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that the City Manager review the statute and determine whether or not such a contract has to come to City Council for approval.

In response to a question, Alderman Moore advised that a written report will be submitted to City Council in response to questions asked at a meeting of Committee of the Whole Council.

Alderman Maley asked that when the Commission is preparing the report that the contract be reviewed as she recalled that questions re acoustics were raised when members of City Council toured the building and were assured at that time by the architect or his representative that acoustics would present no problem. She suggested that there might be something in the contract that they could be asked to rectify.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on June 21, 1978 as follows:

Upgrading and Resurfacing of City Streets

MOVED by Alderman Hanson, seconded by Alderman Wooden that, as recommended by the Committee on Works, Mabou Avenue, between the Purcell's Cove Road and the end of Mabou Avenue, be postponed to the 1979 Upgrading/Resurfacing program pending installation of an adequate storm sewer and underground drainage system.

Alderman Hanson requested that copies of the staff report be circulated to the residents.

Motion passed.

Private Lanes and Roads

MOVED by Alderman Lawrence, seconded by Alderman Wooden that the matter be referred to the next regular meeting of Committee of the Whole Council and that an updated list be submitted at that time.
Motion passed.

Tree Roots - Deputy Mayor Shannon

Deputy Mayor Shannon advised that she has been in conversation with staff on the matter and legislation is being drawn up.

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Private Incinerators - DATE FOR PUBLIC MEETING

It was agreed that, as recommended by the Committee on Works, the date of August 9, 1978, at 8:00 p.m. in the Council Chamber be set as a public meeting re private incinerators.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on June 21, 1978 as follows:

Crosswalks

MOVED by Alderman Lawrence, seconded by Alderman Moore that the matter be referred to the next regular meeting of Committee of the Whole Council. Motion passed.

REPORT - BOARD OF HEALTH

Proposed No-Smoking Ordinance

This matter was deleted from the Order of Business upon the request of the City Clerk.

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

Introduction of Ordinance No. 137 respecting Deferral of Tax Payments - SECOND READING

MOVED by Alderman Wooden, seconded by Alderman Hanson that proposed Ordinance No. 137, respecting Deferral of Tax Payments, be now read and passed a Second Time as amended.

The City Manager advised that staff are concerned that a limit be placed on the total tax deferred in time and it is suggested that the limit be the maximum assessed value of the property. It was so agreed and the City Solicitor advised that he would so amend the Ordinance being submitted for approval by the Minister.

Motion passed.

Alderman Meagher suggested that there be a method of inspection of such properties yearly and that the gross amount of monies deferred be reported yearly. It was agreed that staff consider the suggestions.

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Amendments to Ordinance No. 168, the Fire Prevention
Ordinance - SECOND READING

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that Ordinance No. 168, as amended, be now read and passed a second time. Motion passed.

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 -
SECOND READING

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that 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, as submitted, be now read and passed a Second Time. Motion passed.

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that Halifax City Council do request and instruct its nominees to the Halifax-Dartmouth Regional Authority to introduce and/or support a resolution at the next ensuing meeting of the Regional Authority, which is to say June 30, 1978 at 9:30 a.m., praying that the Lieutenant Governor in Council do proclaim the Metropolitan Authority Act on and not before July 14, 1978. Motion passed.

His Worship explained that the foregoing would result in three members of Halifax City Council being appointed to the Metropolitan Authority and the Regional Authority would cease to exist.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on June 21, 1978 as follows:

DAPC I and DAPC II - Old South End

MOVED by Alderman Maley, seconded by Deputy Mayor Shannon that, as recommended by the City Planning Committee, the Municipal Development Plan Committee be advised that the Council understands that when detailed area plans are submitted to the Municipal Development Plan Committee (or the Planning Advisory Committee), representatives of the respective detailed area planning

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committees will be invited to participate in the presentation and discussion of the detailed area plan preliminary to the MDPC determination of its recommendation to City Council. Motion passed.

NIP I - Building Permit Application #77532 - Croft Metal,
2480 Maynard Street

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the Building Inspector be authorized to issue the permit required to construct a 30 x 30 foot storage building at 2480 Maynard Street.

Case No. 3404 - Amendments to the Zoning Bylaw Re Special
Care Homes (Group Homes)

MOVED by Alderman Maley, seconded by Deputy Mayor Shannon that, as recommended by the City Planning Committee, City Council:

- (1) Recognize special care homes as a necessary residential use and, furthermore, permit any residential facility licensed under the Homes for Special Care Act (1977), Children's Services Act (1976) and other Provincial legislation licensing residential facilities to locate within the City of Halifax; and
- (2) Direct staff to draft amendments to the Zoning Bylaws dealing with special care home facilities (group homes), nursing homes, and hostels in accordance with this report and submit the recommended amendments to City Council for consideration and action.

