

Public Hearing
February 21, 1979

closer conformance with their existing use. He stated that the area presently before Council represents the first of these soft areas and, using maps and diagrams, gave a brief summary of staff's recommendations.

There were no persons present wishing to address Council either in support of or in opposition to this proposal.

It was agreed that, as the Municipal Development Plan envisions such rezonings to classification, and as, in this instance an amendment to the Plan is not required, Council is not obligated to refer the matter to the Municipal Development Plan Committee for recommendation.

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

Public Hearing Re: To Consider an Application under Schedule "E", Section 67 of the Zoning Bylaw (Mainland Area) to permit the Construction of a 39-unit Apartment Building at Civic No. 59 Main Avenue

It was agreed that further staff representations regarding this matter were not required at this time.

His Worship called for those persons present wishing to address Council in support of the proposed development.

In his remarks, the applicant, Mr. Hedley G. Ivany, gave a brief description of his proposal, emphasizing that, in his opinion, the development conforms completely to the principles established by Policy 1.6 of the Municipal Development Plan and asked that it therefore be viewed favourably by members of City Council.

With reference to a question from His Worship the Mayor, Mr. Ivany noted that he is willing to cooperate with staff with regard to the matter of providing adequate storm sewers. He added that, in the interim, he has reached an understanding with the adjacent property owner to the effect that a new storm sewer to serve 59 Main Avenue will be able to cut across that individual's property.

Public Hearing
February 21, 1979

Responding to a question from Alderman Hamshaw, Mr. Ivany advised that the setback for the proposed development would be equal to that of the existing buildings on Main Avenue.

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

Public Hearing Re: Intention to Adopt a Certain Amendment to the Zoning Bylaw (Peninsula Area), the Amendment Specifically is to delete from the C-1 Zone, Section 49(1)(c), Peninsula Area, the word "restaurant".

A staff report, dated February 19, 1979, addressed to the Chairman and Members of the Municipal Development Plan Committee was circulated.

Alderman Moore asked that staff submit a report (prior to the next regular meeting of City Council) regarding the number of restaurants presently operating in C-1 (Peninsula) Zones and their location.

His Worship further noted that staff have been asked to reconsider a working definition of the term "restaurants".

9:05 P.M. - Alderman Hanson retired from the meeting.

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

Subdivision Approval - Phase A, Uniacke Square

This matter was referred to this Special Meeting of Council from a meeting of the City Planning Committee held on February 21, 1979.

MOVED by Deputy Mayor Downey, seconded by Alderman Shannon that Council approve the Agreement between the Old North End Community Housing Limited and Brunswick Non-Profit Housing Corporation and the City of Halifax for Phase A, Uniacke Square, and authorize the Mayor and City Clerk to sign the Agreement. Motion passed.

Public Hearing
February 21, 1979

Special Designated Areas for the Residential
Rehabilitation Assistance Program

This matter was referred to this Special Meeting of City Council from a meeting of the City Planning Committee held on February 21, 1979.

MOVED by Alderman Moore, seconded by Alderman Wooden that City Council approve the resolution shown as Attachment B of the staff report dated February 9, 1979. Motion passed.

Senior Citizens Transit Fares

This matter was referred to this Special Meeting of City Council from a meeting of the Finance and Executive Committee held on February 21, 1979.

MOVED by Alderman Clarke, seconded by Alderman Wooden that:

1. City Council allocate funds to continue the program for Halifax citizens until such time as Halifax Transit Corporation is phased out and Metropolitan Transit Commission assumes responsibility for transit in Halifax City; and,
2. City Council strongly urge the Metropolitan Authority to direct the Metropolitan Transit Commission to institute a uniform method of subsidy for senior citizens who use the transit system.

Motion passed with Deputy Mayor Downey and Alderman Meagher voting against.

9:15 P.M. - Meeting adjourned.

HEADLINES

Public Hearing Re: To Consider the Closure of Yukon
and Yale Streets at their Intersection with
Monastery Lane 78

Public Hearing Re: To Consider the Rezoning of
that Area on the West Side of Lynch Street
(Civic Nos. 3544, 3536 and 3520 Lynch Street,
and Civic Nos. 5237 and 5243 Duffus Street are
proposed to be rezoned from C-2, General Business
Zone, to R-2, General Residential Zone; Civic No.
3530 Lynch Street is proposed to be rezoned
from C-2, General Business Zone, to R-3,
Multiple Residential Zone) 79

Public Hearing Re: Ton Consider an Application
under Schedule "E", Section 67 of the Zoning
Bylaw (Mainland Area) to permit the Construction
of a 39-unit Apartment Building at Civic No.
59 Main Avenue 80

Public Hearing Re: Intention to Adopt a Certain
Amendment to the Zoning Bylaw (Peninsula Area),
the Amendment Specifically to delete from the
C-1 Zone, Section 49(1)(c), Peninsula Area,
the word "restaurant" 81

Subdivision Approval - Phase A, Uniacke Square 81

Special Designated Areas for the Residential
Rehabilitation Assistance Program 82

Senior Citizens Transit Fares 82

MAYOR EDMUND MORRIS

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____

*K

CITY COUNCIL
MINUTES

RECORD

Council Chamber
City Hall
Halifax, N. S.
March 1, 1979
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, Meagher, Sullivan, Clarke, Wooden, Hanson, Moore, and Hamshaw.

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

Deadline for Setting 1979 Tax Rate

His Worship advised members of Council that the Executive Council of the Government of Nova Scotia has passed the appropriate Order in Council extending the deadline for setting the 1979 City tax rate to a date not later than March 31, 1979.

MINUTES

Minutes of City Council meetings held on February 14, 15, and 21, 1979, were approved on Motion of Alderman Hamshaw, seconded by Alderman Wooden.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS:

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

20.1 - 1979 Legislation.

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

20.2 - Care of the Mentally Retarded.

The agenda as amended was approved.

DEFERRED ITEMS:

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

A public hearing was held on the above item on February 7, 1979.

MOVED by Alderman Hamshaw, seconded by Alderman Meagher that the application for 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, be refused by Halifax City Council.

Motion passed.

Waterfront Development - Outfall Structures

The above item was last considered by City Council on February 15, 1979, at which time the item was referred to this meeting.

The City Manager advised that a report has been prepared for distribution to members of Council but advised that Council has not yet received it. The City Manager requested that the item be deferred.

Council then agreed that the item be deferred.

Case No. 3632 - Civic No. 6770 Jubilee Road - Contract Zoning

A public hearing was set for January 17, 1979 on the above item which was rescheduled and held on February 14, 1979.

Alderman Shannon spoke to the matter and MOVED, seconded by Alderman Meagher that the proposed 31-unit residential condominium building at civic number 6770 Jubilee Road under Section 83, Schedule "C" of the Zoning Bylaw, Peninsula Area, be refused by City Council.

