

Council  
December 28, 1978

DEFERRED ITEMS:

Case No. 3637 - Appeal of the Development Officer's Decision  
to Refuse a Minor Variance at 6162 Lawrence Street

The above item was deferred to this meeting from the last regular meeting of Council at which time a staff report dated November 27, 1978, was submitted.

Mr. Algee, the Development Officer, outlined the matter as contained in the staff report for the information of members of Council.

Mr. J. M. Woodley, the appellant, addressed Council in support of the appeal and requested that favourable consideration be given to the matter. The contractor for Mr. Woodley also addressed Council and briefly outlined how the error was made which resulted in the appeal.

MOVED by Alderman Meagher, seconded by Alderman Maley that the appeal from the Development Officer's decision to refuse a minor variance at 6162 Lawrence Street, be allowed.

Motion passed.

Amendments to Zoning Bylaw - Peninsula (Schedule "N")

Council agreed that the above item be dealt with following consideration of agenda item No. 14(a) - "Amendment to Municipal Development Plan (Schedule "N") - SECOND READING".

MOTIONS OF RESCISSION:

Motion Deputy Mayor Downey Re: Case No. 3563 -  
Street Closure - Lower Water Street

Deputy Mayor Downey presented a Notice of Motion of Rescission with respect to the above matter at the last regular meeting of City Council.

MOVED by Deputy Mayor Downey, seconded by Alderman Meagher that City Council do rescind that portion of a resolution of City Council passed the 26th day of October, A.D. 1978, dealing with Case No. 3563 whereby the City Council approved the street closure of those portions of Lower Water Street as shown on Plan No. TT-25-25265.

His Worship asked if there were persons in the public gallery wishing to address Council on the matter, but there was no response from the gallery.

The Motion was put and passed.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on December 20, 1978, as follows:

Award of Tender 78-159 - Waterproofing of Manholes (Mainland South)

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

1. Tender 78-159 be awarded to Video Inspection and Grouting (Mar.) Ltd. for the lump sum and unit prices as quoted in the staff report dated November 30, 1978.
2. Project funding be authorized from Account 808-199-DDA01.

Motion passed.

Current Borrowing Resolution

MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, City Council authorize His Worship the Mayor and the City Clerk to sign a Current Borrowing Resolution covering the period January 1, 1979 to June 30, 1979 in the amount of \$10,000,000.

Motion passed.

Nomination from the Halifax Landmarks Commission

The above item was forwarded to City Council without recommendation.

His Worship advised that the Mayor and Alderman Shannon met with representatives of the Convent of the Sacred Heart and the Landmarks Commission at which time it was agreed that a letter would come from the Convent of the Sacred Heart and a copy would be sent to the Chairman of the Landmarks Commission. His Worship said it is proposed that the item be deferred to the next Committee of the Whole Council meeting.

MOVED by Alderman Shannon, seconded by Alderman Maley that the item be deferred to the January 3, 1979 meeting of the Committee of the Whole Council.

Motion passed.

NIP III Office

MOVED by Alderman Sullivan, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee, City Council authorize the City Manager to enter into the lease attached to the staff report of November 27, 1978, to rent the store-front premises at 2697 Agricola Street for use as the NIP III Area Office.

Motion passed.

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Award of Tender #79-07 - Inspection and Testing 1979

MOVED by Alderman Hanson, seconded by Alderman Sullivan that, as recommended by the Finance & Executive Committee, Tender 79-07 be awarded to Halteck Scientific and Testing Limited for the inspection and testing of materials during the calendar year 1979.

Motion passed.

Izaak Walton Killam Hospital for Children -  
Parking Garage and Lot

His Worship advised that he visited the hospital on Christmas Day at which time it was suggested it would be useful if there could be further conversations on the subject. His Worship suggested Council could proceed with the recommendation from the Finance & Executive Committee without interfering with subsequent conversations.

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the request for exemption and write-off of past accounts receivable with respect to the Izaak Walton Killam Hospital for Children, Parking Garage and Lot, be deferred until receipt of a staff report on the provision of parking and taking thereof for all hospitals in the City.