Alderman Maley requested that suggestions made in a letter from an interested citizen be considered by staff when preparing the proposed amendments.

Motion passed.

Case No. 3536 - Rezoning - Pinewood Acres - DATE FOR PUBLIC
HEARING

MOVED by Alderman Hanson, seconded by Alderman Moore that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the following rezonings:

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1. Pinewood Acres Subdivision from C-3 and R-2 to R-1, as shown on sketches 1 and 5 attached to the staff report dated June 12, 1978 and Plan No. P200/8421;
2. MacCulloch Commercial Centre (2745 Dutch Village Road) from C-3 and R-2 to C-2, as shown on sketches 1 and 6 attached to the staff report dated June 12, 1978 and Plan No. P200/8421;
3. John Leckie Ltd. (7037 Mumford Road) from C-3 to C-2, as shown on sketches 1 and 2 attached to the staff report dated June 12, 1978 and Plan No. P200/8421;
4. Olivet Street apartment buildings (3001 - 3095 Olivet Street) from C-3 to R-3, as shown on sketches 1, 3 and 4 attached to the staff report dated June 12, 1978 and Plan No. P200/8421.

Motion passed.

It was agreed that the public hearing be held at 8:00 p.m. on September 20, 1978 in the Council Chamber.

Case No. 3555 - Rezoning, Lot Consolidation, Schedule Amendments, and Contract Zoning - 580-582
Bedford Highway - DATE FOR PUBLIC HEARING

MOVED by Alderman Lawrence, seconded by Alderman Hanson that, as recommended by the City Planning Committee, a date be set for a public hearing to consider:

- 1) the consolidation of Lots 192, 193, 194 and 195 to create Lot R-195;
- 2) the amendment of Schedule K to delete Lot R-195;
- 3) the amendment of Schedule E to include Lot R-195;
- 4) the rezoning of Lot R-195 to R-4 with a contract to ensure adequate buffering of Lot R-195 from Hemlock Ravine and to permit two buildings on one lot (Civic Nos. 580 and 582 Bedford Highway), with Civic No. 582 to be used only as a maintenance and day staff facility and not for human habitation

all as shown on Plans No. P200/8291 and P200/8311 of Case No. 3555.

Motion passed.

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It was agreed that the public hearing be held on August 9, 1978 at 7:30 p.m. in the Council Chamber.

Brief - Waterfront Development Corporation Ltd. Re:
"Chebucto Square"

MOVED by Alderman Meagher, seconded by Alderman Wooden that, as recommended by the City Planning Committee, the matter be referred to staff and the Downtown Committee for review and comments to City Council.
Motion passed.

Proposed Public Archives - Corner Robie Street and
University Avenue

MOVED by Alderman Meagher, seconded by Deputy Mayor Shannon that, as recommended by the City Planning Committee, City Council:

- (1) authorize issuance of excavation, footings and foundation permits so that construction of the Public Archives may proceed; and
- (2) require the Nova Scotia Department of Public Works to make and proceed with all the proper applications for the necessary subdivision, lot consolidation, rezoning, and contract zoning.

Alderman Meagher stated that he has had a complaint from a resident of Oxford Street re trucks carrying fill from this site. He requested that staff ask for the co-operation of the contractor in reducing the nuisance factors to the residents.

Deputy Mayor Shannon asked if, when contract zoning, such contracts will be submitted to City Council in their final form. His Worship indicated that such contracts would be submitted to City Council in their final form.

MOTIONS

Motion Alderman Meagher Re: Appointment of Mister Justice
Peter Richard

MOVED by Alderman Meagher, seconded by Alderman Sullivan that His Worship the Mayor, on behalf of City Council, convey to Mister Justice Peter Richard City Council's best wishes and congratulations on his recent appointment.
Motion passed unanimously.

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MISCELLANEOUS ITEMS

Halifax Civic Workers - Local 143 - Inside Workers -
Memorandum of Agreement for the Year 1978

A staff report dated June 15, 1978 was submitted.

MOVED by Deputy Mayor Shannon, seconded by Alderman Sullivan that the proposed collective agreement for the Halifax Civic Workers - Local 143, for the year 1978 be accepted and that the Mayor and City Clerk be authorized to execute such document. Motion passed.

Development Agreement, Phase "A" of Uniacke Square

A staff report dated June 23, 1978 was submitted.