A discussion and questioning of staff ensued on the matter following which the Motion was put and passed with Aldermen Clarke, Wooden, Hanson, and Moore against.

Permanent Closure - Yukon and Yale Streets

A public hearing was held on the above item on February 21, 1979.

Alderman Meagher spoke to the matter and His Worship noted that Yale and Yukon Streets are closed at the present time but legally, they are not permanently closed. His Worship made the suggestion that Council consider leaving the temporary status there for the present time.

His Worship noted that shortly, there will be 496 housing units on the Quinpool Road lands suggesting that Council does not know for sure what the traffic patterns will be.

His Worship questioned whether Council has enough evidential information saying nothing would be changed by simply postponing the decision and at the same time, absolutely guaranteeing an undertaking to the people of Yale and Yukon Streets that the fact of the closure would not be removed in any event, without a full and thorough public opportunity for them to come and discuss it and make their point.

MOVED by Alderman Meagher, seconded by Alderman Maley that the proposed closure of Yale and Yukon Streets at their intersections with Monastery Lane, be approved by City Council.

Following a discussion on the matter, the Motion was put and passed with Alderman Moore against.

Soft Area 20 (MDP Map 4) - Zoning Review

A public hearing was held on the above item on February 21, 1979.

Alderman Sullivan advised that he received a representation on the matter and he has not had an opportunity to discuss it with staff. Alderman Sullivan indicated he would like the item deferred to the next regular meeting of Council.

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

Case No. 3603 - 59 Main Avenue (Contract Zoning)

A public hearing was held on the above item on February 21, 1979.

MOVED by Alderman Hamshaw, seconded by Alderman Moore that City Council approve the application for contract zoning under Section 67 of the Zoning Bylaw, Mainland Area, to permit the construction of a 39 unit apartment building at 59 Main Avenue, as shown on Plan Nos. P200/8447-8450 of Case No. 3603.

Motion passed.

Amendment to the Zoning Bylaw - Section 49(1)(c), Restaurants

A public hearing was held on the above item on February 21, 1979.

MOVED by Alderman Shannon, seconded by Alderman Sullivan that City Council amend Section 49(1)(c) of the C-1 Zone of the Peninsula Zoning Bylaw by deleting the word "restaurant".

Following a discussion on the matter and a questioning of staff, the Motion was put and passed.

PETITIONS AND DELEGATIONS

Petition - Residents of Cottage Road Re: Street Upgrading

Alderman Hanson submitted a petition signed by eight residents of Cottage Road in which street improvements were requested.

At the request of Alderman Hanson, Council referred the petition to City staff for review and comment.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on February 28, 1979, as follows:

Ordinance No. 166 respecting "Signs and Billboards"

Council agreed that, as recommended by the Finance and Executive Committee, staff be requested to review the draft Ordinance, more specifically in Sections 6 and 12, with a view to modifying some of the restrictive thrust, as Council sees it, of Sections 6 and 12 including the possibility of incorporating in Section 6 a requirement that any billboards would be subject to two conditions, (1) the C-2 zone only, and (2) a permit of the Building Inspector; and particularly in Section 12, to determine whether some portable illuminated signs could be allowed but to eliminate the permanizing aspect, and more particularly to remove them from the street line.

NIP I Implementation Project: Land Acquisition for Sports Court

MOVED by Deputy Mayor Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, staff be authorized to hire the necessary expertise to develop designs and tender documents for the development of 2421-23 Creighton Street as a multi-purpose sport court; funds available in Account No. EH003.

In reply to a question, the City Manager indicated staff would consult with the NIP Core Committee on the matter.

His Worship suggested the City Manager might ask the Core Committee to see if there is some way to initiate a program this spring of slightly landscaping some of the open land area. His Worship referred to the so called Lubetsky property suggesting the front could be tidied up a bit perhaps by the use of a couple of benches from the Grand Parade if they are to be replaced.

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

Additional Funds - Tender 78-21

The above item was forwarded to City Council without recommendation.

Alderman Maley suggested that perhaps with such items, more information could be supplied to members of Council to help identify the subject-matter.

MOVED by Alderman Moore, seconded by Alderman Hanson that additional funds in the amount of \$30,000.00 be authorized from Capital Budget Account CEA85 in order to complete the project.

Motion passed.

Institutional Advertising - TO BE TABLED

MOVED by Alderman Moore, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the matter be tabled.

Motion passed.

Hemlock Ravine - Lands of the Estate of Walter Bennett

The above item was referred to City Council without recommendation. A supplementary staff report dated February 28, 1979, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Sullivan that City Council authorize the acquisition of the lands of the Estate of Walter Bennett situated in the Prince's Lodge Preservation Area for the sum of \$68,000 with funds being available for the purchase from the acquisition of Lands for Municipal Purposes Account where the funds from The Nature Conservancy have been deposited.

Motion passed.

Disposition of City-Owned Asset - Old Health Centre -
5970 University Avenue

MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, City Council recognize that the building at 5970 University Avenue will not be the subject of renovations and state its intention to declare it surplus to requirements and, further, that the City Manager be asked to bring forward a detailed report as to the relocation of the present civic offices located therein.

Alderman Meagher said that if the building is not required by the City, he would like to see if the building can be rented to someone else for the present so it can be maintained. Alderman Meagher noted the fire station is in the middle with the hospital building being located next to it and expressed the feeling the City should not be moving too fast to dispose of the land.

Alderman Meagher suggested that when the City Manager reports back, he would like to know if the Atlantic Child Guidance Centre would be interested in renting the whole building suggesting they could be given the responsibility for the building and the City could retain ownership and keep the building and the land.

His Worship suggested the purpose of the Motion was to have the City Manager come back with a report on where the Social Planning office would be and then City Council would further discuss the matter.

Further discussion ensued, and the Motion was put and passed.

Offers of Compensation - Rockingham North Services -
Expropriated Sewer Easements

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, Council authorize offers of compensation to parties stated in the confidential staff report dated February 14, 1979 for the amounts stated, relating to the easement interests as defined by the corresponding official City plans.

Motion passed.

Award of Tender 79-27 - Crown Drive Retaining Wall

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

1. Tender #79-27 for projects listed in the staff report dated February 16, 1979, be awarded to the lowest bidder, Dineen Construction Atlantic Limited, for the unit prices quoted;
2. Project funds be authorized from Capital Accounts CGA07 and 3K003 (miscellaneous) at \$79,464.00.

Motion passed.