Motion passed.

Account Write-off

MOVED by Alderman Maley, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee, under Section 184 of the City Charter 1963, City Council excuse the Treasurer from collection of the monies due to the City as summarized in the staff report of December 14, 1978, and authorize the write-off of \$184,891.46.

A discussion ensued on the matter and it was MOVED in Amendment by Alderman Shannon, seconded by Alderman Meagher that item No. 11 "Sewer Development Charges (Ord. 153)" as shown in the staff report of December 14, 1978, in the amount of \$54,061.22, be deleted from the total write-off.

The Motion to amend was put and lost with three voting for the same and five voting against.

The Main Motion was then put and passed with Alderman Shannon against.

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Architecture and Construction Assessment -  
Call for Proposals - Brunswick Street

The following is the recommendation of the Finance and Executive Committee:

"That City Council authorize an award of contract to the Kleinfeldt Group to complete the structural assessment, architectural exterior assessment, the street scape, and to include disbursements for printing for an amount not to exceed \$45,000.00, subject to approval of cost sharing of 50% by Central Mortgage and Housing Corporation, and confirmation of cost sharing from Heritage Canada to the Kleinfeldt Group not to exceed \$45,000 in gross total."

A letter dated December 27, 1978, was submitted from the Acting Chairman of the Halifax Landmarks Commission which His Worship noted, requested that the item be deferred.

Alderman Shannon indicated she was surprised to receive the letter from the Commission and advised that she spoke to Commodore McMillin, Chairman of the Sub-Committee for Brunswick Street saying their concern is that the interior assessment was not included in the staff recommendation nor in the recommendation of the Committee.

Alderman Shannon expressed the feeling that the Landmarks Commission would like Council to realize they are not entirely happy about the matter but said she stressed to Commodore McMillin that Heritage Canada is not interested in the interior architectural assessment of the buildings nor economic potential, and are not prepared to cost share in the two components. Alderman Shannon advised that Heritage Canada has indicated there may be some units of housing in which they may want interior architectural information and they would be prepared to pay the consultants separately for such information. Alderman Shannon indicated she would like to see Council proceed with the staff recommendation.

Discussion ensued on the matter and it was MOVED by Alderman Shannon, seconded by Deputy Mayor Downey that, as recommended by the Finance & Executive Committee, City Council authorize an award of contract to the Kleinfeldt Group to complete the structural assessment, architectural exterior assessment, the street scape, and to include disbursements for printing for an amount not to exceed \$45,000.00, subject to approval of cost sharing of 50% by Central Mortgage and Housing Corporation and confirmation of cost sharing from Heritage Canada to the Kleinfeldt Group not to exceed \$45,000 in gross total; funds to be paid from Account No. 411 085 HAA02.

Motion passed.

Site of Former Young Street Fire Station

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Finance & Executive Committee, the City release the covenant to build in return for consideration of the amount of \$37,300 being the difference in the total consideration of \$45,000 less the amounts paid for acquisition and clearance of land in 1977, the release to be coincidental with delivery by Rolph-Clark-Stone not later than June 30, 1979 of the deed to the lands after Townsend has been granted a building permit by the City of Halifax; plans for the re-use of the property to be subject to City Council approval.

Alderman Clarke said he wanted to be sure staff will not issue a permit until Council is advised of what the new use of the property will be, and Mr. Churchill of the Real Estate Department advised that was understood by staff.

The Motion was put and passed.

Possible Acquisition - Lot Off Purcell's  
Cove Road Abutting Fleming Park

MOVED by Alderman Hanson, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City Council approve the withdrawal of funds in the amount of \$2,500.00 from the Sale of Land Account for purchase of the property identified on the sketch by the name "Alguire" subject to the approval of the Minister of Municipal Affairs.

Motion passed.

