

Council,  
November 16, 1978

PUBLIC HEARINGS, HEARINGS, ETC.

Case No. 3618 - Appeal of Development Officer's Decision  
to Refuse a Minor Variance at 2828 George  
Dauphinee Avenue

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A staff report dated October 24, 1978  
was submitted.

Mr. B. Algee, Development Department,  
explained the application for a minor variance of the side  
yard requirements and the reasons why it was refused by  
the Development Officer.

Mrs. D. J. Fleming addressed the meeting  
and responded to questions from members of City Council.

MOVED by Alderman Moore, seconded by  
Alderman Hanson that the appeal of the Development Officer's  
decision to refuse a minor variance of the side yard  
requirements at 2828 George Dauphinee Avenue be allowed.  
Motion passed with Alderman Wooden voting against.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the  
Finance and Executive Committee from its meeting held on  
November 8, 1978 as follows:

Tender 78-139 - Nine 1979 Model 4-door Sedan - Police  
Department

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A supplementary report dated November  
16, 1978 from the Chief of Police was submitted.

Alderman Maley acknowledged the report  
and stated she could not support the recommendation to  
award tender.

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

1. Authority be granted to award tender to the lowest  
bidder meeting specifications, Scotia Chevrolet  
Oldsmobile Limited, 2477 Robie Street, Halifax, Nova  
Scotia for the tendered amount of \$61,373.99; and
2. Authority be granted to transfer necessary funds from  
the Vehicle Replacement reserve account sufficient  
for this purpose, such amount to be reduced by the  
amount realized from the sale of the vehicles being  
replaced.

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Motion passed with Alderman Maley voting against.

Report from the Tax Concessions and Grants Committee

MOVED by Alderman Meagher, seconded by Alderman Maley that, as recommended by the Finance and Executive Committee:

- a grant in the amount of \$3,750 be approved for the Cornwallis Street Baptist Church - Hot Meals Program, and the amount be transferred to the Social Planning Budget;
- a grant in the amount of \$6,550 be approved for the Salvation Army Men's Hostel;
- a grant in the amount of \$500 be approved for the St. Michael's Golden Age Society and the Society be requested to advise how they intend to spend the monies;
- no further grant be made to Senior Citizens Housing Corporation - Northwood Centre.

Motion passed.

Abandonment of Expropriation of Temporary Working Easements at the Intersection of Pinewood Terrace and Kearney Lake Road

MOVED by Alderman Moore, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, City Council pass formal resolutions abandoning the expropriation of Temporary Working Easements Numbers 1 and 2, Plan TT-22-21992, and instruct the City Clerk to file the resolutions in the Registry of Deeds.  
Motion passed.

Formal resolutions were prepared and submitted by the Legal Department.

Lot Off Purcell's Cove Road Abutting Fleming Park

MOVED by Alderman Hanson, seconded by Alderman Moore that, as recommended by the Finance and Executive Committee, Council give favourable consideration to the acquisition of the property identified on the sketch attached to the staff report dated October 31st, 1978 by the name "Alguire", its dimensions being 50' x 100', for an amount in the vicinity of the assessment which is \$2,400.  
Motion passed.



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Possible Acquisition - 2559 Barrington Street

MOVED by Alderman Downey, seconded by Deputy Mayor Shannon that, as recommended by the Finance and Executive Committee, that the property of Camille Dube, known as Civic Number 2559 Barrington Street, be purchased for \$18,000. as payment in full with funds to be taken from the Sale of Land Account. Motion passed.

Possible Acquisition - 2564 Barrington Street

MOVED by Deputy Mayor Shannon, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the property of Camille Dube, known as Civic Number 2564 Barrington Street be purchased for \$39,000 as settlement in full. Funds can be made available from account number 806 449 HAA02 (Uniacke Square). Motion passed with Alderman Meagher voting against.

Lease - Purdy Brothers Limited (Waterfront Landfill Site)

MOVED by Alderman Clarke, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, under the authority of Section 159(1) of the City Charter, City Council authorize the City Manager to execute the lease with Purdy Bros. Ltd. in the form as attached to the staff report of October 31, 1978.

His Worship stated that he has technical difficulty with the matter and suggested that it is his opinion that what is before City Council at this time is to authorize the signing of the text which conforms to a vote taken earlier this year by City Council.

The motion was put and passed with Deputy Mayor Shannon, Aldermen Maley, Meagher and Wooden voting against.

Home for Transient Men

MOVED by Alderman Moore, seconded by Alderman Maley that, as recommended by the Finance and Executive Committee, City Council fund the Recovery House - Homeless Transient Men's Recovery Program, as outlined in the staff report dated November 1, 1978. Motion passed.