MOVED by Alderman Downey, seconded by Alderman Sullivan, that Council authorize His Worship the Mayor and the City Clerk to execute deeds to Lot Nos. 15, 16, 17, P, 49 and 50 relating to Phase I, as shown on Plan No. P200/8426, and Lot Nos. 1, 10, 14 and 15 relating to Phase II on the same plan, subject to obtaining final subdivision approval. Motion passed.

Approval of an Amendment to Ordinance Number 116 respecting
the Regulation of Vehicles Transporting
Passengers for Hire

A staff report dated June 29, 1978 was submitted by the City Solicitor.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that City Council, pursuant to Section 146 of the City Charter, adopt Ordinance Number 116 with the amendment to Section 17 as suggested by the Minister of Municipal Affairs. Motion passed.

Brunswick Street Housing and Heritage Conservation Area
(Non-Profit Housing)

Deputy Mayor Shannon stated that there is some urgency in bringing this matter forward at this time in that changes seem to be taking place in CMHC programs and it was felt that the incorporation is desirable so that the City could approach CMHC as quickly as possible to obtain some commitment of funds under the existing programs.

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Mr. Barry Allen, Solicitor, and Mr. Doug Corkum, Development Department, responded to questions from members of City Council.

Alderman Moore urged that the proviso that the corporation be used specifically for the refurbishing of the existing houses in the Brunswick Street Housing and Heritage Conservation area be inserted in the Memorandum of Association. Mr. Allen suggested that the appropriate place to insert such a proviso would be in Section 2 of the Memorandum of Association which lists the objects of the Society. He pointed out that it would be subject to the possibility of a change in the objects by the passing of an appropriate resolution by the membership of the Society.

It was agreed that staff include in Section 2 the requested proviso.

It was agreed that the bylaws be amended to provide that the Society deposit regularly summaries of transactions with City Council, that Section 3 of the bylaws be amended to replace the number fourteen with the number seven, and that the Auditor for the Society be the Internal Auditor for the City of Halifax.

MOVED by Deputy Mayor Shannon, seconded by Alderman Downey that City Council approve the memorandum of association and bylaws, as amended, subject to CMHC's approval, and, that Council appoint members to the municipal non-profit housing corporation. Motion passed.

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QUESTIONS

Question Alderman Lawrence re: Dunbrack Street -
Recreational Use

Alderman Lawrence asked that the matter of the use of a portion of Dunbrack Street for recreational purposes be placed on the agenda for the next regular meeting of Committee of the Whole Council. He stated that the Recreation Department are preparing a staff report and he asked that the report be ready for July 5th as well. He stated that he has received a letter from the Ward 10 Community Association and someone has given them to understand that Dunbrack Street had been turned over to the City and they were prepared to open the Street for recreational purposes on July 9th.

The City Manager advised that Dunbrack Street it not presently City-owned, it is still under contract, and will not be available until September when the contract is finished.

Alderman Lawrence requested that the Ward 10 Association be permitted to address Committee of the Whole Council at the next regular meeting.

Question Alderman Lawrence re: Street Cleaning

Alderman Lawrence stated that he is not happy with the street cleaning program that is taking place this year and noted the refuse, garbage and debris in the general area of Kempt Road, Lady Hammond Road, and Windsor Street, north Barrington Street and South Street. He requested a staff report on the scheduling of the sweepers and, in the meantime, that the noted areas be cleaned up.

Question Alderman Lawrence re: Safety Measures at City
Field

Alderman Lawrence stated that he has recently witnessed a City worker using a saw with a carbon blade cutting cement without using any facial shield. He also noted that hard hats are not being used at construction sites. He asked that a staff report be submitted on who is responsible for safety measures, can they be enforced by the City.

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Question Alderman Lawrence re: Atlantic Winter Fair

Alderman Lawrence asked if City Council could, or should, at this time, endeavour to bring all parties together for another meeting to determine whether the Atlantic Winter Fair will work at the Metro Centre.

His Worship briefly commented on recent events concerning the Atlantic Winter Fair and asked that he be given more time to consider the matter.

Question Alderman Sullivan re: Sewer at Barrington and Duffus Streets

Alderman Sullivan requested that staff from City Field visit the location tomorrow and contact him re what is the problem with the sewer at the foot of Barrington and Duffus Streets. He asked that it be checked out by a foreman or other staff member each day especially during the hot weather and that the situation be corrected.

Alderman Sullivan further requested that the City Manager give some indication of when the report which was dealt with a few months ago will be coming back to City Council.

Question Alderman Sullivan re: Construction of the Building at Fort Needham

Alderman Sullivan asked when construction will commence on the building at Fort Needham. The City Manager advised that the tender call will be issued within two or three days, it will take approximately three weeks to award, and construction should start shortly thereafter.