Registry of Deeds

MOVED by Alderman Wooden, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, City Council adopt the following resolution:

WHEREAS it is the belief of the City of Halifax that municipal services should be cost shared on a "user-pay" basis;

AND WHEREAS, there is a great disparity between a "user-pay" basis and the amounts that would have to be contributed using the cost sharing formula employed in the operation of the Court House;

AND WHEREAS, the Province of Nova Scotia is operating a profitable venture in the Registry of Deeds;

BE IT RESOLVED that the Provincial Government request the Legislature to delete the phrase "and shall provide therein sufficient accommodation for the Registry of Deeds" from Section 4(1) of the Halifax Court House Commission Act;

AND BE IT FURTHER RESOLVED that the Province of Nova Scotia be requested by the City to provide accommodation for the Registry of Deeds from revenue generated by operating the Registry of Deeds and that the municipalities of the City of Halifax, the City of Dartmouth, and the County of Halifax not be required to cost share in the operation of the Registry of Deeds.

Motion passed.

Proposed Heritage Legislation

MOVED by Alderman Shannon, seconded by Alderman Maley that, as recommended by the Finance & Executive Committee, City Council petition the Legislature to amend Section 425 of the Halifax City Charter, being Chapter 52 of the Acts of 1963, as amended, in the form attached to the staff report dated February 5, 1979, with a further amendment to Section (12) so that the penalty provisions provide a \$10,000 fine as originally recommended but that a jail term be optional or additional thereto, and the penalty for corporations, officers and directors be as outlined in the second supplementary staff report dated February 20, 1979.

Following a discussion on the matter and a questioning of staff, the Motion was put and passed.

Canadian Merchant Marine

The above item was referred to City Council without recommendation.

His Worship advised that the Halifax-Dartmouth Port Commission at a meeting held February 22nd., determined that it would convene an assembly, public meeting, seminar type of meeting possibly to be held a full day at which it would have two or perhaps three competent expert spokesmen, and to which it would also invite all elected members of the three municipalities and appropriate staff members, members of the Provincial Department of Development, Ship Builders, Shipyard workers, National Defence, and the Ministry of Transport so that all the implications of the matter could be reviewed.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that the subject matter be tabled.

Motion passed.

Tender Firefighters' Coats

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Downey that, as recommended by the Finance & Executive Committee, authority be granted to purchase the coats from Safety Supply Limited, 31 Mosher Drive, Dartmouth, at a total cost of \$16,478.75 prior to final approval of the 1979 budget, and that this be approved as part of the 1979 budget.

Motion passed.

Canadian Parks and Recreation Association

MOVED by Alderman Clarke, seconded by Alderman Wooden that, as recommended by the Finance & Executive Committee, City Council endorse the invitation to hold the 1980 CPRA Conference in Halifax, and that a refundable grant of \$10,000 be budgeted to cover the cost of organizing the Conference plus committing the necessary staff required to ensure the success of the Conference.

Motion passed.

Halifax Housing Authority Budget - 1979

MOVED by Deputy Mayor Downey, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee, the Halifax Housing Authority budget for 1979 be approved in the amount of \$569,748.00 and, further, that the Mayor and the City Clerk be authorized to sign the same.

Motion passed.

Council
March 1, 1979

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on February 28, 1979, as follows:

CNR Bridges Within the City of Halifax

MOVED by Alderman Moore, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, a formal resolution be forwarded to CNR expressing concern regarding structural soundness of CNR-owned bridges within the City of Halifax, and the desire to obtain a detailed maintenance plan including proposed improvements and expenditures.

Motion passed.

Dredging - North West Arm

MOVED by Alderman Hanson, seconded by Alderman Meagher that, as recommended by the Committee on Works, City Council formally advise the senior governmental departments of the Environment and Public Works of their concern regarding the decomposition of deleterious materials in the tidal flat of the North West Arm and request resolution on behalf of the citizens of Halifax.

His Worship said it has been suggested to him that the resolution should be toughened up a little and asked if the Mover and Secunder were agreeable.

Alderman Meagher suggested that the matter be left with the Mayor for the purpose of tightening up the resolution, to which members of Council expressed agreement.

Motion passed.

Street Cleaning - Alderman Shannon

At the Committee on Works meeting, it was agreed that the Director of Engineering and Works report verbally to this meeting of City Council respecting a specific plan of action relating to street cleaning.

Mr. Bill Sullivan of the Engineering and Works Department, addressed Council on behalf of the Director and advised that the City normally budgets for street cleaning from April 15 to November 15. Mr. Sullivan advised that because of the unusual winter which has been experienced and the resulting dust and dirt etc., it appears the City is not in the best condition at the moment.

Council
March 1, 1979

Mr. Sullivan proceeded to inform members of Council that two sweepers are presently being prepared for use within the City which he advised would start work either tomorrow or by the first of next week. Mr. Sullivan pointed out that the use of such sweepers will depend on weather conditions saying they use water in their operations and have systems which, with freezing temperatures, may result in broken pumps etc.

Mr. Sullivan advised that the use of the machines would be restricted to daytime hours and temperatures appropriate for the use of the machines.

Alderman Maley asked if funds could be transferred from unused snow clearing funds and used for street cleaning purposes and Mr. Sullivan suggested that as a result of using the sweepers at this early date, staff will likely be coming to Council for additional funds but said the amounts are not known at this time.

Alderman Hamshaw asked if it would be possible to obtain personnel through the Manpower office on a cost shared basis to assist in cleaning City streets, and the City Manager indicated that such action was not appropriate saying that staff would provide the Alderman with previous staff reports dealing with the question of utilizing such programs.

The City Manager asked for the support of Council and the community at large saying the litter which is on the streets is not always as a result of the City's activities but is as a result of corner stores, school yards, and other businesses. The City Manager suggested that unless the City gets the cooperation of the neighbourhoods, it will not be able to cope with the matter of street cleaning regardless of the time of year.

Alderman Wooden expressed the feeling that the comments made by the City Manager were valid and suggested that litter is coming from private property. Alderman Wooden suggested the City should be reviewing the matter saying she would like to see some enforcement of litter regulations by the Police Department and to also encourage the schools to put on their programs again.

Alderman Wooden asked that the Herring Cove Road and Dentith Road be given some priority if there are to be hand sweepers or if litter is to be collected by hand.

Council,
March 1, 1979

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND
COMMISSIONS

Capital Budget

A supplementary staff report dated February 24, 1979 was submitted.

MOVED by Alderman Wooden, seconded by Alderman Sullivan that City Council approve the 1979-1983 Proposed Capital Budget incorporating the changes of Appendix B and the funding levels shown in Appendix A, attached to the supplementary staff report dated February 28, 1979, with the exception that the 1979 amount be increased to \$11.37 million. Motion passed.

Alderman Wooden re: Amendment to Ordinance No. 105
Respecting "Establishment of Standing Committees
of Council" - SECOND READING

MOVED by Alderman Wooden, seconded by Deputy Mayor Downey that the proposed amendments to Ordinance No. 105 respecting the Establishment of Standing Committees of Council, as submitted, be now read and passed a second time.