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Supplementary Appropriation - Planning Department

MOVED by Deputy Mayor Shannon, seconded by Alderman Maley that, as recommended by the Finance and Executive Committee, City Council authorize a supplementary appropriation of \$4,300. for purposes identified in the staff report of November 1, 1978 under the provisions of Section 201(1) of the City Charter, such costs to be charged against the 1978 Current Budget with recovery from the Province of Nova Scotia to be allocated to the 1978 revenues of the City of Halifax. Motion passed.

Tender 78-136 - Wanderers Grounds Flood Lighting

This item was deleted at the request of the City Clerk.

Ordinance Amendments - Public Input

MOVED by Alderman Maley, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee City Council refer this matter to the Municipal Development Plan Committee for consideration in conjunction with Plan policies pertaining to citizen involvement and report back as soon as it is appropriate to City Council. Motion passed.

Tender - Petroleum Products

MOVED by Alderman Maley, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, authority be granted to award the tenders for the supply of petroleum products to the companies specified in the staff report of November 1, 1978, who are the lowest bidders meeting specifications, and effect the "meet or release clause" and change over to the new low bidder/lower price immediately. Motion passed.

Tender - Fire Department Fatigues

MOVED by Alderman Sullivan, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee, the material be purchased from Westex Inc. in the United States at a landed cost of \$14,243.00 (amount subject to change due to the fluctuation of the Canadian dollar) and the fatigues be manufactured by J. F. Creaser in LeHave, Nova Scotia for a cost of \$9,564.60, bringing the total funds required to approximately \$23,800.00. Motion passed.



Pollution Control - 1979 Rate

A supplementary staff report dated November 10, 1978 was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee, the Pollution Control charge for 1979, as called for under Section 4(2) of Ordinance No. 156, be set at forty cents (40¢) per one thousand (1,000) gallons of water consumed. Motion passed with Alderman Maley voting against.

Taxation of Manufacturing Equipment - City of Halifax

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

1. City Council bring to the attention of the Union of Nova Scotia Municipalities the concerns presently held by the City of Halifax that additional taxation imposed on manufacturing facilities in the City may have a detrimental effect on the overall level of manufacturing activity and consequent employment within the City; and
2. City Council call upon the Union of Nova Scotia Municipalities to make representation to the Minister of Municipal Affairs to exclude manufacturing equipment from current assessment levels in the Province and that the Minister of Municipal Affairs be separately advised of the City's views in this matter.

Motion passed.

Collective Agreement - Halifax Transit Corporation and Division 508, Amalgamated Transit Union

MOVED by Deputy Mayor Shannon, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, City Council concur in the execution of the proposed Collective Agreement by the Halifax Transit Corporation. Motion passed.

Devonshire Centre

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, City Council authorize a further appropriation up to a maximum of \$20,150.00 in addition to the \$10,000.00 previously appropriated to the Halifax Forum Commission for the operation of the Devonshire Centre and to include start-up costs. Motion passed.

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Animal Control

The City Manager advised that the SPC has indicated that all animals are picked up until 10:00 p.m. daily and after that hour only injured or deceased animals are picked up.

Alderman Sullivan stated that it is his understanding that the SPC has an individual on call between the hours of 12 midnight and 8:00 a.m. and he will come out for injured or deceased animals only.

Deputy Mayor Shannon asked for a staff report clarifying the terms of the contract regarding the hours the service is available.

It was agreed that the matter be deferred for a further staff report.

REPORT - COMMITTEE ON WORKS

City Council considered the report of the Committee on Works from its meeting held on November 8, 1978 as follows:

Encroachment - LeMarchant Street

MOVED by Alderman Meagher, seconded by Alderman Maley that, as recommended by the Committee on Works, an encroachment be authorized to Dalhousie University for the purpose of constructing an underground service tunnel across LeMarchant Street, as shown in the staff report dated October 31, 1978. Motion passed.

Encroachment - 1868 Hollis Street (Canopy)

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Committee on Works, an encroachment be authorized to Historic Properties Limited for the purpose of erecting a plastic dome canopy over the sidewalk in front of Civic No. 1868 Hollis Street, as indicated in the staff report dated November 1, 1978. Motion passed.



Encroachment - 6485 Quinpool Road (Canopy)

MOVED by Alderman Meagher, seconded by Alderman Sullivan that, as recommended by the Committee on Works, an encroachment be authorized to Sobey's Stores Limited for the purpose of erecting a mansard roof across the face of the building located at Civic No. 6485 Quinpool Road, as indicated in the staff report of November 2, 1978. Motion passed.

Petition - Isleville Street Playground (Fencing)

Alderman Sullivan stated that, upon discussion with the Legal Department, it is his understanding that construction of a four-foot fence would make it necessary to abide by the legislation in the City Charter but construction of something other than the standard fence would not be bound by that particular legislation.

The Acting City Solicitor commented briefly on the relevant legislation and stated that it is permissible for a party to build a fence on his own property, which would not then be a division line fence, and would not be subject to cost-sharing arrangements.