Bridgeview Storm Sewer - Tender #78-01R

MOVED by Alderman Hamshaw, seconded by Alderman Hanson that, as recommended by the Finance & Executive Committee:

1. Tender 78-01R, Bridgeview Storm Sewer, be awarded to the lowest bidder, Carl B. Potter Limited, at the tendered unit prices;
2. In the event Carl B. Potter Limited refuse to enter into an agreement with the City as per the tender documents, Tender 78-01R, Bridgeview Storm Sewer, within ten (10) working days, that the tender be awarded to Seaport Contracting Limited, the second lowest bidder, at the tendered unit prices;
3. Required funds be authorized from Capital Account No. DDA18; and
4. H. J. Porter and Associates Limited be appointed to provide the inspection on this project.

Motion passed.

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Granting of Right-of-Way and Sewer Easement,  
Lands of 38-A Vimy Avenue

MOVED by Alderman Hamshaw, seconded by Alderman Wooden that, as recommended by the Finance & Executive Committee, a service/easement right of way be granted by the City of Halifax to the present owner of Civic #38-A Vimy Avenue, his heirs, successors and assigns for the sum of one dollar (\$1.00).

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on December 20, 1978, as follows:

Fencing for Lynnet and Clearview Playgrounds

MOVED by Alderman Wooden, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, the matter of fencing for Lynnet and Clearview Playgrounds, be deferred until after the Isleville Street Playground matter is decided.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on December 20, 1978, as follows:

Private Fire Alarm Charges

MOVED by Alderman Sullivan, seconded by Alderman Wooden that, as recommended by the Safety Committee, the yearly fee be increased from \$250.00 per year to \$275.00 per year, effective January 1, 1979.

Motion passed.

Rodent Control

The following is the recommendation from the Safety Committee:

"That City Council approach the Department of Public Health recommending that a rodent control program be the responsibility of the Atlantic Health Unit and be instituted as soon as possible."

Alderman Sullivan, in referring to the recommendation, questioned whether it accomplished what was discussed by the Committee at its last meeting. Alderman Sullivan felt that the Committee wanted the City to hold discussions with the Province with the view that the Province take over the rodent control program for the metropolitan area.

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Discussion ensued on the matter and it was MOVED  
by Alderman Sullivan, seconded by Alderman Clarke that Halifax  
City Council request that the Department of Public Health have  
the Atlantic Health Unit order a co-ordinated, three municipality  
approach to rodent control, abatement, and extermination.

The Acting City Manager advised that other matters  
were discussed when staff reviewed the matter and suggested  
the item be deferred to the next regular meeting of the Committee  
of the Whole Council in order that staff may present what it  
perceives might be achieved in this area.

Council then agreed that the item be deferred to  
the next regular meeting of the Committee of the Whole Council.

Quality of Water, Chocolate Lake

At the Safety Committee meeting, a letter was  
submitted expressing concern about the quality of water in  
Chocolate Lake which was submitted as a petition, and the  
Committee agreed that a report be prepared for Council on the  
matter.

An information report dated December 28, 1978,  
was submitted.

Alderman Hanson noted that members of Council  
just received the report and requested the item be deferred  
to the January 17, 1979 meeting of the Committee of the Whole  
Council, to which Council agreed.

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REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to the Municipal Development Plan (Schedule "N")  
- SECOND READING

MOVED by Alderman Maley, seconded by Alderman Shannon that the City of Halifax Municipal Development Plan be amended as recommended by the supplementary staff report of November 7, 1978 entitled "Proposed Amendments - MDP and Zoning Bylaw (Schedule "N")", and that that amendment, which was given First Reading on November 16, 1978, Committee Reading on November 22, and which was the subject of a public hearing on December 12 do now be given Second and final reading and submitted for approval to the Minister of Municipal Affairs. Motion passed.

Amendments to the Zoning Bylaw - Peninsula (Schedule "N")

MOVED by Alderman Maley, seconded by Alderman Shannon that the City of Halifax Zoning Bylaw (Peninsula) be amended as recommended by the staff report entitled "Proposed Amendments - MDP and Zoning Bylaw (Schedule "N") dated November 3, 1978, and as considered at a public hearing held on December 12, 1978, all as set forth in Appendix "C" entitled "Proposed Amendment to the City of Halifax Zoning Bylaw (Peninsula), Schedule "N"; and that this amendment be submitted for approval to the Minister of Municipal Affairs. Motion passed.