Alderman Moore reviewed in detail events associated with proposed amendments to Ordinance No. 105 and proposed Administrative Order No. 18. He stated he is not pleased with the manner in which the item has been advanced and does not believe it is properly before City Council, urging Council members to defeat it. With respect to the proposed merger and required Administrative Order, he suggested there is no authority presently in existence for the ongoing implementation which he felt should be terminated immediately. He requested that City Council be provided an opportunity to consider the proposal, the merits of which are not apparent to him to date.

Alderman Clarke referred to Section 16 (11) (d) of the proposed amendments and asked on what date and under what authority the City began to have a Department of Recreation and Social Development. He requested a written paper on how the City can set up an Ordinance to advise a department which at this point is not in existence.

The City Solicitor pointed out that the proposed amendments to Ordinance No. 105 require the approval of

Council,
March 1, 1979

the Minister of Municipal Affairs whereas an Administrative Order requires two readings of City Council. He suggested that if the amendments to Ordinance No. 105 were approved, the Administrative Order could possibly receive two readings of City Council within the time the proposed amendments to Ordinance No. 105 would receive the approval of the Minister of Municipal Affairs.

After further discussion, it was MOVED by Alderman Sullivan, seconded by Alderman Hamshaw that the matter be deferred. Motion passed.

It was further agreed that a private meeting of City Council be held to discuss the matter.

REPORT - CITY PLANNING COMMITTEE

City Council considered the report of the City Planning Committee from its meeting held on February 21, 1979 as follows:

Open Space Dedication - Alderman Wooden

MOVED by Alderman Wooden, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, the staff report of January 23, 1979 be forwarded to the Planning Act Revision Committee convened by the Minister of Municipal Affairs, with the suggestion that the City of Halifax express the hope that the Committee would view sympathetically and increase the percentage of 5 per cent, and that the dedicated land be described with more accent on the word "useable". Motion passed.

Home Occupations - Case No. 3662 - DATE FOR PUBLIC HEARING

MOVED by Alderman Shannon, seconded by Alderman Maley that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider amendments to the Peninsula and Mainland portions of the Zoning Bylaw to permit home occupations, the specific changes being set out in Appendix "A" of the February 8, 1978 staff report as attached to the staff report of January 4, 1979, subject to minor technical revisions. Motion passed with Deputy Mayor Downey and Alderman Sullivan voting against.

The City Clerk advised that the public hearing will be held on Wednesday, April 4, 1979, at 7:30 p.m. in the Council Chamber.

Council,
March 1, 1979

Contract Zoning

MOVED by Alderman Maley, seconded by Alderman Wooden that, as recommended by the City Planning Committee, City Council thank staff for drawing Council's attention to the matter and ask staff to return it to Council in mid-August 1979. Motion passed.

Case No. 3651 - Contract Zoning -1151 Tower Road - DATE FOR PUBLIC HEARING

MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application for a beauty salon at Civic No. 1151 Tower Road under Section 83, Schedule "C", of the Zoning Bylaw, Peninsula Area. Motion passed.

The City Clerk advised that the public hearing will be held on Wednesday, April 4, 1979, at 7:30 p.m. in the Council Chamber.

Underground Wiring - Granville Street Diversion (Durham Leaseholds) and Phase II

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

1. in conjunction with the NSPC recommendation, approve the award of this underground wiring civil works tender to the low bidder, L. J. Casavechia, for the tender price of \$239,915;
2. authorize payment of \$126,800 as the City's total expenditure for civil and electrical costs involved in this Phase II project, including the Granville Street diversion; and
3. authorize staff to request payment of \$200,000 from Durham Leaseholds as their total cost for diversion of the Granville Street 23KV line in accordance with the agreement dated March 31, 1978, between the City and Durham Leaseholds.

Motion passed.

Council,
March 1, 1979

Case No. 3653 - Lot Consolidation - Civic No. 3530-3576
Gottingen Street

MOVED by Alderman Sullivan, seconded by Alderman Moore that, as recommended by the City Planning Committee, the application to consolidate Lots X and Y to form Lot C (Civic No. 3530-3576) Gottingen Street, as shown on Plan No. P200/8678 of Case No. 3653, be approved. Motion passed.

Case No. 3648 - Lot Consolidation - 6275 Quinpool Road

MOVED by Deputy Mayor Downey, seconded by Alderman Hanson that, as recommended by the City Planning Committee, the consolidation of Lots A and A-1 to form Lot B, as shown on Plan No. P200/8708 of Case No. 3648, be approved by City Council. Motion passed.

Isleville Street Playground - Demolition of Building - DATE
FOR PUBLIC MEETING

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, a date be set for a public meeting on the item to be held in the area, and that a copy of the staff report dated February 8, 1979 be distributed to the petitioners. Motion passed.

It was agreed that the public meeting be held on Monday, April 9, 1979 at either Highland Park School or Richmond School.

Case No. 3608 - Civic No. 7035 Chebucto Road - Contract
Zoning - DATE FOR HEARING

MOVED by Alderman Hanson, seconded by Alderman Shannon that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider the proposed 10,000 square-foot addition to the Maritime Accessories building at Civic No. 7035 Chebucto Road under Section 83, Schedule "C", of the Zoning Bylaw, Peninsula Area, subject to the following terms and conditions:

1. the building must be constructed substantially in terms of exterior dimensions as shown on Plan No. P200/8728;

Council,
March 1, 1979

2. the building can only be used for a warehouse-retail use consistent with the permitted uses of the present C-2 Zone; and
3. an on-site drainage system must be installed to the satisfaction of the City of Halifax.

Motion passed.

The City Clerk advised that the public hearing will be held on Wednesday, April 4, 1979 at 7:30 p.m. in the Council Chamber.

Case No. 3656 - Contract Zoning (Modification) and Lot Consolidation - 6025 South Street

MOVED by Alderman Shannon, seconded by Alderman Maley that City Council refuse the application to permit the conversion to four units at Civic No. 6025 South Street. Motion passed.

Soft Area No. 16 - Priority 2

MOVED by Alderman Clarke, seconded by Alderman Hanson that, as recommended by the City Planning Committee, this matter be referred to the Municipal Development Plan Committee for review and comments. Motion passed.

Alderman Sullivan requested that staff recirculate the original staff report re the priority list and how these priorities were established to the Municipal Development Plan Committee.

MOTIONS

Motion Alderman Clarke re Amendment to Ordinance No. 133, Respecting Emergency Measures Planning - FIRST READING

MOVED by Alderman Clarke, seconded by Alderman Sullivan that the amendment to Ordinance No. 133, respecting Emergency Measures Planning, as submitted, be now read and passed a First Time. Motion passed.

Council,
March 1, 1979

Motion Alderman Clarke re Amendment to Ordinance No. 151,
the Automatic Machines Ordinance - FIRST READING

MOVED by Alderman Clarke, seconded by Alderman
Sullivan that the amendment to Ordinance No. 151, the
Automatic Machines Ordinance, as submitted, be now read
and passed a First Time. Motion passed.