MOVED by Alderman Sullivan, seconded by Alderman Hanson that the City construct a six foot fence at the rear of 3466-3470 Isleville Street on property owned and operated by the City as public recreation space. Motion passed with Aldermen Wooden and Clarke voting against.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 8, 1978, as follows:

Case No. 3627 - Lot Consolidation and Contract Zoning - 1546  
(Lot A-1 and B-1) Dresden Row - DATE FOR PUBLIC HEARING

MOVED by Alderman Hanson, seconded by Alderman Downey that, as recommended by the City Planning Committee, in accordance with Section 83(c) of the Peninsula Zoning Bylaw and Section 533 of the City Charter, City Council hold a public hearing and, subject to same, grant approval of the consolidation of Lot A-1 and B-1, to create Lot AB-1, as shown on Plan P200/8536 of Case No. 3627, grant approval to the proposed development of Lot AB-1, and enter into a contract with the registered land owner specifying that:

1. the building be constructed in accordance with Plan Numbers P200/8564 and P200/8568 inclusive.

Motion passed.

Council set the date of December 7, 1978 at 1:30 P. M. as the time for the public hearing.

Case No. 3404 - Amendments to the Zoning Bylaws Respecting  
Special Care Homes (Group Homes)

MOVED by Alderman Maley, seconded by Deputy Mayor Shannon that City Council direct staff to:

1. Circulate a draft report concerning proposed City of Halifax Zoning Bylaw amendments regarding residential care facilities (group homes) to existing group home organizations and to the Provincial Department of Social Services in order to receive comments from those bodies;
2. Upon receipt of the comments mentioned in (1) above, to prepare the necessary staff report for City Council's consideration; and
3. Upon receipt by Halifax City Council of the staff report mentioned in #2 above, City Council hold a public meeting on the said staff report.

Motion passed.



Heritage Amendments MDP

The Chairman noted the above matter was dealt with by the Municipal Development Plan Committee on November 15th., following which Council agreed that the item be deferred.

Case No. 3448 - Proposed Lacewood Extension  
and Retention Pond, Clayton Park

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

1. Council approve the alignment for the extension of Lacewood Drive from Cedarbrae Lane to Dunbrack Street, as shown on Plan No. P200/8196 of Case No. 3488;
2. Council approve the concept of storm water retention pond below Dunbrack Street adjacent to the south of the proposed Lacewood extension in accordance with the proposal as described in the July 31, 1978 staff report;
3. Council approve the terms of reference attached to the staff report dated October 30, 1978 as Appendix "A" and authorize staff to proceed with the design of the pond as described in the July 31, 1978 staff report; and
4. Council approve the cost sharing of the retention pond at \$118,000 for the developer's share with the total cost of the design of the said pond to be borne by the developer, and approximately \$632,000 by the City, (City's share to be subject to detailed cost estimates) with the City's share to be funded from Account Number 808 DDA22.

Motion passed.

Encroachment - 5307/09 South Street (Alderman Meagher)

At the City Planning Committee meeting, it was agreed that Mr. Clarke and the appropriate City department meet as quickly as possible with the view that Council may deal with the matter at its next regular meeting.

The City Manager advised that the item has been discussed with the applicant and expressed the feeling the matter will be resolved. The City Manager indicated staff would be submitting an information report on the subject.

Alderman Meagher requested that the item be placed on the agenda of the next regular meeting of the Committee of the Whole Council.

Council  
November 16, 1978

MOTIONS

Motion - Alderman Maley Re: Amendment to the City of  
Halifax Municipal Development Plan

Alderman Maley presented a Notice of Motion with respect to the above matter at the last regular meeting of City Council.

A report dated November 15, 1978, was submitted from the Chairman of the Municipal Development Plan Committee.

MOVED by Alderman Maley, seconded by Deputy Mayor Shannon that the City of Halifax Municipal Development Plan be amended as recommended by the supplementary staff report of November 7, entitled Proposed Amendments - MDP and Zoning Bylaw (Schedule "N"), and that the amendment now receive first reading, and that Council accept the recommendations of the report of the Municipal Development Plan Committee of November 15 and set the date for the public hearings as recommended.

Motion passed.

Council set the date of December 12, 1978 at 7:30 p.m. as the time for the public hearing.



QUESTIONS

Question Alderman Hanson Re: Quality of Water, Chocolate Lake

Alderman Hanson referred to correspondence received some time ago respecting the quality of water in Chocolate Lake and asked if staff could prepare a report for Council and if possible, the item be added to the agenda of the Committee of the Whole meeting scheduled for December 20th.

Question Alderman Sullivan Re: Area 14, M. D. P.

Alderman Sullivan in referring to Area 14 on Map #4, the soft area outside the area for detailed planning as shown on the map included in the Municipal Development Plan, asked if he could be informed by the Director of Planning where the area is on the list of priorities.

The Director of Planning advised that staff would inform Alderman Sullivan on the matter tomorrow.