Amendment to Ordinance No. 147, the Dog Ordinance  
- SECOND READING

MOVED by Alderman Shannon, seconded by Alderman Maley that an amendment to Ordinance Number 147, the Dog Ordinance, as submitted, be now read and passed a Second Time. Motion passed.



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Administrative Order No. 16 Respecting Private Sewers  
Obstructed by City Trees - SECOND READING

MOVED by Alderman Shannon, seconded by Alderman Meagher that the proposed Administrative Order No. 16, as attached to the staff report of November 28, 1978, and as amended by City Council on December 14, 1978, be now read and passed a Second Time. Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on December 20, 1978 as follows:

Case No. 3594 - Parcel D-1 Bedford Highway (Amendment to the Zoning Bylaw and Contract Zoning) - DATE FOR PUBLIC HEARING

MOVED by Alderman Hamshaw, seconded by Alderman Hanson that, as recommended by the City Planning Committee, a date be set for a public hearing to consider an amendment to the Zoning Bylaw to change the boundary of Schedule "E" to encompass all of Parcel D-1 Bedford Highway, and to permit the proposed 195-unit rental residential development on Parcel D-1 Bedford Highway, under Section 67, Schedule "E" of the Zoning Bylaw, Mainland Area, subject to the developer entering into an agreement with the City to develop the property according to the terms and conditions set forth in the staff report dated November 23, 1978.

The Acting City Clerk advised that the public hearing has been scheduled for Wednesday, February 7, 1979 at 7:30 p.m.

Motion passed.

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Case No. 3628 - Lot Consolidation (Lots 1 and 2 Dutch Village Road)

MOVED by Alderman Maley, seconded by Alderman Sullivan that, as recommended by the City Planning Committee, the application to consolidate Lots 1 and 2 to form Lot T, Dutch Village Road, as shown on Plan No. P200/8540 of Case No. 3628, be approved. Motion passed.

Case No. 3587 - Halifax Infirmary (Contract Zoning)  
- DATE FOR PUBLIC HEARING

MOVED by Deputy Mayor Downey, seconded by Alderman Clarke that, as recommended by the City Planning Committee, a date be set for a public hearing, under Section 83 (c) and (d) of the Zoning Bylaw, Peninsula Area, to consider permitting the erection of a canopy/sign, 20'6" long x 6'6" wide, as described in the staff report of December 6, 1978.

The Acting City Clerk advised that the public hearing has been scheduled for Wednesday, February 7, 1979 at 7:30 p.m.

Motion passed.

NIP II Area - Permit Application Number 78789  
(5168 Morris Street)

MOVED by Alderman Maley, seconded by Deputy Mayor Downey that, as recommended by the City Planning Committee, Council authorize the Building Inspector to issue a building permit to renovate a boutique at 5168 Morris Street. Motion passed.

Soft Area 20 (MDP Map 4) - Zoning Bylaw - DATE FOR PUBLIC HEARING

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

- (i) the rezoning of all that area on the west side of Lynch Street between Duffus and Rector Streets, shown on Map 1 as C-2, to R-2, excepting the property identified as Civic No. 3530; and

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- (ii) the rezoning of the property known as Civic No. 3530 Lynch Street from C-2 to R-3, all as shown on Map 2.

The Acting City Clerk advised that the public hearing has been scheduled for Wednesday, February 21, 1979 at 7:30 p.m.

Motion passed.

Isleville Street Playground - Petition: Demolition of Building

MOVED by Alderman Sullivan, seconded by Alderman Meagher that, as recommended by the City Planning Committee, the said petition be referred to staff for review and report, and that staff be asked to consider the desirability of: (1) removing the clubhouse, and (2) closing the playground. Motion passed.