MISCELLANEOUS ITEMS

Planning Advisory Committee

A report dated February 27, 1979 from the
Chairman of the Municipal Development Plan Committee was
submitted.

Alderman Shannon suggested that a public meet-
ing be held since the recommendations are different from
the direction City Council has been pursuing for some
months.

It was agreed that a public meeting be held at
Queen Elizabeth High School and the date for such a meeting
be set at the next regular meeting of Committee of the
Whole Council.

Council,
March 1, 1979

QUESTIONS

Question Deputy Mayor Downey re: Removal of Rent Controls

Deputy Mayor Downey, referring to recent indications in the media that the Provincial Government is contemplating the removal of rent control in the Province, asked what affect such removal will have on the City's overall budget.

Mr. Crowell, Social Planner, stated that if such control was lifted it is expected that rents will increase immediately which would certainly affect those citizens on social assistance and which could not be accommodated in the budget approved by City Council at this time. Mr. Crowell stated that it is very difficult for staff to predict the amount of the expected increase and, as a result, the impact it would have on the budget.

His Worship suggested, and it was agreed that Mr. Crowell contact Mr. Mounce to obtain a statement on the present status of the matter and advise members of City Council of the clarification tomorrow.

Question Deputy Mayor Downey re: Street Lighting

Deputy Mayor Downey requested that staff contact the Nova Scotia Power Corporation and ask that the numerous street lights which are not operational throughout the City be repaired as soon as possible.

Question Alderman Clarke re: Development - Corner of Young and Agricola Streets

Alderman Clarke stated that a sign has been erected at the corner of Young and Agricola Streets, the site of the former Fire Station, announcing the arrival of the Young Street Centre. He stated it was his understanding the the development of that site was to be brought to City Council for approval and asked that staff contact the developer and request that he inform City Council of his intentions or plans as it appears he may have such plans at this time.

Council,
March 1, 1979

Question Alderman Clarke re: Garbage Regulations

Alderman Clarke requested that the City Manager advise Council on the City's position on what it will accept in relation to the size and colour of garbage bags.

Mr. Sullivan, City Engineer, advised that during the past week staff have undertaken a survey re the use of undersize garbage bags and have come to the conclusion that the use of such bags amounts to about 6% of the total garbage collection. He stated it is staff's intention, commencing March 5, 1979, to collect such undersize bags provided that such bags are properly sealed.

Question Alderman Shannon re: Difficulties Experienced
by Visually-Handicapped at Metro Centre

Alderman Shannon requested that Aldermen Moore and Hanson, members of the Metro Centre Commission, raise with the Commission the problems the visually handicapped are experiencing with the exterior steps at the Metro Centre. She suggested that the Commission might consult with the CNIB.

Question Alderman Shannon re: Traffic Lights at Vernon
Street and Quinpool Road

Alderman Shannon stated that the traffic lights have now been installed at Vernon Street and Quinpool Road and noted that while driving up Vernon Street to Quinpool Road there is a green light permitting traffic to proceed straight through the intersection whereas it was her understanding that one would only be permitted to turn left or right at that point.

The City Manager advised that he will investigate the matter immediately.

Question Alderman Meagher re: Interest on Tax Overpayments

Alderman Meagher stated that he has recently been advised that a taxpayer who overpaid his last year's tax bill and has had a credit balance with the City will not receive interest on that credit. He asked why interest is not paid by the City on such credits.

Council,
March 1, 1979

senior citizens' tickets. He requested clarification of the matter.

His Worship advised that the matter will be looked at immediately.

Question Alderman Hamshaw re: Speed Limit on Kearney Lake Road at Wedgewood Avenue

Alderman Hamshaw advised that the speed limit on Kearney Lake Road at Wedgewood Avenue has been increased from 50 kilometers to 70 kilometers and asked why the change was made.

His Worship advised that staff will review the matter.

NOTICE OF MOTION

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

Alderman Maley gave notice that at the next regular meeting of the City Council of the City of Halifax to be held on Thursday, the 15th day of March, 1979, she proposes to introduce an amendment to Ordinance No. 168, the Fire Prevention Ordinance.

She stated the purpose of the amendment is to require the installation of smoke detectors in apartment buildings.

1979 Legislation

A report dated February 28, 1979 and attached legislation for submission to the Legislative Assembly was submitted by the City Solicitor.

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

Care of the Mentally Retarded - Alderman Sullivan

Alderman Sullivan stated he had received two telephone calls this date informing him that a policy has been adopted whereby the adult severely mentally retarded will be moved into foster homes. He asked if Mr. Crowell

Council,
March 1, 1979

could provide some clarification re the matter.

Mr. Crowell advised he is not sure what the status is at this time and is not aware of instances referred to by Alderman Sullivan. He stated that he will check into the matter.

Alderman Sullivan requested that the matter be placed on the agenda for the next regular meeting of Committee of the Whole Council.

Meeting adjourned - 11:30 p.m.

HEADLINES

Deadline for Setting of 1979 Tax Rate	84
Minutes	84
Approval of Order of Business, Additions & Deletions ...	84

DEFERRED ITEMS:

Case No. 3594 - Parcel D-1 Bedford Highway (Amendment to the Zoning Bylaw and Contract Zoning)	84
Waterfront Development - Outfall Structures	85
Case No. 3632 - Civic No. 6770 Jubilee Road - Contract Zoning	85
Permanent Closure - Yukon and Yale Streets	85
Soft Area 20 (MDP Map 4) - Zoning Review	86
Case No. 3603 - 59 Main Avenue (Contract Zoning)	86
Amendment to Zoning Bylaw - Section 49(1)(c), Restaurant	86

PETITIONS AND DELEGATIONS:

Petition - Residents of Cottage Road Re: Street Upgrading	87
---	----

REPORT - FINANCE AND EXECUTIVE COMMITTEE:

Ordinance No. 166 respecting "Signs and Billboards"	87
NIP I Implementation Project: Land Acquisition for Sports Field	87
Additional Funds - Tender 78-21	88
Institutional Advertising - TO BE TABLED	88
Hemlock Ravine - Lands of the Estate of Walter Bennett .	88
Disposition of City-Owned Asset - Old Health Centre - 5970 University Avenue	88
Offers of Compensation - Rockingham North Services - Expropriated Sewer Easements	89
Award of Tender 79-27 - Crown Drive Retaining Wall	89
Registry of Deeds	90

Council,
March 1, 1979

HEADLINES (CONT'D)

Proposed Heritage Legislation	90
Canadian Merchant Marine	91
Tender Firefighters' Coats	91
Canadian Parks and Recreation Association	91
Halifax Housing Authority Budget - 1979	91
CNR Bridges within the City of Halifax	92
Dredging - North West Arm	92
Street Cleaning - Alderman Shannon	92