Question Alderman Sullivan Re: Traffic - Kaye Street

Alderman Sullivan said he is still receiving calls on the matter of traffic proceeding in the wrong direction on Kaye Street and requested that staff check the street at different hours during the week in the morning and afternoon, and present an information report on the matter.

Question Deputy Mayor Shannon Re: Crossing Guards

Deputy Mayor Shannon advised that at the last Council meeting, she requested a report on the matter of crossing guards which she has not yet received.

Question Deputy Mayor Shannon Re: Street Cleaning

Deputy Mayor Shannon noted that at the last Committee of the Whole meeting, Alderman Downey added an item relating to street cleaning at which time Council was informed the budget had expired saying the City Manager was to supply a report on transferring funds.

The City Manager advised that an information report was issued under date of November 10th and expressed the feeling it should be in the Aldermen's mail. Deputy Mayor Shannon indicated she had not received the report and asked if funds are to be transferred in order to clean the streets.

The City Manager suggested the report addresses the question and advised that certain programs are being continued and staff is looking at ways and means of transferring funds from unused accounts.

Question Deputy Mayor Shannon Re: Parking, Grande Parade

Deputy Mayor Shannon referred to a memo from the City Manager respecting parking on Grande Parade and asked that the City Manager look into the affects the report will have on the Information Officer. Deputy Mayor Shannon suggested that if he is being greatly inconvenienced, the matter be reviewed to see if there is any way he could be assisted.

The City Manager advised that the matter would be looked into. He also expressed the feeling that a satisfactory arrangement has been made.

Question Deputy Mayor Shannon Re: Pock Wock

Deputy Mayor Shannon referred to a recent report in the press on the matter of increases in water rates and to comments made by the General Manager of the Public Service Commission which she proceeded to read. Deputy Mayor Shannon said she would like to know what the remaining costs are which the General Manager referred to and asked that a report be submitted on the matter.

His Worship outlined his understanding of the matter and expressed the feeling that the General Manager was referring to what amount, if any, the City owes the Province with respect to the now virtually complete Pock Wock project. His Worship noted the matter of an application for a water rate increase is being considered at a meeting of the Public Service Commission tomorrow.

Question Alderman Maley Re: Payment of Taxes - Installments

Alderman Maley said that since the last Committee of the Whole meeting, she has received calls from senior citizens asking about how to proceed to pay their taxes by installments. Alderman Maley questioned whether the City should perhaps place an advertisement in the newspaper on the matter.

His Worship noted that at the presentation made at the Committee of the Whole meeting, one of the speakers requested that the due dates for the payment of taxes be changed which, he suggested, would make it difficult for the City.

Alderman Maley indicated that the people who called her were not objecting to paying interest saying they were not sure how to arrange to pay by installments.

His Worship said that if such residents have no objection to paying interest, there would be no difficulty in advertising. His Worship suggested, however, that was not what Council was asked to do last week and expressed concern about placing an advertisement in the newspaper before a staff report is received.



Question Alderman Maley Re: International Year of the Child

Alderman Maley noted that next year is International Year of the Child saying she would like to see the Social Planning Department supply her with a report on what the Department would see as appropriate City action in that regard.

His Worship advised that representation has been made that the City should do something significant about International Year of the Child. His Worship said he has been in contact with the Provincial Government to see whether they are going to set up an over-view advisory board saying he was then going to suggest that the City establish a liaison committee. His Worship said the Social Planning Department would be asked to report on the matter.

Question Alderman Maley Re: Parking Signs, Beaufort Avenue

Alderman Maley asked if the Traffic Department could perhaps remove the parking signs on Beaufort Avenue, from Oakland Road to Regina Terrace. She advised that a house is being constructed in that area and is creating a great deal of confusion with trucks etc., and suggested the signs could be removed in the meantime.

Question Alderman Clarke Re: Cleaning of City Streets

Alderman Clarke asked whether it is expected that the City will be able to clean most City streets at least once now that the winter parking ban is in effect, and the City Manager indicated this would be subject to the City finding additional funding in the budget.

Alderman Clarke indicated he was not pleased with the program in Ward #6 and, following a short discussion, His Worship suggested that the staff report on the matter should be recirculated and the item placed on the agenda of the next Committee of the Whole Council meeting.

Alderman Clarke said he would like to know the number of man-hours being spent in the various areas of the City saying there does not seem to be much evidence of the street cleaning program in Ward #6.

Question Alderman Clarke Re: Traffic - Bayers Road

Alderman Clarke referred to traffic leaving the Halifax Shopping Centre, proceeding up Bayers Road and then making a left-hand turn onto Connaught Avenue, saying he would like staff to look into whether there should be a flashing green light there before the regular traffic flows through or, a left directional signal on the red light so traffic has an opportunity to pass. He said there is a traffic back-up caused by vehicles waiting to turn left.

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Question Alderman Clarke Re: Minor Variance, 2783 Connolly Street

Alderman Clarke said he was recently contacted by the resident of 2783 Connolly Street concerning a minor variance that was refused. Alderman Clarke said the resident is to appeal the matter and requested that when the appeal is received by staff, that they act as quickly as possible in reporting to Council.