Question Alderman Sullivan re: Gate at Fort Needham on Gottingen Street side across from Stanley Place

Alderman Sullivan stated that for the past year and a half an opening has been left in the fence on the Gottingen Street side of Fort Needham across from Stanley Place in order to determine the extent of usage it would have. He stated the usage is considered extensive and asked for a staff report on the installation of a gate at that location.

Alderman Lawrence retired from the meeting at
12:15 a.m.

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Question Alderman Sullivan re: Trimming of Trees -
Russell Street and Albert Street between
Devonshire Avenue and Young Street

Alderman Sullivan stated he has been advised that trees are blocking the street lights on Russell Street and on Albert Street between Devonshire Avenue and Young Street. He asked that staff from Parks and Grounds visit the area and resolve the matter.

Question Alderman Maley re: Sidewalk opening on South
Street

Alderman Maley referred to a sidewalk opening on South Street in front of a small apartment building next to the Workmen's Compensation site. She stated that this building has been occupied for approximately two months and the sidewalk has been in an atrocious condition since before the snow started and it still has not been closed. Alderman Maley asked that staff consider the possibility of the opening and closing of streets as a condition of obtaining an occupancy permit.

She further requested that action be taken to repair the sidewalk as it is located at a bus stop and it has been reported that citizens have fallen because of the sidewalk opening.

Question Alderman Maley re: Demolition Controls

Alderman Maley stated that a year or two ago some preparatory work was being done by the Legal Department on demolition controls and she asked for a copy of what has been prepared. She noted that she had requested this information previously and has not received it to date.

Question Alderman Maley re: Pinball Machine in Corner
Store on South Street

Alderman Maley requested a report from the Legal Department on the legality of a pinball machine located in a Green Gables corner grocery store on South Street.

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Question Alderman Maley re: Conflict of Interest

Alderman Maley requested that she receive a copy of the staff report being prepared by the Legal Department re conflict of interest.

Question Alderman Downey re: Swimming Pools on the Commons

Alderman Downey asked when the swimming pools will be opened on the Commons.

The City Manager advised that the pools will not be opened this season and a written report will be issued on the matter.

Question Alderman Meagher re: Financial Statements for 1977

Alderman Meagher asked when Council members will receive the financial statements from the external auditors for the year 1977, and whether a meeting will be held on the said subject with members of Council.

The City Manager advised that the financial statements will be circulated shortly and a meeting will be held.

Question Alderman Wooden re: Amendment to Cowie Hill Agreement re Playfields

Alderman Wooden requested that staff prepare a report as soon as possible re an amendment to the Cowie Hill agreement on the matter of taking over the playfields in that complex.

Question Alderman Wooden re: Paving of Lieblin Drive

Alderman Wooden asked when this year would Lieblin Drive be paved.

The City Manager advised that the paving of Lieblin Drive is part of the program which is underway at the present time. He stated he would advise of the specific date.

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Question Deputy Mayor Shannon re: Refuse Bin - Store
at the Corner of Henry and South Streets

Deputy Mayor Shannon referred to the store at the corner of Henry and South Streets and stated that a commercial refuse bin has been placed on the part of the sidewalk between the official sidewalk and the laundromat. She asked that staff investigate the matter.

Question Deputy Mayor Shannon re: Lighting on Parkwood
Terrace and Woodlawn

Deputy Mayor Shannon asked that the lighting on Parkwood Terrace and Woodlawn be checked out and suggested that perhaps some tree trimming and cleaning of the lights would assist.

NOTICE OF MOTION

Notice of Motion - Alderman Sullivan re: Rescission of
Motion of City Council of July 29, 1978 re
Fairview Cove Container Pier Lease and Negro
Point Park

Alderman Sullivan gave notice that at the next regular meeting of City Council to be held on Thursday, July 13, 1978, he will move that the action of Halifax City Council with regard to the motion passed by Council on June 29, 1978 with respect to the Fairview Cove Container Pier Lease be rescinded.

Notice of Motion - Alderman Wooden re: Amendments to
Ordinance No. 142 Respecting Streams and
Drains

Alderman Wooden gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on the 13th day of July, A.D., 1978, she proposes to introduce amendments to Ordinance Number 142 respecting Streams and Drains.

She stated the main purpose of the amendments is to enable the City to prosecute for the failure of a property owner to clear a blocked drain or watercourse.

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Notice of Motion - Alderman Moore re: Amendment to
Ordinance Number 131, the Building Code
Ordinance

Alderman Moore gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on the 13th day of July, A.D., 1978, he proposes to introduce an amendment to Ordinance Number 131, the Building Code Ordinance.

