

1. Council approve the "Terms of Reference" for the Cunard Street School Renovation - NIP Multi-Service Project; and
2. Council appoint the following architect who is qualified and is prepared to make his professional services available to the City for this project:

Davison, C. D. & Co. Ltd.
5525 Artillery Place

City Council,
June 15, 1978

Funds available under Account 803 HAG 12 (NIP) and
AFA 03 Multi-Service (North End Centre).

Motion passed.

NIP I Project - Old Northern Suburb - Improvement of
Joseph Howe School Grounds

Alderman Downey stated that he has been
advised that the School Board, at a meeting held on
June 13, 1978, agreed to assume the maintenance costs.

MOVED by Alderman Downey, seconded by
Alderman Sullivan that City Council authorize staff to
proceed with the implementation of the Joseph Howe
School grounds improvement project as specified in
attachment B of the staff report dated June 6, 1978
and to prepare and call for tenders. Funds to implement
the project are provided for in Account HAG12.

His Worship advised that a letter dated
June 14, 1978 from the Board of School Commissioners
confirms Alderman Downey's statement.

The motion was put and passed.

Award of Tender - Resurfacing - Central Commons Tennis
Courts

MOVED by Alderman Hanson, seconded by Deputy
Mayor Shannon that, as recommended by the Finance and
Executive Committee, Tender #78-95 be awarded to the
lowest bidder, Standard Paving Maritime Ltd., for the
lump sum price of \$24,737.00. Motion passed.

Visitors and Convention Bureau Lease Agreement

MOVED by Alderman Moore, seconded by Alderman
Wooden that, as recommended by the Finance and Executive
Committee, His Worship the Mayor and the City Clerk be
authorized to, on behalf of the City, enter into agreement
to permit the change of location for the Administrative
Offices of the Visitors and Convention Bureau as outlined
in the staff report of June 6, 1978. Motion passed.

City Council,
June 15, 1978

Provincial Cost Sharing on City Streets

A supplementary report dated June 14, 1978 was submitted.

Alderman Wooden stated that a special case could be made for inclusion of the Old Sambro Road, as it has suffered much deterioration since North West Arm Drive opened and it leads to County of Halifax roads. Mr. Sullivan, Engineering and Works Department, advised that there is a restriction of 10,000 vehicles but staff would do another count.

Alderman Wooden requested that staff submit a report containing the results of a new count on the Old Sambro Road, clarifying the definition of the Harrietsfield Road for the purposes of Agreement #23, and further, that staff investigate the condition of the Old Sambro Road from the Herring Cove Road to Sussex Street.

It was agreed that:

1. An item be included on the agenda for the next regular meeting of Committee of the Whole Council relating to truck routes, permitted weights, etc.,
2. Staff be instructed to approach the Department of Highways with a request to amend the Maintenance Agreement to include construction of sidewalks and streets carrying more than 10,000 v.p.d.

Motion passed.

Recommended Insurance Claim Settlement (Claim # A1715)

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, City Council authorize acceptance of \$8,061.00 in full settlement of Claim #A1715, and that the Director of Finance be authorized to sign the release documents after receipt of the said amount. Motion passed.

Ordinance No. 151 - The Regulation and Licensing of Automatic Vending & Amusement Machines
- DATE FOR PUBLIC MEETING

The Finance and Executive Committee recommended that a date be set for a public meeting on the

City Council,
June 15, 1978

subject matter and the rates and recommendations contained in the staff report of June 6, 1978, be circulated to the major Automatic Vending and Amusement Machine operators in the area.

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

Tachographs

A supplementary staff report dated June 14, 1978 was submitted.

MOVED by Alderman Lawrence, seconded by Alderman Moore that authority be granted to purchase four units on an installed basis from Target Agencies at a unit cost of \$646.34. Funds are available in account #026-458 in the amount of \$2,700.00.

MOVED by Alderman Meagher, seconded by Alderman Maley, that the motion be amended to approve the purchase of two units.

The amendment was put and lost, two voting for the amendment and eight voting against.

The motion was then put and passed with Aldermen Maley and Meagher voting against.