Question Alderman Meagher Re: Freezing Water Pipes

Alderman Meagher referred to the matter of the water pipes of homes on William Street freezing as a result of services being installed at the Quinpool Road project. Alderman Meagher said he is now concerned with what may happen to the properties on Windsor Street now that the weather is getting colder. Alderman Meagher asked that the City Manager check into the matter and bring a report to the Committee of the Whole Council meeting.

Question Alderman Meagher Re: Grant - Retired City Employees

Alderman Meagher noted that about this time last year, Council gave consideration to an item concerning a grant to City pensioners as a result of a year-end surplus. Alderman Meagher questioned whether it might now be the time to give consideration to the matter again this year, and His Worship advised that the Director of Finance could make known to members of Council what possibilities there may be.

Question Alderman Meagher Re: Applications - Fire Department

Alderman Meagher noted members of Council received a notice from the Fire Department that no further applications for employment would be received for a period of time, and asked whether such a practice was permitted.

A short discussion ensued on the matter and Alderman Meagher asked that members of Council be informed of the number of people there are on a waiting list, how many have been examined, the number of active applications, and the number that are waiting to be tested by the Department.

His Worship indicated this could be done saying the Fire Chief could be asked to bring such information to the Private Safety Committee meeting scheduled for November 20th.

Alderman Meagher indicated he would also like to receive a report on the matter.

Question Deputy Mayor Shannon Re: Metro Centre Information Report

Deputy Mayor Shannon asked that the Metro Centre information report which members of Council received, be placed on the agenda of the next Committee of the Whole meeting.



Question Alderman Downey Re: Parking

Alderman Downey said it was brought to his attention that last Sunday, during the Atlantic Bowl game, vehicles were parked around St. Mary's Field and were not given parking tickets. Alderman Downey asked what the difference was between that location and the area around Metro Centre where people park their cars on a Sunday during sports events.

His Worship indicated the Police Department would be contacted on the matter.

Question Alderman Downey Re: Tower - City Hall

Alderman Downey said there seems to be lumber stored in the tower above City Hall and asked if repairs are being carried out.

The City Manager advised that repairs were taking place saying staff would report on activities at City Hall.

ADDED ITEMS

Appointments - Halifax Taxi Commission

The above item was added at the request of Alderman Moore.

A report dated November 16, 1978, was submitted from His Worship the Mayor.

MOVED by Alderman Hanson, seconded by Alderman Moore the following persons be appointed members of the Halifax Taxi Commission for terms to expire November 15, 1979:

Mr. Gerald F. Blom

Alderman Terrence Sullivan

Mr. James Latter

Mr. George Waye

Alderman Nicholas Meagher

Motion passed.

Appointment of Deputy Mayor

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

MOVED by Alderman Hanson, seconded by Deputy Mayor Shannon that Alderman Graham Downey be appointed as Deputy Mayor of the City of Halifax effective midnight, November 16, 1978, for a term to expire on October 31, 1979 or until succeeded in appointment according to the Halifax City Charter.

Motion passed unanimously.

Meeting adjourned - 10:35 p.m.

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MAYOR EDMUND L. MORRIS  
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)  
CITY CLERK

Date Approved by City Council: \_\_\_\_\_

Record

CITY COUNCIL  
M I N U T E S

Council Chamber  
City Hall  
Halifax, N. S.  
November 30, 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 Downey, and Aldermen Maley, Shannon, Sullivan, Clarke, Wooden, Hanson, and Moore.

M I N U T E S

Minutes of a meeting of City Council held on November 16, 1978, were approved on Motion of Alderman Moore, seconded by Alderman Hanson.

8:05 P. M. - Alderman Meagher arrived.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20(a) - Fairview Overpass
- 20(b) - Rockingham North Services

And, to delete:

- 17(b) - Case No. 3604 - Proposed Development - Edmonds Grounds.

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

- 20(c) - Take over of Services, Convoy Place - Convoy Tower

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

- 20(d) - Sound System at Metro Centre

The agenda, as amended, was then approved.



Council  
November 30, 1978

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on November 22, 1978, as follows:

Herring Cove Road Realignment

MOVED by Alderman Wooden, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, in other circumstances where property will be affected by the widening and realignment of the street, traditional practice be continued, that is, purchasing at the owner's request provided a fair and reasonable price can be negotiated based primarily on independent appraisals.

A discussion ensued on the matter and Alderman Wooden asked if staff have a map showing the properties along the Herring Cove and the ones which the City owns, and the City Manager advised that such a map could be produced.

Alderman Wooden noted the City has been purchasing land during the past few years and suggested there may be one section of the road that may be able to take construction sooner than another saying she would like to see such a map.

His Worship suggested that such a map could be made available by early next week.