He stated that the purpose of the amendment is to adopt the latest printing of the National Building Code of Canada, 1977, Seventh Edition, as part of the Ordinance.

Notice of Motion - Alderman Moore re: Amendments to
Ordinance Number 132, the Plumbing Ordinance

Alderman Moore gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on the 13th day of July, A.D., 1978, he proposes to introduce amendments to Ordinance Number 132, the Plumbing Ordinance.

He stated the purpose of the amendments is to adopt the latest printing of the National Building Code, 1977, and the Canadian Plumbing Code, 1977, as a part of the Ordinance to restructure the licensing system in the light of the certification program for journeymen plumbers by the Province of Nova Scotia to provide an appeal procedure where a plumbing permit has been refused, to provide for cancellation of plumbing permits for breach of the ordinance and to increase the penalty for violations under the ordinance.

Notice of Motion - Alderman Moore re: Amendment to
Ordinance No. 168, the Fire Prevention
Ordinance

Alderman Moore gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on the 13th day of July, A.D., 1978, he proposes to introduce an amendment to Ordinance No. 168, the Fire Prevention Ordinance.

He stated the purpose of the amendment is to adopt the last printing of the National Building Code of Canada, 1977, Seventh Edition, and the National Fire Code, 1977, Third Edition, as part of the Ordinance.

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Notice of Motion - Alderman Clarke re: Introduction of
Ordinance Number 166, respecting Signs,
Billboards and Advertising Structures

Alderman Clarke gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on the 13th of July, 1978, he proposes to introduce Ordinance Number 166, respecting Signs, Billboards and Advertising Structures.

He stated the purpose of the ordinance is to update and repeal existing Ordinance Number 21 re Illuminated Signs which was passed in 1936 and has not been amended since the year 1956 and to put into place a comprehensive system for the licensing and control of advertising structures.

ADDED ITEMS

Tender 78-02 Windsor Street /Williams Street Sewers

A staff report dated June 26, 1978 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that the matter be referred to the next regular meeting of Committee of the Whole Council and that a map be available to indicate the exact location of the proposed sewers. Motion passed.

186 Herring Cove Road, Property Acquisition

A staff report dated June 29, 1978 was submitted.

His Worship requested that the City Solicitor ask his staff to regard such reports as confidential.

MOVED by Alderman Wooden, seconded by Alderman Clarke that, in light of the small degree of risk inherent in the transaction, the sale be completed on the original terms. Motion passed.

Appointments

A report dated June 29, 1978 was submitted by His Worship.

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MOVED by Alderman Meagher, seconded by Alderman Sullivan that the following be reappointed to the Point Pleasant Park Commission for the years 1978 and 1979:

Mr. G. Frank Bennett
1839 Armview Terrace

Dr. Charles A. Gordon
Suite 2C
5991 Spring Garden Road

Mr. Hector Porter
510 Young Avenue

Motion passed.

MOVED by Deputy Mayor Shannon, seconded by Alderman Sullivan that the following be reappointed to the Board of Halifax Transit Corporation, for a period to extend their appointments to June 1, 1979:

Edwin C. Harris, Q.C.
c/o Daley, Black & Moreria
P.O. Box 355, B3J 2A3

Mr. Ronald G. Smith
5905 Inglis Street, B3H 1K7

Motion passed.

Fairmount

His Worship briefly referred to meetings of City Council held in July 1977 and subsequently when the matter of the Fairmount Subdivision was discussed. He advised that serious questions were raised about access and egress to additional development in the subdivision. He stated that City Council did pass a resolution which was to the effect that certain approvals would be given for Phase I of a proposed future development plan which would have provided for nineteen lots.

His Worship advised that the agreement for the nineteen lots did not reach the office of the Mayor until the week of April 24, 1978 at which time he declined to sign the development permit on the grounds that it did not adequately reflect Council's wish. He stated that staff were subsequently engaged in conversations and negotiations with the developer and his counsel. His Worship stated he is now advised that the developer is considering an application in Court for an order in the

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nature of mandamus.

His Worship stated that his view is that it was Council's wish in this matter, and an agreement, an understanding and a condition, that before there be any subsequent constructions there would have to be dialogue among City staff, the community and the developer to the end that an agreed method of access would be achieved for any subsequent constructions in Fairmount.

His Worship requested Council instruction on the matter.

Alderman Moore stated that he felt His Worship correctly stated the matter as it exists.

MOVED by Alderman Moore, seconded by Alderman Meagher that the matter be referred to the next regular meeting of Committee of the Whole Council and that His Worship the Mayor not sign the document. Motion passed unanimously.