Expenditure of Funds (Recreation)

His Worship advised that the expenditure recommended by the Finance and Committee is to be reduced to \$5,000.00 as the Council for Canadian Unity is only able to provide the City with an assurance of the reduced amount.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that City Council authorize an expenditure of up to \$5,000.00 for the purpose identified in the letter attached to the staff report dated June 12, 1978, under the provision of Section 201(1) of the City Charter, such costs to be charged against the 1978 Current Budget with recovery from the Canada Week Committee to be allocated to the 1978 revenues of the City of Halifax. Motion passed.

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June 15, 1978

Fairview Cove Container Pier Lease

Alderman Sullivan stated that he had reviewed his file on the Negro Point Park matter since the Finance and Executive Committee meeting and stated that staff reports state varied acreage figures. He further advised that he and Alderman Clarke visited the site this date and, as a result, foresee problems with the proposed lease.

Alderman Sullivan stated that a portion of the land designated for park purposes is located in an area where the shoreline meets the roadway thereby limiting its use and, further, there is an undesignated parcel of land lying between the boundaries of the Container Pier site and the Negro Point Park site which appears to be best suited for park purposes.

Alderman Clarke stated that the development of the Negro Point Park site and the signing of the Fairview Cove Container Pier lease are related and he suggested that the matter be referred to the next meeting of Committee of the Whole Council so that staff may make a presentation at that time.

His Worship advised that the boundaries of the Fairview Cove Container Port have not changed.

The City Solicitor pointed out that the plan attached to the lease was prepared by a local survey firm for the Department of Development for the Province of Nova Scotia to show primarily the lands that the City and the Province will make available for the container pier site. He stated that the plan is little more than diagrammatic and was not intended to be a definitive plan of the site for Negro Point park. He stated that Provincial staff are very desirous that the City could approve the lease at this time.

After further discussion, it was MOVED by Alderman Clarke, seconded by Alderman Sullivan that the matter be referred to the next regular meeting of Committee of the Whole Council and, at that time, staff provide a large graphic design of both the Container Pier proposal and the Negro Point Park proposal. Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on June 12, 1978 as follows:

Improvements: Quinpool Road and Monastery Lane

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Committee on Works:

1. At the various exits and entrances to the Willowgate site from Monastery Lane, there be right-hand turns only into the site and left-hand turns only from the site;
2. Council authorize a 90-day temporary closure of Yale and Yukon Streets at their eastern extremities where they abut Monastery Lane;
3. A subsequent public meeting be held with respect to the temporary closure of Yale and Yukon Streets and a subsequent staff report be submitted on the matter;
4. City Council award a contract for Monastery Lane improvements to Steed and Evans Limited as outlined in the supplementary staff report dated May 25, 1978;
5. Staff closely monitor traffic flows on Preston and Vernon Streets at regular intervals after the opening of the project and subsequent re-use of the Canadian Tire property, and that if traffic volumes on this street increase above the normal expected annual increase, staff bring to Council plans which would alleviate the situation and keep increased traffic flows on the main arteries around the project.

Motion passed.

Private Incinerators - DATE FOR PUBLIC HEARING

The Committee on Works recommended that a date be set for a public hearing to consider proposed Ordinance No. 164 respecting The Regulation of Incinerators and that staff be asked to consult through the Solid Waste Advisory Group with the Halifax-Dartmouth Regional Authority re such date so that the Regional Authority will be in a position to prepare a report for the public hearing.

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It was agreed that the matter of setting a date for a public hearing be referred to the next regular meeting of Committee of the Whole Council.

Dilapidated Buildings - 245-250 Bedford Highway

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Committee on Works, the demolition order proceed as prescribed by the Committee on Works at their meeting of April 5, 1978. Motion passed.

Tender #⁵17285 - Pedestrian Crosswalk Signals

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Committee on Works:

1. Authority be granted to award tender to the lowest bidder, Canadian General Electric Company Limited, 940 Lansdowne Ave., Toronto, Ontario, for the tendered amount of \$9,503.88;
2. Authority be granted to commit order to Canadian General Electric Company Limited, so that equipment may be placed into June production run.

Motion passed.

Street Acceptance - Aurora Avenue and a Portion of Seaview Avenue

MOVED by Alderman Wooden, seconded by Alderman Hanson that, as recommended by the Committee on Works:

- (a) Aurora Avenue from Seaview Avenue to no exit and,
- (b) a portion of Seaview Avenue from Aurora Avenue to approximately 50 feet westwardly

be accepted as part of the official street system.