Alderman Sullivan suggested that perhaps staff could take a few moments at a Committee of the Whole Council meeting in order to refresh the members' memories on the Herring Cove Road situation saying some highlights could be given on the report which was received by the previous Council.

His Worship noted staff are now bringing forth the Herring Cove Road realignment in the capital budget and suggested it would be at that time Council would wish to discuss the matter.

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

Nova Scotia Power Corporation - Receivable

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, City Council authorize staff to request the Power Corporation to have an arbitrator appointed for a final resolution of the matter.

Motion passed.

Tender 78-136 - Wanderers Grounds Flood Lighting

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

1. The Wanderers Grounds Floodlighting Tender be awarded to Magna Electric and Computers Limited for the unit prices quoted.
2. Project funds required for both the purchase and installation of material be authorized from the Approved 1978 Capital Budget Accounts, No. FAA54 at \$112,000.00 (\$92,000 + \$20,000) and FAA69 at \$50,000, as this project will not be completed until early Spring 1979.
3. Authorized funding advances be made from the proposed anticipated project expenditures under Account Nos. FAA54 and FAA69 as outlined in the report and Appendix "B" attached.

A discussion and questioning of staff ensued and Alderman Clarke said he would like the activities that take place on the Wanderers Grounds monitored to determine if baseball does prove successful as Alderman Moore feels it will. Alderman Clarke also suggested that opportunity be provided for other sports to use the grounds saying that after one year, perhaps the Wanderers Grounds can be reviewed to determine its best use.

The Motion was put and passed with Aldermen Maley and Shannon against.

Tender 518290 - Wanderers Grounds - Flood Lighting Materials

MOVED by Alderman Moore, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee, authority be granted to award tender to each low bidder as indicated in the following summary of bids for a combined total of \$41,290.33:

L. & A. Machine Works Ltd.	\$27,200.00
Union Electric Supply Co. Ltd.	11,473.55
Canadian General Electric Co. Ltd.	2,467.50
Union Electric Supply Co. Ltd.	149.28
	<u>\$41,290.33</u>

Motion passed with Aldermen Maley and Shannon Against.



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Tender 78-124 - Demolition of Cunard's Wharf

A supplementary staff report dated November 28, 1978, was submitted.

Alderman Maley indicated she has received positive response on the matter of maintaining the wharf and, in referring to the supplementary staff report, suggested the item should be deferred to the next regular meeting of the Committee of the Whole Council pending further negotiations between staff and Purdy Brothers Limited as referred to in the supplementary report.

MOVED by Alderman Maley, seconded by Alderman Sullivan the item be deferred to the next regular meeting of the Committee of the Committee of the Whole Council.

Motion passed.

Uniacke Square - Phase "A"

MOVED by Deputy Mayor Downey, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, Council authorize His Worship the Mayor and the City Clerk to execute deeds for the fourteen (14) lots in Stage IV to be held by the City's Legal Department until they have received payment in full for each of the lots as outlined on Appendix "B" to the staff report of November 17, 1978.

Motion passed.

Salter Street Sewer Outfall Easement

A supplementary staff report of November 29, 1978, was submitted.

His Worship made reference to information contained in the supplementary report and, following a short questioning of staff, it was MOVED by Alderman Maley, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, the easement document attached to the staff report of November 15, 1978, be executed on behalf of the City by His Worship the Mayor and the City Clerk and that the compensation payable to the Grantors be in the amount of one hundred dollars (\$100).

Motion passed.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on November 22, 1978, as follows:

Evaluation - Willow Street Closure - DATE FOR PUBLIC HEARING

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Committee on Works, a date be set for a public hearing to consider the closure of Willow Street at Chebucto Road.

Motion passed.

Council set Wednesday, January 17, 1979 at 8:00 P. M. at the date for the public hearing.

Naming of Street - Sheradon Place

MOVED by Alderman Wooden, seconded by Alderman Clarke that, as recommended by the Committee on Works, the street indicated on the sketch attached to the staff report dated November 1, 1978 be named Sheradon Place and that a street name sign be erected at the intersection with Willett Street; such placement not to constitute acceptance by the City of Sheradon Place as a City Street.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Alderman Maley Re: Amendment to the City of Halifax  
Municipal Development Plan - SECOND READING

MOVED by Alderman Maley, seconded by Alderman Shannon that Second Reading with respect to an amendment to the City of Halifax Municipal Development Plan, be deferred to the City Council meeting of December 28, 1978.

Motion passed.

Recommendation from the Retirement Committee  
Re: Proposed Amendment Superannuation Act

A report dated November 27, 1978, was submitted from the Secretary of the Retirement Committee along with the proposed amendment to the Act.

MOVED by Alderman Sullivan, seconded by Alderman Maley that Subsection (2) of Section 5 of Chapter 90 of the Acts of 1966, the Halifax Superannuation Act, be amended by striking out the word "ten" in the eighth line thereof and substituting therefor the word "five", and the City Solicitor be asked to prepare the necessary form to pray for an amendment of the Act before the House of Assembly of Nova Scotia.