Meeting adjourned - 12:40 a.m.

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MAYOR EDMUND MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

SPECIAL MEETING - CITY COUNCIL
PUBLIC HEARING
MINUTES

Special Council
July 5, 1978

MOVED by Alderman Sullivan, seconded by
Alderman Hanson that the matter be referred to the next
regular meeting of City Council for consideration.
Motion passed.

Council Chamber,
City Hall,
Halifax, N. S.
July 5, 1978
8:25 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;
Aldermen Downey, Meagher, Sullivan, Clarke, Wooden,
Hanson and Moore.

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

The meeting was called as a public hearing to
consider:

1. An application under Schedule "C", Section 83,
Subsections (c) and (d) of the Zoning Bylaw,
to permit the erection of a canopy/sign at the
main entrance to the Halifax Infirmary on Queen
Street.

Application under Schedule "C", Section 83, Subsections
(c) and (d) of the Zoning Bylaw, to permit the erection
of a canopy/sign at the main entrance to the Halifax
Infirmary on Queen Street

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

Mr. B. Algee, Development Department, with the
aid of a sketch, outlined the subject application and
responded to questions from members of City Council.

In response to a call from the Chairman, no
persons present indicated a desire to speak in favour of
or in opposition to the said application.

MOVED by Alderman Sullivan, seconded by Alderman Hanson that the matter be referred to the next regular meeting of City Council without recommendation. Motion passed.

Meeting adjourned - 8:30 p.m.

HEADLINES

Application under Schedule "C", Section 83, Subsections (c) and (d) of the Zoning Bylaw - Halifax Infirmary - Queen Street 351

MAYOR EDMUND MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date approved by City Council: _____

CITY COUNCIL
M I N U T E S

Council Chamber
City Hall
Halifax, N. S.
July 13, 1978
8:00 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, and Aldermen Maley, Downey, Meagher, Sullivan, Clarke, Wooden, Hanson, Moore, and Lawrence.

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

M I N U T E S

Minutes of City Council meetings held on June 29 and July 5, 1978, were approved on Motion of Alderman Lawrence, seconded by Alderman Hanson.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20(a) - Street Cleaning
- 20(b) - Grass Cutting

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

- 20(c) - Interceptor Sewer - Duffus and Barrington Streets

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

- 20(d) - Intersection - Abbott Drive & Ashburn Avenue

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

- 20(e) - Demolition on Kent Street

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

- 20(f) - Crosswalk Painting

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

- 10(o) - Proposed Multi-Purpose Terminal - Halifax Port

Council
July 13, 1978

DEFERRED ITEMS

Application under Schedule "C", Section 83, Subsections (c) and (d) of the Zoning Bylaw to permit the erection of a canopy/sign at the main entrance to the Halifax Infirmary on Queen Street

A public hearing was held with respect to the above noted matter on July 5, 1978.

The City Clerk advised that Deputy Mayor Shannon and Aldermen Maley and Lawrence were not in attendance at the public hearing and should not vote on the matter.

MOVED by Alderman Downey, seconded by Alderman Meagher that Council authorize the erection of a canopy/sign at the main entrance to the Halifax Infirmary on Queen Street as outlined in the staff report of May 29, 1978, and authorize the Building Inspector to issue an encroachment license for same according to Section 4 of Ordinance No. 112 (Encroachments Upon, Under, or Over a Street).

Motion passed with Deputy Mayor Shannon and Aldermen Maley and Lawrence abstaining.

MOTIONS OF RESCISSION

Alderman Sullivan Re: Rescission of Motion of City Council of July 29, 1978 re Fairview Cove Container Pier Lease and Negro Point Park

At the last regular meeting of City Council, Alderman Sullivan gave Notice with respect to the above noted matter.

Alderman Sullivan presented his reasons for the proposed Motion of Rescission and MOVED, seconded by Alderman Clarke that the action of City Council of July 29, 1978 with regard to the lease and sub-lease between the City and the Province of Nova Scotia, be rescinded.

His Worship noted that at the last regular Council meeting when Alderman Sullivan presented his notice, the Mayor drew attention to the Rules of Order to the effect that a Notice of Motion to Rescind would not delay the action authorized by Council and at that time, asked the Alderman if he wished to attempt to stay proceedings as provided for in the Rules of Order. His Worship noted that Alderman Sullivan did not pursue that course of action.

His Worship said he has been advised by the City Solicitor that the document has been fully executed by the City and sent forward on Monday saying the Council action authorized on June 29th has been carried out.

The Motion was put and lost with Deputy Mayor Shannon, and Aldermen Maley, Wooden, Hanson, Moore, and Lawrence against.