Alderman Sullivan requested that the staff report on this matter be submitted as quickly as possible so that a public meeting may be scheduled in the very near future.

MOTIONS

Motion Alderman Shannon Re: Introduction of an Amendment to the City of Halifax Municipal Development Plan - FIRST READING

Notice of Motion with regard to this matter was presented at the December 14 meeting of City Council.

MOVED by Alderman Shannon, seconded by Alderman Maley that an amendment to the City of Halifax Municipal Development Plan, pursuant to Part III of the Nova Scotia Planning Act for the purposes of providing more specific policy direction for commercial areas and providing for further regulations in the City of Halifax with respect to massage parlours, as set forth in Appendix II of the staff report dated October 12, 1978, be now read and passed a First Time. Motion passed.

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The Acting City Clerk advised that a public hearing to consider this matter had previously been scheduled for Wednesday, February 7, 1979.

Motion passed.

It was agreed that the matter would also be included on the agenda for Committee of the Whole Council on January 17, 1979.

Motion Alderman Shannon Re: Amendment to Section 49(1)(c) of the Zoning Bylaw

MOVED by Alderman Shannon, seconded by Alderman Maley that City Council set a date for a public hearing to consider an amendment of the City of Halifax Zoning Bylaw (Peninsula) which would delete the word "restaurant" from Section 49(1)(c), and that, in concurrence with the policies of the Municipal Development Plan, the proposed amendment be forwarded to the Municipal Development Plan Committee.

The Acting City Clerk advised that a public hearing will be held on Wednesday, February 21, 1979 at 7:30 p.m.

Motion passed.

Motion Alderman Meagher Re: Amendment to Ordinance No. 145 Respecting the Payment and Collection of Taxes - FIRST READING

Notice of Motion with regard to this matter was presented at the December 14 meeting of City Council.

MOVED by Alderman Meagher, seconded by Deputy Mayor Downey that the proposed amendments to Ordinance No. 145 Respecting the Payment and Collection of Taxes, with regard to Section 4, Subsection (1) and Section 6 of the said Ordinance, be read and passed a First Time. Motion passed.

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MISCELLANEOUS ITEMS

Tendering Process - Metro Centre Sound System  
(Alderman Maley)

Alderman Maley asked that a detailed report from the Metro Centre Commission be made available for the January 3 meeting of Committee of the Whole Council, the said report to describe the tendering process employed with regard to proposals for the Centre's sound system.

QUESTIONS

Question Alderman Hamshaw Re: Entrances to Lacewood Drive and Bridgeview Drive (North and South)

Alderman Hamshaw requested that the matter of entrances to Lacewood Drive and Bridgeview Drive (north and south) be brought before Council during their Capital Budget deliberations.

The Acting City Manager noted that a staff report on this matter had recently been issued and assured Alderman Hamshaw that this item will be considered at a future budget meeting.

Question Alderman Wooden Re: Streetlights on Dunbrack Street

Alderman Wooden noted that a large number of streetlights along Dunbrack Street were recently turned off owing to a malfunction. However, she advised that, despite this malfunction, the street appeared to be well lit and asked that, in this time of restraint, staff submit a report on the feasibility of decreasing the number of lights on this street.

Question Alderman Wooden Re: Emergency Telephone Number  
(Halifax Police Department)

Alderman Wooden advised that she has received a number of complaints from residents of Ward 7 concerning problems in contacting the Police Department at their emergency number. She asked that a report be submitted to the Safety Committee on the operation of this number and any difficulties the Police Department may be experiencing with it.

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Question Alderman Wooden Re: Senior Citizens Housing  
(Mainland South)

Alderman Wooden requested the status of a feasibility study on senior citizen housing in Mainland South previously authorized by Council.

His Worship advised that an item of additional funding will be provided for this project in the 1979 budget and added that he would press for an affirmative response to Council's request.

Question Alderman Maley Re: Point Pleasant Drive Pavement

Alderman Maley advised that she has recently noted several bad cracks in the pavement on Point Pleasant Drive. She requested a staff report on this matter and asked that consideration be given to including these repairs in the 1979 budget.