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

Capital Budget	94
Alderman Wooden re: Amendment to Ordinance No. 105 respecting "Establishment of Standing Committees of Council" - Second Reading	94

REPORT - CITY PLANNING COMMITTEE:

Open Space Dedication - Alderman Wooden	95
Home Occupations - Case No. 3662 - Date for Public Hearing	95
Contract Zoning	96
Case No. 3651 - Contract Zoning - 1151 Tower Road - DATE FOR PUBLIC HEARING	96
Underground Wiring - Granville Street Diversion (Durham Leaseholds) and Phase II	96
Case No. 3653 - Lot Consolidation - Civic No. 3530-3576 Gottingen Street	97
Case No. 3648 - Lot Consolidation - 6275 Quinpool Road .	97
Isleville Street Playground - Demolition of Building - DATE FOR PUBLIC MEETING	97
Case No. 3608 - Civic No. 7035 Chebucto Road - Contract Zoning - DATE FOR HEARING	97
Case No. 3656 - Contract Zoning (Modification) and Lot Consolidation - 6025 South Street	98
Soft Area No. 16 - Priority 2	98

MOTIONS:

Motion Alderman Clarke re Amendment to Ordinance No. 133 respecting Emergency Measures Planning - FIRST READING	98
Motion Alderman Clarke re Amendment to Ordinance No. 151 re the Automatic Machines Ordinance - FIRST READING ..	99

MISCELLANEOUS ITEMS:

Planning Advisory Committee	99
-----------------------------------	----

Council,
March 1, 1979

HEADLINES (CONT'D)

QUESTIONS:

Question Deputy Mayor Downey re: Removal of Rent Controls	100
Question Deputy Mayor Downey re: Street Lighting	100
Question Alderman Clarke re: Development - Corner of Young and Agricola Streets	100
Question Alderman Clarke re: Garbage Regulations	101
Question Alderman Shannon re: Difficulties Experienced by Visually-Handicapped at Metro Centre	101
Question Alderman Shannon re: Traffic Lights at Vernon Street and Quinpool Road	101
Question Alderman Meagher re: Interest on Tax Overpayments	101
Question Alderman Sullivan re: Excavation at the Corner of Kencrest Avenue and Gottingen Street	102
Question Alderman Maley re: Tree Spraying Program	102
Question Alderman Maley re: University Avenue Corner - Condition of Street	102
Question Alderman Hamshaw re: Senior Citizens Tickets - Transit Buses Nos. 80 - 85	102
Question Alderman Hamshaw re: Speed Limit on Kearney Lake Road at Wedgewood Avenue	103

NOTICE OF MOTION:

Notice of Motion Alderman Maley re: Amendment to Ordinance No. 168, the Fire Prevention Ordinance	103
---	-----

ADDED ITEMS:

1979 Legislation	103
Care of the Mentally Retarded - Alderman Sullivan	103

MAYOR EDMUND E. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date approved by City Council: _____

Record

CITY COUNCIL
PUBLIC HEARING
M I N U T E S

Council Chamber
City Hall
Halifax, N. S.
March 7, 1979
7:50 P. M.

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

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

PRESENT: Deputy Mayor Downey, Chairman; Aldermen Shannon, Meagher, Sullivan, Clarke and Wooden.

ALSO PRESENT: B. G. Smith (Acting City Manager), B. Allen (Acting City Solicitor), City Clerk and other members of staff.

The meeting was called as a public hearing to consider recommendations concerning Heritage amendments to the Municipal Development Plan.

Public Hearing Re: Intention to adopt certain amendments to the Municipal Development Plan, being amendments to give more specific policy direction to, and enable more appropriate regulation of, the evaluation and protection of heritage resources

Mr. David Russell, Senior Planner, noted that the intention of the proposed amendments is to incorporate by reference the recommendations contained in the report entitled An Evaluation and Protection System for Heritage Resources in Halifax (approved by Council on July 27, 1978), thereby providing an adequate policy framework in the Municipal Development Plan for Council deliberation of heritage matters.

Mr. Russell further noted that, with the exception of those policies set out on page 6 of the January 23 Committee report, all of the proposed amendments must be referred to the Minister of Municipal Affairs for approval. With reference to the procedural policies listed on page 6, Mr. Russell advised that these are addressed in part by the

Public Hearing
March 7, 1979

proposed Heritage legislation recently approved by City Council and suggested that Council members may wish to address these amendments separately, subsequent to consideration of the suggested Charter amendments by the Nova Scotia legislature.

Deputy Mayor Downey then called for those persons present wishing to address Council in support of the proposed amendments.

Mr. Ian F. McKee, Vice-President of the Heritage Trust of Nova Scotia, submitted a brief on behalf of his organization commending Council's efforts to more effectively preserve the City's heritage resources. However, Mr. McKee indicated that Heritage Trust would prefer to retain those lists and associate policies, pertaining to the designation of heritage buildings and landmarks in the City's Central Business District and Waterfront Development Area, as part of the Municipal Development Plan until such time as the proposed Heritage legislation has been approved by the Province and the necessary City ordinances are in effect. It is the opinion of the Heritage Trust that deletion of these lists and policies would weaken arguments for the preservation of these buildings, should disputes arise in the interim.

Mrs. Nita Graham, a member of the Board of Directors for the Ward I Residents Association, distributed a letter from the Association's chairman, dated March 7, 1979, in support of the brief previously submitted by the Heritage Trust. Mrs. Graham reiterated her organization's opinion that the lists of designated heritage buildings should be retained as part of the Plan until a revised designation process is fully operational.

Responding to a question from Alderman Shannon, Mr. Russell stated that staff's recommendation to delete the lists and policies had as its premise the inclusion by reference in the Plan of the Heritage Resources report (through the amended policies proposed for Part II, Section II, Subsection 5), and the proposed heritage legislation recently approved by City Council.

He added that the heritage legislation includes a provision for the interim designation of all buildings and resources identified in the Heritage Resources report, this

Public Hearing
March 7, 1979

designation to come into effect immediately upon proclamation of the legislation and to remain in force until December 31, 1980. Mr. Russell emphasized that staff do not consider the retention of these lists and policies to be particularly significant in terms of providing Council with decision-making guidelines.

Ginny Point, representing the Urban Development and Transportation Committee of the Ecology Action Centre, presented a brief which in part recommended that the City petition for heritage legislation which would authorize Council to withhold demolition permits for designated buildings indefinitely, and that Council reconsider the possible establishment of a mortgage insurance fund for heritage buildings. The submission also recommended that the lists and policies included on page 6 of the January 23 Committee report be retained, and suggested that the Social Planning Department investigate methods whereby individuals currently housed in designated heritage buildings can retain their tenancy.

Mr. Murray Doehler, Chairman of the NIP II Core Committee, addressed Council in support of the proposed amendments, advocating, however, that a mortgage guarantee scheme be reconsidered and that the lists of designation be retained.