Motion passed.

Petition - Sidewalk, Curb & Gutter - Sutton Gardens

MOVED by Alderman Lawrence, seconded by Alderman Hanson that, as recommended by the Committee on Works, the petition for reconsideration to include certain projects in 1978 should additional funds become available be denied, and Council reaffirm these projects for 1979 and 1980, subject to the normal notification for Local Improvement Projects. Motion passed.

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Overhead Crosswalk Signs

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Committee on Works, staff be authorized to call tenders for overhead crosswalk sign installations at the following locations:

1. Titus Street at Evans Avenue
2. Brunswick Street at George Street
3. Quinpool Road at Harvard Street
4. Robie Street at St. Albans Street
5. Bayers Road at Connolly Street
6. Howe Avenue at Scott Street
7. Robie Street at Shirley Street
8. South Street at Tower Road
9. Water Street at George Street
10. Mumford Road at Olivet Street
11. Spring Garden Road at Grafton Street
12. Hollis Street at Salter Street
13. Quinpool Road opposite boat landing

Motion passed.

Overhead Structures - Herring Cove Road and Bayers Road

MOVED by Alderman Wooden, seconded by Alderman Hanson that, as recommended by the Committee on Works, City Council:

1. Approve the installation of an overhead sign structure with lane control signals on the Herring Cove Road including the City cost sharing contribution;
2. Approve the installation of an overhead sign structure with lane control signals and traffic designation signs for Bayers Road at Howe Avenue including the City cost sharing contribution; and
3. Approve funding transfers from CEA93 and CEA84 in the amount of \$35,000.00 and \$3,000.00 respectively to implement the above projects.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on June 12, 1978 as follows:

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Crosswalk - Ashburn Avenue and Bayers Road

Alderman Moore thanked the City Manager and City staff for painting a crosswalk at Ashburn Avenue and Bayers Road this week. He stated that residents of the area have expressed their appreciation.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on June 12, 1978, as follows:

Senior Citizens Project - Sir John Thompson School

The above noted item was forwarded to City Council without recommendation.

An information report dated June 14, 1978, was submitted.

MOVED by Alderman Hanson, seconded by Alderman Moore that City Council approve the development agreement attached to the staff report of June 7, 1978 and authorize the City Clerk and the Mayor to sign the agreement on behalf of the City, subject to the Information Report dated June 14, 1978 entitled "Sir John Thompson Senior Citizen Project".

Motion passed.

Container Pier and Negro Point Park

The above noted item was forwarded to City Council without recommendation.

Alderman Clarke referred to discussions held with respect to the agenda item "Fairview Cove Container Pier Lease" earlier in the meeting, and suggested the item had been discussed.

His Worship suggested that the information report of June 6, 1978 be referred to the Committee of the Whole Council to take the whole subject as one package.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that the matter be referred to the next regular meeting of the Committee of the Whole Council to be considered in conjunction with the Fairview Cove Container Pier Lease item.

Motion passed.

NIP II Concept Plan - Report of MDPC

MOVED by Alderman Moore, seconded by Alderman Hanson that, as recommended by the City Planning Committee:

1. WHEREAS Central Mortgage and Housing Corporation, the Province of Nova Scotia and the City of Halifax have agreed to a Neighbourhood Improvement Program and a Residential Rehabilitation Assistance Program within the area known as the Old South End NIP Area as per the amended description of the boundaries, and

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WHEREAS the City has approved a gross capital expenditure of \$1,825,000.00 consisting of contributions of \$850,000.00 from Central Mortgage and Housing Corporation, \$170,000.00 from the Province, and \$805,000.00 from the City of Halifax, and

WHEREAS planning for this program has been underway since July 19, 1977 and measures for stabilizing land use and density patterns in the area have been adopted by the Council of the City of Halifax through the MDP and the amendment to the Zoning By-law both of which are now before the Minister of Municipal Affairs for approval, and

WHEREAS this planning has been carried out in large measure by the residents of the declared area with assistance from consultants, and