Council
July 13, 1978

PUBLIC HEARINGS, HEARINGS, ETC.

An Appeal of the Refusal of a Lord's Day Permit -
The Seachest on the Wharf

A letter dated July 5, 1978, was submitted from the Secretary Treasurer of The Sea Chest appealing the refusal to grant an application for a Lord's Day Permit.

Mr. Richard Ratcliffe, Secretary Treasurer of The Sea Chest, indicated he did not wish to address Council on the matter.

His Worship noted that the application was refused as the Business Occupancy assessment of The Sea Chest exceeded that permitted in Ordinance No. 109. His Worship suggested that the argument that Historic Properties is a mecca for tourists is correct but said it has been pointed out that the legislative capacity of the City cannot exceed the Provincial Statute saying spokesmen for Historic Properties have been advised they should seek Provincial amending legislation on the matter.

His Worship referred to amendments which were made to Ordinance No. 109 last year and suggested this application could be handled by raising the assessment limit from \$12,500 to something that would make it possible to operate but noted that if Council were to do that, it would make it possible for others to be open as well.

Alderman Maley suggested that perhaps a higher business occupancy limit should be used or the assessment matter be dispensed with in the Ordinance and the whole matter be debated again saying she was concerned that the store in question should be permitted to be open. Alderman Maley indicated she would be prepared to present a Notice of Motion at tonight's meeting with respect to an amendment to Ordinance No. 109.

Alderman Wooden asked if there are other stores of the same nature which cater to tourists which have the same difficulty, and the City Clerk advised there are other stores in the same position.

Deputy Mayor Shannon noted the matter was debated last year saying that even if the Ordinance were amended, there are stores that would not come under the Provincial Legislation and suggested there is nothing the City could do until an application was made to the Province.

His Worship suggested that Council could take care of the particular store making application and some others by raising the assessment limit.

Council
July 13, 1978

Alderman Moore asked if the Tenants' Association at Historic Properties have made representation to the proper Provincial authorities seeking an amendment to the Lord's Day Act and His Worship said he could not answer the question for the present year but said that for earlier periods, representations were made. The City Manager advised that staff would make a formal enquiry of Historic Properties in order to determine whether an approach was made to the Province or not.

Further discussion ensued and it was MOVED by Alderman Maley, seconded by Alderman Lawrence that staff be asked to present a report as quickly as possible to achieve amendment of the Lord's Day Ordinance No. 109 in such a fashion as to allow the liberalization of permits to tourist related operations as set out in Section 3 (1) (c) of Ordinance No. 109 and, that Alderman Moore's request be followed up by staff to determine if Historic Properties has made representations to the Provincial Crown with respect to an Amendment to the Lord's Day Act.

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

PETITIONS & DELEGATIONS

Canadian Association for the Mentally Retarded - Agreement Respecting The Establishment of the Comserve Directorate for Metropolitan Dartmouth, Halifax, and County

A letter dated July 10, 1978 and attachments were submitted from the President of the Canadian Association for the Mentally Retarded with respect to the above noted matter under the name of Alderman Sullivan.

Council agreed that the matter be tabled and referred to City staff for a report.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

The Finance and Executive Committee at its meetings held on June 30 & July 5, 1978, considered various matters of Civic business and reports as follows:

Illegal Structures - Legislation (Zoning Bylaw - Demolitions)

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

Alderman Moore noted that he placed the subject matter on a Committee of the Whole agenda a couple of weeks ago saying he has since received some correspondence from the City Solicitor on the matter. Alderman Moore requested that the matter be deferred until he has an opportunity to go over the correspondence with the City Solicitor, to which Council agreed.

Alderman Moore advised that he would raise the matter at a later date.

Council
July 13, 1978

35 Coronation Avenue (Sale of Rear Land - Halifax West High School)

MOVED by Alderman Lawrence, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, subject to actual survey and confirmation of School Board acceptance, the area to be conveyed to Mr. Roy Hiltz to be consolidated with the property known as 35 Coronation Avenue, be that land generally described in Paragraph 1 of the letter dated June 28, 1978, attached to the staff report dated June 30, 1978, and, that the said land be conveyed at a price of \$1.00 subject to the conditions set forth in a staff report of March 24, 1977 as follows:

1. The construction of a suitable retaining wall along the eastern boundary. Should the whole parcel not be brought up to the present grade of the Hiltz property, and the lower wall installed, the slope should not be greater than 45 degrees and be sodded.
2. Installation of suitable concrete pipe and manholes to connect the existing storm sewer pipes to the catchpit on Coronation Avenue (or such other arrangements as may be acceptable to the Engineering and Works Dept.).
3. Providing the Engineering and Works Dept. with drawings of the proposed improvements and following construction "as built" drawings. Construction and materials to require the approval of Engineering and Works.
4. The purchaser to supply a survey plan and description suitable for making the conveyance.