No further persons wished to address Council in support of or in opposition to the proposed amendments.

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

Proposed Resolution - His Worship the Mayor

This matter was referred to this Special Meeting of City Council from a meeting of the Finance and Executive Committee held on March 7, 1979.

MOVED by Alderman Wooden, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, the following resolution be approved:

"WHEREAS, many existing buildings in the City of Halifax represent a valuable resource in terms of materials and workmanship; and

WHEREAS, economic and demographic trends indicate that rehabilitation and renovation may provide opportunities at least equivalent to those of new construction for more and improved accommodation and for economic stimulus; and

WHEREAS, it is in the public interest to conserve, rehabilitate and use these resources rather than waste them or destroy them;

BE IT THEREFORE RESOLVED, that Halifax City Council urge the Federal Government:

- a) to remove any and all incentives in the Tax Act that have the effect of encouraging demolition of existing building stock; and
- b) to amend the Income Tax Act to provide incentives for rehabilitation and renovation; and
- c) Halifax City Council request the Province of Nova Scotia, the Federation of Canadian Municipalities and the Union of Nova Scotia Municipalities to prosper this resolution in every appropriate way available to them."

Motion passed.

8:30 P. M. - Meeting adjourned.

HEADLINES

Public Hearing Re: Intention to adopt certain amendments to the Municipal Development Plan, being amendments to give more specific policy direction to, and enable more appropriate regulation of, the evaluation and protection of heritage resources 107

Proposed Resolution - His Worship the Mayor 109

DEPUTY MAYOR GRAHAM DOWNEY
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____

*K

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.
March 15, 1979
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: Deputy Mayor Downey, Chairman; Aldermen Shannon, Meagher, Sullivan, Clarke, Wooden, and Hanson.

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

MINUTES

Minutes of City Council meetings held on March 1 and March 7, 1979 were approved on Motion of Alderman Hanson, seconded by Alderman Meagher.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 9.2. - Petition - Former Residents of Africville

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

- 9.3. - Petition - Residents of Duncan, Lawrence, Willow and Charles Streets re Old Twin Cities Dairy Property on Chebucto Road

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

- 9.4. - Petition Against Concrete Sidewalk, Sod and Trees - Glenora Avenue

- 9.5. - Petition Against Sidewalk, Sod and Trees - Willett Street

Council,
March 15, 1979

- 9.6. - Petition Against Sidewalk, Sod and Trees -
Colindale Avenue
- 9.7. - Petition Against Sidewalk, Sod and Trees -
Herring Cove Road
- 9.8. - Petition Against Sidewalk, Sod and Trees -
McLennan Avenue
- 9.9. - Petition Against Sidewalk, Sod and Trees -
Hillcrest Street
- 9.10. - Petition Against Sidewalk, Sod and Trees -
St. Margaret's Bay Road
- 20.1. - Appointment to the Halifax Forum Commission

The Order of Business, as amended, was approved.

DEFERRED ITEMS

Waterfront Development - Outfall Structures

A supplementary staff report dated March 7, 1979 was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Hanson, that City Council authorize the Mayor and the City Clerk to execute the agreement attached to the staff report dated January 10, 1979 on behalf of the City of Halifax. Motion passed.

Soft Area 20 (MDP Map 4) - Zoning Bylaw

A public hearing re the above matter was held on February 21, 1979.

MOVED by Alderman Sullivan, seconded by Alderman Wooden that City Council:

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

Motion passed.

Council,
March 15, 1979

Heritage Amendments - Municipal Development Plan

A public hearing re the above matter was held on March 7, 1979.

MOVED by Alderman Shannon, seconded by Alderman Sullivan that City Council amend the Municipal Development Plan as proposed by the appendix attached to the Municipal Development Plan Committee report dated January 23, 1979, with the exception that Schedule III.2, Schedule III.3, and Schedule IV.1 remain in the relevant sections of the Plan.

Alderman Shannon suggested that when the relevant legislation is received from the Province, the whole matter should again be reviewed.

Mr. Matthews, Director of Planning, explained the affects of having the relevant schedules remain in the Plan. He further referred to an amendment proposed to Part III, Section III, that does not require Ministerial approval, concerning the procedure for the designation of heritage resources. He stated that such procedure is also included in the legislation and, therefore, it is suggested that City Council might wish to defer that part.

It was agreed that the amendment proposed to Part III, Section III, "Procedure for the Designation of Heritage Resources", be deferred.

The Acting City Solicitor pointed out that the motion, if approved, would require the redrafting by the City Solicitor of the proposed amendments.

The motion was put and passed.

PETITIONS & DELEGATIONS

Petition for Repayment of Taxes - Purdy Brothers Limited

Alderman Meagher presented a petition dated March 7, 1979, submitted by Jonathan C. K. Stobie, Solicitor, re repayment of taxes on behalf of Purdy Brothers Limited.

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

Council,
March 15, 1979

Petition - Former Residents of Africville - Alderman
Sullivan

Alderman Sullivan presented a petition on behalf of former residents of Africville requesting that the proposed North End community park be named "The Africville Memorial Park".

MOVED by Alderman Sullivan, seconded by Alderman Clarke that the matter be referred to staff for review and report. Motion passed.

Petition - Residents of Duncan, Lawrence, Willow and
Charles Streets re the Old Twin Cities
Dairy Property on Chebucto Road

Alderman Meagher presented a petition on behalf of residents of Duncan, Lawrence, Willow and Charles Streets re the old Twin Cities Dairy Property on Chebucto Road.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that the matter be referred to staff for review and report. Motion passed.

The City Manager indicated that staff would report to the Committee of the Whole meeting of April 4, 1978.

Petition Against Concrete Sidewalk, Sod and Trees -
- Glenora Avenue
Petition Against Sidewalk, Sod and Trees - Colindale
Avenue
Petition Against Sidewalk, Sod and Trees - Herring Cove
Road
Petition Against Sidewalk, Sod and Trees - McLennan Ave.
Petition Against Sidewalk, Sod and Trees - St. Margaret's
Bay Road

Copies of petitions re the foregoing were circulated to members of City Council.

MOVED by Alderman Hanson, seconded by Alderman Meagher that the foregoing petitions be referred to a meeting of Committee of the Whole Council scheduled for April 4, 1979. Motion passed.

Council,
March 15, 1979

Petition Against Sidewalk, Sod and Trees - Willett St.
Petition Against Sidewalk, Sod and Trees - Hillcrest St.

Copies of petitions re the foregoing were circulated to members of City Council.

MOVED by Alderman Hanson, seconded by Alderman Meagher that the foregoing petitions be referred to the next regular meeting of Committee of the Whole Council. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on March 7, 1979 as follows:

Tender 79-43 - Police and Fire Clothing

MOVED by Alderman Shannon, seconded by Alderman Sullivan that authority be granted to purchase those items indicated in the staff report of February 21, 1979, being the lowest bid meeting specifications and Police and Fire Department requirements.