WHEREAS there has been active citizen participation in this planning,

NOW THEREFORE BE IT RESOLVED THAT the City of Halifax having received the Old South End Neighbourhood Improvement Program Concept Plan now authorize staff to apply for the Implementation Certificate from Central Mortgage and Housing Corporation and the Nova Scotia Housing Commission provided, however, that

- (a) the Concept Plan be amended as per Neighbourhood Improvement Program Concept Plan, Review of Proposed Projects, and Financial Plan attached to the staff report dated February 27, 1978,
 - (b) the Financial Plan be amended as per table of the Concept Plan Review attached to the staff report dated February 27, 1978 to show an additional municipal contribution of \$176,000.00, and
 - (c) that each specific recommendation for implementation in the Neighbourhood Improvement Program shall be approved in detail by City Council following the detailed planning stage and prior to implementation
2. The DRDP be referred from the NIP II Concept immediately to the Detailed Area Planning process for consideration and a report on all of the recommendations.

Alderman Maley said she would like to point out there has yet been no debate on the DRDP or on the concept plan for NIP II and wished to record she did not feel that was how Council should be treating people who have been given a mandate by Council to prepare a document and then for it to come to Council and be refused any meaningful input into the presentation of the document.

Alderman Maley said she would like the matter to be kept in mind when other groups, particularly Detailed Area Planning Groups, come before Council. Alderman Maley suggested that Council has dealt with the matter in a very high-handed, indeed almost arrogant manner and advised she would be voting against the motion.

His Worship advised that the Mayor dissents from both propositions advanced by the Alderman saying there is neither arrogance nor restriction on debate. His Worship referred to a recent meeting held on the matter at which time he asked that the matter be debated and that Alderman Maley had the floor continuously until she gave it up. His Worship said there has been nothing arrogant about the handling of citizen input by the Council or the Mayor. Alderman Moore said he would like to associate himself with the remarks of the Mayor on the subject.

Discussion ensued on the matter following which the Motion was put and passed with Deputy Mayor Shannon and Aldermen Maley, Meagher, and Wooden against.

His Worship asked that the City Solicitor, in preparing his report on conflict of interest for City Council, also include consideration to spouses of elected members of Council in general terms as to whether or not that constitutes a potential conflict of interest.

Appointment of Acting Development Officer

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, Mr. W. D. Campbell be appointed Acting Development Officer in the absence of the Development Officer for the City of Halifax. Motion passed.

Case No. 3440 - Application for Rezoning from R-2, Two Family Dwelling Zone to C-1, Local Business Zone, Civic Nos. 196-198 Herring Cove Road (Lot A), Lands of Allen F. Bryden

MOVED by Alderman Wooden, seconded by Alderman Lawrence that, as recommended by the City Planning Committee, the application to rezone Civic Nos. 196-198 Herring Cove Road, lands of Allen F. Bryden, from R-2, Two-Family Dwelling Zone to C-1, Local Business Zone, as shown on Plan P200/8164 of Case No. 3440, be refused. Motion passed.

Case No. 3587 - Modification of Zoning Bylaw Under Schedule "C" - Halifax Infirmary

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, under Sections 83(c) and (d) (Schedule "C") of the Zoning Bylaw (Peninsula Area), a date be set for a public hearing to consider permitting the erection of a canopy/sign on Queen Street as requested by the Halifax Infirmary and that the property owners as shown on Sketch 2 attached to the staff report dated May 29, 1978, be notified.

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The City Clerk advised that the public hearing has been scheduled for July 5, 1978 at 7:30 P. M. in the Council Chamber.

Motion passed.

Case No. 3539 - Modification of the Zoning Bylaw - 13 Flint St.

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the City Planning Committee, the application for a Zoning Bylaw modification to allow the existing single family dwelling at 13 Flint Street to be converted into a duplex on a lot containing 45 square feet of frontage and 4,500 square feet of area, be approved.

Motion passed.

Resolution of Downtown Committee re
Waterfront Development Area Criteria

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that, as recommended by the City Planning Committee, City Council adopt the report of the Downtown Committee re Waterfront Development Area Criteria.

Motion passed.

M O T I O N S

Motion Alderman Wooden Re: Introduction of Ordinance No. 137
respecting Deferral of Tax Payments - First Reading

Alderman Wooden presented a Notice of Motion with respect to the above noted matter at the May 25, 1978 meeting of City Council.