Motion passed.



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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 22, 1978 as follows:

Case No. 3632 - Civic No. 6770 Jubilee Road - Contract Zoning  
- DATE FOR PUBLIC HEARING

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MOVED by Alderman Shannon, seconded by Alderman Maley that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the proposed contract zoning of Civic No. 6770 Jubilee Road as outlined in the staff report of November 6, 1978. Motion passed.

It was agreed that the public hearing be held on January 17, 1979 at 8:00 p.m. in the Council Chamber.

Case No. 3636 - Contract Zoning - 5168-70 Morris Street -  
DATE FOR PUBLIC HEARING

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MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the City Planning Committee, a date for a public hearing with respect to the proposed contract zoning of 5168-70 Morris Street, as outlined in the staff report of November 9, 1978, be set. Motion passed.

It was agreed that the public hearing be held on January 17, 1979 at 8:00 p.m. in the Council Chamber.

Encroachment - 5307/09 South Street

Alderman Meagher advised that he has had conversation with the solicitor for the applicant who advised that the matter has been resolved and no further action is necessary.

It was agreed that the matter be laid on the table.

MISCELLANEOUS BUSINESS

Appointment: Halifax Forum Commission

A memorandum dated November 24, 1978 was submitted by His Worship.

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MOVED by Alderman Hanson, seconded by Alderman Meagher that Alderman Terrence Sullivan be appointed to the Halifax Forum Commission, for a term to expire on October 31, 1980. Motion passed.

Case No. 3604 - Proposed Development - Edmonds Grounds

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

NOTICE OF MOTION

Notice of Motion Alderman Shannon re: Amendment to Ordinance No. 147, the Dog Ordinance

Alderman Shannon gave notice that at the next regular meeting of the City Council of the City of Halifax, to be held on Thursday, the 14th day of December, 1978, she proposes to introduce an amendment to Ordinance Number 147, the "Dog Ordinance".

She advised that the purpose of the amendment is to prohibit dogs in the Public Gardens, on leash or otherwise. She stated that this is consistent with the present practice regarding the Public Gardens.



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QUESTIONS

Question Alderman Wooden re: Extension of Transit Service  
through Cowie Hill to Top of the Mountain Apartment  
Building

Alderman Wooden requested that the Halifax Transit Corporation be asked to consider extending transit service through Cowie Hill to Top of the Mountain apartment building. His Worship stated the request will be made immediately to Halifax Transit Corporation.

Question Alderman Sullivan re: Gate at Entrance to Fort  
Needham

Alderman Sullivan stated that the gate at the end of Needham Street going in to Fort Needham has been knocked down for some time. He asked the City Manager to have it repaired and put back up as soon as possible to improve the appearance of the entrance to the Park.

Question Alderman Clarke re: Flashing Lights at Intersection  
of Bayers Road and Connaught Avenue

Alderman Clarke stated that on two separate occasions this week traffic lights were flashing red and flashing amber at or about 6:00 p.m. at the intersection of Bayers Road and Connaught Avenue. He asked if staff are aware of what the problem was.

The City Manager stated that the matter will be investigated and the Alderman advised.

Question Alderman Maley re: Construction on South Street

Alderman Maley stated that road construction on South Street is underway opposite the Workmen's Compensation building. She asked what is the reason for the road construction, and are the street constructions on South and other streets going to be filled in before the winter weather comes.

Question Alderman Hanson re: Bus Shelter on Herring Cove Road  
at the foot of Melwood Avenue

Alderman Hanson asked if a bus shelter could be provided on the Herring Cove Road at the foot of Melwood Avenue. He stated that there was one located there previously which was damaged by a vehicle some time ago.

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Alderman Wooden asked what is being done about bus shelters which have been vandalized during the summer months, particularly one on Old Sambro Road near Sussex Street and one on the Herring Cove Road across from McDonald's.

His Worship stated that the Halifax Transit Corporation will be asked about the matters raised tomorrow.

Question Alderman Shannon re: Residential Parking Stickers

Alderman Shannon stated that when staff approached the Province of Nova Scotia re parking stickers for the handicapped she had asked that they sound the Province out re their present standing regarding residential parking stickers. She asked if there has been any response.

The City Manager stated that he would advise City Council immediately.

Question Deputy Mayor Downey re: Meeting with the Minister of Development and the Gottingen Street Merchants

Deputy Mayor Downey asked if a meeting could be set up with the Minister of Development and the Gottingen Street Merchants to determine if Provincial funds are available for the revitalization of Gottingen Street.

Alderman Meagher stated he would like to be informed when such a meeting is arranged so that he may attend.

His Worship suggested that the Minister in charge of the Liquor Control Act be also invited to attend. His Worship advised that he will set up such a meeting as quickly as possible.