MOVED by Alderman Meagher, seconded by Alderman Hanson that the motion be amended to provide that Tender #79-43-14B be awarded to Gordon B. Isnor in the amount of \$31.50 per pair.

The amendment was put and resulted in a tie vote, three voting for the same and three against as follows:

FOR:	Aldermen Meagher, Clarke and Hanson	3
AGAINST:	Aldermen Shannon, Sullivan and Wooden	3

The Chairman cast his vote in favour of the amendment and declared the same passed.

The motion, as amended, was then put and resulted in a tie vote, three voting for the same and three voting against. The Chairman cast his vote in favour of the amended motion and declared the same passed.

Council,
March 15, 1979

Tender 79-49 - Fort Needham Building

The City Manager suggested that the recommendation to authorize funds from Account No. 407-DO830 be amended so that additional funds may be provided for painting the building in the event that they have not already been authorized.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that:

1. Tender 79-49 be awarded to G & M Development Limited for the tender price;
2. Funds be authorized from Account No. 407-DO830 in the amount of \$25,000 (total project cost); and
3. City Council approve the proposed 1979 Current Budget Special Item for transfer to Account No. 407-DO830 in the amount of \$9,500.

Motion passed.

1979 Legislation

MOVED by Alderman Shannon, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee, City Council approve the 1979 Legislation attached to the staff report of February 28, 1979 for submission to the Legislative Assembly.
Motion passed.

Award of Tender 79-40 - New Sidewalk - Leiblin Drive

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

1. Tender #79-40 for the project listed in the staff report of February 23, 1979, be awarded to the lowest bidder, Municipal Spraying & Contracting Limited for the unit prices quoted;
2. Project funds be authorized from Capital Account CA166 (New Sidewalks) at \$240,000.00; and
3. Funding transfers be approved as shown in Appendix "A" attached to the staff report of February 23, 1979.

Motion passed.

Council,
March 15, 1979

Possible Acquisition - 3 Sylvia Avenue

A supplementary staff report dated March 14, 1979 was submitted.

MOVED by Alderman Wooden, seconded by Alderman Hanson that the property of Mr. Phillip Rizcallah known as Civic No. 3 Sylvia Avenue, be purchased for \$26,000 as settlement in full with conveyance to take place on or before June 1, 1979, subject, however, to the present owner painting the out-building on the property and generally tidying the site before the transfer of funds or the Deed; funds available from Account No. 227418 Z0500 EHO 14 (Land for Municipal Purposes). Motion passed.

Possible Expropriation Settlements - Donaldson Avenue

MOVED by Alderman Hanson, seconded by Alderman Wooden that, as recommended by the Finance and Executive Committee, City Council approve the settlement of expropriation compensation in the following amounts:

52 Donaldson Avenue (Rear)	Parcel 102-B - Marion Godfrey
\$3,153.	
54 Donaldson Avenue	Parcel 103-B - David F. Godfrey
\$3,483.	
56 Donaldson Avenue	Parcel 104 - John F. Piercey
\$2,626.	
58 Donaldson Avenue	Parcel 105 - Marjorie Jean Gates
\$2,298.	

said amounts being inclusive of statutory payments previously made, balances to bear simple interest at the rate of six percent (6%) from April 30, 1975, and proceeds to be paid to "Stewart, MacKeen and Covert, in Trust"; funds available from Account No. 127418 Z0500 EHO 16 (Dunbrack Street, Purchase of Property). Motion passed.

Former Incinerator Building

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, as recommended by the Finance and Executive Committee, the City call for proposals for the leasing of the former incinerator building as is, preferably for a minimum of two years and a maximum of five years; the lessee to be responsible for all costs associated with use and occupancy including major maintenance, and on the understanding that before entering into any lease, the matter be returned to City Council. Motion passed.

Council,
March 15, 1979

Disposition of 2239 Brunswick Street (Former Brunswick
Street Hotel)

Recent photos of the building were circulated
to members of City Council.

MOVED by Alderman Shannon, seconded by
Alderman Sullivan that the building at 2239 Brunswick
Street (former Brunswick Street Hotel) be demolished.
Motion passed.

Boards and Commissions - Financial Statements

*SS recorded
11/1/84*
MOVED by Alderman Clarke, seconded by Alderman
Wooden that, as recommended by the Finance and Executive
Committee, City Council pass the following resolution:

"WHEREAS it is the responsibility of the Internal Auditor
under Administrative Order #9 to periodically monitor any
person or persons expending or receiving money on behalf
of the City;

BE IT RESOLVED that the external auditors of all Boards
and Commissions of the City of Halifax be requested to
submit copies of all reports, management letters, and
financial statements to the Internal Auditor."

Motion passed.

Application under Ordinance No. 19 re Bill Posters and
the Posting of Bills (The New World Church
of Jesus Christ)

MOVED by Alderman Shannon, seconded by
Alderman Meagher that, as recommended by the Finance and
Executive Committee, the matter be tabled. Motion
passed.

Abbie Lane Hospital - Expenditures Approval

MOVED by Alderman Meagher, seconded by Alderman
Sullivan that, as recommended by the Finance and Executive
Committee, City Council suggest to the Board of the Abbie
J. Lane Memorial Hospital that they include any such matter
in their annual budget. Motion passed.

Application for an Auctioneer's License - Robert E. Deveau

MOVED by Alderman Sullivan, seconded by

Council,
March 15, 1979

Clarke that, as recommended by the Finance and Executive Committee, City Council approve the application for an Auctioneer's License by Robert E. Deveau. Motion passed.

Quotation 518445 Top Size Flower Bulbs

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

1. A contract be awarded to Deans Flowers, 6025 Stanley Street, Halifax, Nova Scotia, to supply and deliver 59,450 top size flower bulbs in accordance with City specifications;
2. Prior approval be given to spend these funds which make up a portion of the \$66,000.00 request greenhouse plant propagation in the 1979 current budget.

Motion passed.

User Pay

MOVED by Alderman Wooden, seconded by Alderman Shannon that City Council request the Government of the Province of Nova Scotia to:

1. Adopt appropriate legislation and administrative procedures for the implementation of a User Pay Policy, as detailed in the staff report dated March 6, 1979, commencing not later than 1980.
2. Amend the City Charter to permit the City of Halifax to levy charges in and for 1979 on non-revenue producing properties for the delivery to them of protective services, transportation services, refuse, environmental health, health and miscellaneous, subject in each instance to the approval of the Minister of Municipal Affairs.

and, further, that City Council instruct the City Manager to continue the study of User Pay and to report the findings to Council from time to time.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that the motion be amended to except the House of Worship from both recommendations in the staff report of March 6, 1979.