Question Alderman Clarke Re: Sign Ordinance

Alderman Clarke requested an information report as to when the Sign Ordinance will be brought forward for consideration by Committee of the Whole.

Question Alderman Clarke Re: Report from Board of School  
Commissioners

Alderman Clarke requested a copy of the report recently prepared by the Board of School Commissioners concerning the lowering of admission requirement for first graders. He also asked to be advised as to when the Board intends to present its recommendations on this matter to Council.

Question Alderman Clarke Re: Amendments to the Municipal  
Elections Legislation

Alderman Clarke referred to correspondence received from the Union of Nova Scotia Municipalities concerning proposed changes to the municipal elections legislation and asked if recommendations from the City's Elections Procedures Committee would be available for the January 17 meeting of Committee of the Whole Council.

His Worship advised that the possibility is unlikely as a meeting of that Committee has not yet been convened.

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ADDED ITEMS

Appointments

A report dated December 27, 1978 was submitted by His Worship.

MOVED by Alderman Shannon, seconded by Deputy Mayor Downey that the following be appointed to the City of Halifax Non-Profit Housing Society for terms to expire October 31, 1979:

Mr. John Chamard  
2135 Brunswick Street

Mr. Hedley G. Ivany  
6190 Jubilee Road

Motion passed.

MOVED by Alderman Clarke, seconded by Alderman Hanson that the following be appointed to the Halifax Forum Commission for terms to expire October 31, 1980:

Mrs. Marion McNeil  
43 Sunnybrae Avenue

Gerald R. P. Moir  
2794 Connolly Street

Motion passed.

His Worship noted that, with reference to the Halifax Forum Commission, two additional members will be nominated shortly to bring the membership up to its full complement.

Continuing Expenditure in 1979 (Social Planning Department - Senior Citizens Transit Tickets)

A staff report dated December 28, 1978 was submitted.

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MOVED by Alderman Sullivan, seconded by Alderman Meagher that City Council authorize staff to charge as a prior and first charge against the Social Planning budget for 1979 an amount not to exceed \$33,750 and for a period of time not later than March 31, 1979 for the purpose of providing funds for the purchase of Senior Citizens Transit Tickets. Motion passed.

Responding to a question from Alderman Meagher, Mr. T. Stewart of the Social Planning Department advised that, as several outlets have depleted their supply of these tickets, the Department intends to begin redistribution by the first week of January, 1979. He also noted that approximately 750,000 transit tickets have been used by senior citizens in 1978.

#### Pollution Control Charge

Alderman Shannon expressed concern regarding the extensive program of pollution control in which the City has been engaged. She noted that limited action has been taken to date to encourage neighbouring municipalities in this regard and added that, at present, senior levels of government would not appear to be giving precedence to this matter. Alderman Shannon suggested that Council examine its obligations with regard to pollution control and, if they are found to be as imperative as initially perceived, discussions should be instigated with the Province and the other municipal governments, both on the matter of cost-sharing agreements and the types of pollution control proposed.

His Worship noted that the City had been partially motivated by the necessity of providing a more adequate system for sewage control, but agreed that a less expensive method than that proposed by MAPC may be equally feasible.

After some further discussion, the Acting City Manager advised that staff will be asked to submit a detailed report outlining the events leading up to the City's present position in the pollution control program and to include recommendations for consideration in further discussions with other levels of government, should such discussions be deemed expedient by Council at that time.



Street Closures - Yukon and Yale Streets

MOVED by Alderman Meagher, seconded by Alderman Sullivan that City Council authorize staff to continue until March 31, 1979 the temporary closure of Yukon and Yale Streets at their intersections with Monastery Lane, and that Wednesday, February 21, 1979 at 7:30 p.m. be set as the date for a public hearing to consider the permanent closure of these streets. Motion passed.

11:20 P.M. - Meeting adjourned.

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MAYOR EDMUND MORRIS  
CHAIRMAN

CATHERINE MCNEIL  
ACTING CITY CLERK

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