Alderman Sullivan stated that such a meeting would be a good start and hoped that after the said meeting City Council would have a further representation from the Planning Department, and other City departments concerned, to see if the area could be revitalized somewhat.

Alderman Maley suggested that after the meeting with the Ministers, a seminar be held in the North end with the residents to see what their views are.



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Fairview Overpass Project

Staff reports dated November 28, 1978 were submitted.

Mr. F. Bradbrook, Engineering and Works Department, responded to questions from members of City Council, clarifying costs as set forth in recommendation #2 of the staff report.

His Worship and Alderman Clarke asked staff, in reference to paragraph 1(c) of the Terms of Reference, to have the consultant consider including a sidewalk on one side of MacIntosh in this contract.

His Worship referred to page 4, section 2 (1), and asked that staff ensure that the consultant does consult with the Halifax Transit Corporation, or its successor, in the general design of these improvements and signing, not only in the transit lay-bys, but in the generality of the design.

Alderman Moore asked if there is included a fly-over to Main Avenue. Mr. Bradbrook stated that the matter was not included as part of the scheme devised by the Joint Committee but staff could have it considered. His Worship stated that he has heard that there is a long-term concept of a plan that would go over the top of Main Avenue and thereby not bring additional traffic into the foot of Main Avenue. Mr. Bradbrook suggested that there might be a requirement for an additional overpass if the suggestion was accepted.

MOVED by Alderman Moore, seconded by Alderman

Wooden that:

1. the Mayor and City Clerk be authorized on behalf of the City of Halifax to accept the appointment of "implementing agency" for construction of improvements to the Fairview Overpass, and to so advise the Honourable Minister, Department of Development;
2. Capital Budget account number CEA 80 be amended to reflect the revised estimates of cost for this project as follows:

Total Project Cost	1979		1980	
	Gross*	Net	Gross*	
\$4,800,000.	\$2,500,000.	\$410,000.	\$2,000,000.	\$290,000.

\* - less land acquisition

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3. FENCO Consultants Limited be appointed to provide engineering services for the completion of a fully detailed engineering design for the Fairview Overpass project in accordance with the terms of reference at a total cost not to exceed \$198,000. and that Council authorize staff to continue negotiations with FENCO Consultants Limited to provide engineering services during construction;
4. The Mayor and City Clerk be authorized, on behalf of the City, to enter into a contractual agreement, or agreements, with FENCO to carry out this work; and
5. The City Manager be authorized to nominate a member of staff as representative of the City to the Project Team, in response to paragraph 1 of Page 2 of the Minister of Development's letter dated November 24, 1978.

Motion passed.

Rockingham North Services

A staff report dated November 28, 1978 and supplementary staff report dated November 30, 1978 were submitted.

His Worship advised that the City Manager has filed his affidavit with the City Clerk regarding the count of the local improvement notices.

MOVED by Alderman Moore, seconded by Alderman Hanson that Ordinance Number 160 with the amendments suggested by the Minister of Municipal Affairs be now adopted by Halifax City Council pursuant to Section 146 of the Halifax City Charter, 1963, and amendments. Motion passed.

MOVED by Alderman Moore, seconded by Alderman Hanson:

WHEREAS it has been proposed that a project for the installation of sewers in the Rockingham North Area of the City be undertaken;

AND WHEREAS Council caused a local improvement tax roll to be prepared for the project;



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AND WHEREAS Council caused notices to be sent to each property upon which a local improvement tax is to be imposed, together with a request to each property owner so notified that an indication be given by the property owner whether he agrees that the project should proceed at the cost to each owner as set out in the notice;

AND WHEREAS 423 property owners out of a total of 590 property owners notified replied indicating their approval of the project at the cost indicated to them in their notice;

AND WHEREAS it is desirable that the Rockingham North Sewer Project be undertaken as a local improvement project;

BE IT THEREFORE RESOLVED that the Rockingham North Sewer Project be undertaken as a local improvement project pursuant to Sections 377 and 391 of the Halifax City Charter, 1963.

AND BE IT FURTHER RESOLVED that a local improvement tax be levied on the properties serviced by the sewers at a rate of \$35.00 per lineal foot of property abutting on or adjacent to a street right-of-way with the following special provisions:

(a) Any lot capable of being serviced by the sewer will be charged a minimum charge equivalent to 50-foot frontage on a street, i.e. \$1750.00;

(b) Any lot capable of being subdivided under the provisions of the Halifax Zoning By-law and Halifax Subdivision Regulations and By-law shall be deemed for the purposes of this project to be so subdivided and the charge shall be calculated according to the maximum number of potential lots;

(c) Corner lots or lots abutting on or adjacent to a street right-of-way on three or more sides shall be charged on the basis of one-half of the total frontage. "Lots" means lots as deemed to be subdivided pursuant to paragraph (b) above;

(d) Lots which abut two streets shall be charged on the basis of one-half of the total frontage. "Lots" means lots as deemed to be subdivided pursuant to paragraph (b) above.