Motion passed.

Scales of Payment - Municipal Social Assistance

MOVED by Alderman Sullivan, seconded by Alderman Downey that, as recommended by the Finance & Executive Committee, the following scales of payment be adopted effective August 1, 1978:

<u>Age Group</u>	<u>Food</u>	<u>Clothing</u>	<u>Discretionary Allowance</u>	<u>Total</u>
0 - 6	\$35	\$13	\$15	\$63
7 - 11	\$45	\$14	\$15	\$74
12 - 18	\$59	\$18	\$15	\$92
Adult	\$50	\$16	\$15	\$81

SHELTER

<u>Family Size</u>	<u>Total Shelter</u>
1	\$188
2	\$220
3 - 4	\$240
5 - 6	\$250
7 or more	\$275

Motion passed.

Council
July 13, 1978

Tender #78-48R - 1 Set of Sewer Drags

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee, authority be granted to award tender to S.T.E. Fetterly & Son Limited, P. O. Box 786, Halifax, N. S., for the tendered amount of \$24,750.00 and that the necessary funds be transferred from the Equipment Replacement Account sufficient for this purpose.

Motion passed.

Tender #78-59R - One Hydraulic Sectional Sewer Rodder

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, authority be granted to award tender to S.T.E. Fetterly & Son Limited, P. O. Box 786, Halifax, N. S., for the tendered amount of \$15,615.00 and that necessary funds be transferred from the equipment replacement reserve account sufficient for this purpose.

Motion passed.

Tender #78-61R - 2 1979 Model Truck Chassis and Refuse Packer Body

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, authority be granted to award tender to the lowest bidder meeting specifications, Scotia Chevrolet Oldsmobile Limited, 2477 Robie Street, Halifax, N. S. for the tendered amount of \$82,672.00 and that necessary funds be transferred from the Vehicle Replacement account sufficient for this purpose.

Motion passed.

Tender #78-67R - One Pneumatic Tired Roller

MOVED by Alderman Lawrence, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee, authority be granted to award tender to LaHave Equipment Limited, P. O. Box 240, Bridgewater, N. S., for the tendered amount of \$27,900.00 and that necessary funds be transferred from the Equipment Replacement Reserve account sufficient for this purpose.

Motion passed.

Tender #78-90 - One 1979 Model Stake/Dump Truck - 10,000 G.V.W.

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee, authority be granted to award tender to Citadel Motors Limited, 1569 Brunswick Street, Halifax, N. S. for the tendered amount of \$9,638.00.

Motion passed.

Tender #78-91 - Two 1979 Model Cargo Vans - 8200 GVW

MOVED by Alderman Lawrence, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee, authority be granted to award tender to the lowest bidder meeting specifications, Scotia Chevrolet Oldsmobile Limited, 2477 Robie Street, Halifax, N. S., for the tendered amount of \$14,540.00.

Motion passed.

Tender #78-92 - One Leaf Collector

MOVED by Alderman Hanson, seconded by Alderman Wooden that, as recommended by the Finance & Executive Committee, authority be granted to award tender to Tatton Equipment Limited, 742 Bay Street, Saint John, N. B., for the tendered amount of \$12,425.00.

Motion passed.

Tender #78-93 - Five One-way Snow Plows

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, authority be granted to award tender to the lowest bidder meeting specifications, Wilson Equipment Limited, 46 Elm St., Truro, N. S., for the tendered amount of \$24,855.00.

Motion passed.

Soundproofing - Chocolate Lake Community Centre

MOVED by Alderman Hanson, seconded by Alderman Wooden that, as recommended by the Finance & Executive Committee, a contract be awarded to Maritime Sound Ceilings and Partitions Limited, 5571 Cunard Street in the amount of \$8,803.00 to carry out the soundproofing required at the Chocolate Lake Community Centre and that authority be granted to overspend account number 017-8B063 in the amount of \$803.00 to be made up in the overall \$17,970.00 special items appropriation for the Chocolate Lake Community Centre.

Motion passed.

Tender #78-02 - Windsor Street/Williams Street Sewers

MOVED by Alderman Sullivan, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee:

1. Tender 78-02 for the Windsor Street/Williams Street Sewer construction be awarded to the lowest bidder, Harbour Construction Limited, for the unit prices quoted and project funds be authorized from Capital Accounts DDA04 and DDA25, and