Proposed Ordinance Number 137 respecting The Deferred Payment of Taxes, was submitted.

MOVED by Alderman Wooden, seconded by Alderman Hanson that Ordinance No. 137 respecting The Deferred Payment of Taxes, be read and passed a First Time as submitted.

Motion passed.

Motion Deputy Mayor Shannon Re: Amendments to Ordinance
No. 168, the Fire Prevention Ordinance - First Reading

Deputy Mayor Shannon presented a Notice of Motion with respect to the above noted matter at the May 25, 1978 meeting of City Council.

Proposed amendments to Ordinance No. 168, were submitted.

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MOVED by Deputy Mayor Shannon, seconded by Alderman Meagher that proposed amendments to Ordinance #168, the Fire Prevention Ordinance, be read and passed a First Time, as submitted.

Motion Deputy Mayor Shannon Re: Introduction of Ordinance 171 respecting The Establishment, Operation and Maintenance of A Regional Public Transit System and a Regional Transit Planning and Traffic Management Advisory Board, First Reading

Deputy Mayor Shannon presented a Notice of Motion with respect to the above noted matter at the May 25, 1978 meeting of City Council.

Proposed Ordinance No. 171, was submitted.

MOVED by Deputy Mayor Shannon, seconded by Alderman Meagher that proposed Ordinance No. 171 respecting The Establishment, Operation and Maintenance of a Regional Public Transit System and a Regional Transit Planning and Traffic Management Advisory Board, be read and passed a First Time, as submitted.

Motion passed.

MISCELLANEOUS BUSINESS

Application for Bill Poster's License - After School Projects Limited

A letter dated June 2, 1978 was submitted from the General Manager of After School Projects Limited making application for renewal of a Bill Posters License.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that a Bill Posters License be granted to After School Projects Limited in accordance with Ordinance No. 19.

Motion passed.

Council at this time agreed to deal with the item "Application for Bill Posters License - Jeanne E. Fraser, which was added to the agenda as 20(a).

Application for Bill Posters License - Jeanne E. Fraser

A letter was submitted from Jeanne E. Fraser of 3200 Connolly Street in which an application for a Bill Posters License was made.

MOVED by Alderman Lawrence, seconded by Alderman Moore that a Bill Posters License be granted to Jeanne E. Fraser in accordance with Ordinance Number 19.

Motion passed.

QUESTIONS

Question Alderman Sullivan Re: Interceptor Sewer,
Barrington and Duffus Streets

Alderman Sullivan advised that he has received a number of calls this week with respect to the odor at the above noted location which, he suggested, is the worst it has been. Alderman Sullivan noted that a permanent solution is being sought but said he would like staff to make an effort to keep the situation under control by the use of chemicals or other appropriate methods.

Question Alderman Sullivan Re: Taxi Committee Report

Alderman Sullivan noted that an Ordinance was approved and forwarded to the Minister for approval and that the City received a letter back from the Minister asking for some clarification. Alderman Sullivan said he would like contact to be made with the Department in an attempt to determine what is holding the matter up.

Question Alderman Sullivan Re: Incinerator, McCully Street

Alderman Sullivan advised that he is again receiving calls with respect to an odor from the above noted incinerator and requested that the Building Inspection Department look into the matter with a view to reducing the odor.

Question Alderman Lawrence Re: Crosswalk - South Entrance
to Mount Saint Vincent

Alderman Lawrence noted that staff have installed counters on the Bedford Highway in the vicinity of the above noted location and questioned whether the reason related to the preparation of a further report on crosswalks in the area. Alderman Lawrence indicated he is still receiving requests to have a crosswalk installed in the area and asked if another report could be submitted on the matter.

Question Alderman Lawrence Re: Responsibility - Grass Cutting

Alderman Lawrence asked whose responsibility it was to keep grass trimmed in the City saying that in some areas, the grass is almost a foot high. Alderman Lawrence referred to the Kempt Road overpass and to the Kearney Lake Road and suggested that perhaps the matter should be looked into for both reasons of safety and fire prevention.

The City Solicitor advised that in the case of private property, the only jurisdiction the City has is when such a matter becomes a fire hazard and suggested the City has no authority to force the cutting of grass until the situation reaches such a point.