

Council
November 15, 1979

Granville Street Mall	626
Building Permits - Old South End	626
Contract Development - North and Windsor Streets	626
Contract Ratification - Police Officers and N.C.O.'s	626

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (Mrs.)
CITY CLERK

Date Approved by City Council: _____

PUBLIC MEETING
ORDINANCE NO. 172
M I N U T E S

St. James Church Hall
Armdale Rotary
Halifax, Nova Scotia
November 19, 1979
7:45 P.M.

A public meeting regarding Ordinance No. 172 was held at this time.

PRESENT: His Worship Mayor Morris, Chairman; Aldermen Maley, Shannon, Downey, Sullivan, Clarke, Wooden and Hamshaw.

ALSO PRESENT: City Manager, Wayne Anstey, Legal Department, City Clerk.

His Worship opened the meeting and described the purpose of the meeting and asked that members of the public present wishing to express their views do so for the purpose of those preparing the Ordinance.

Mr. Wayne Anstey, Legal Department, presented the draft of the Ordinance .

Mr. Stan Blecher, on behalf of the Nova Scotia Council on Smoking and Health, addressed members of Council in favor of the Ordinance, stating that smoking was hazardous to good health and the health of the non-smokers surrounding the smoker.

Mr. Murray Warrington, addressed members of Council in opposition to this ordinance. Mr. Warrington felt that the rights and liberties of the individual are being corroded; whether to smoke or not to smoke should be a freedom of choice.

Deborah Pollick, 422-8311, addressed members of Council in support of this Ordinance. She felt that the smoker had a privilege to smoke and the non-smoker had a right to clean air.

Mr. Jim Trainor, 926 Marlborough Avenue, Halifax, addressed members of Council in opposition to this proposed Ordinance. Mr. Trainor felt that smoking may be offensive to some people, but there were other responsibilities and problems to be dealt with which were more important than this particular issue.

A spokesman for the Ward 10 Residents Association addressed members of Council in support of this proposed Ordinance. The gentleman felt that, without legislation,

November 19, 1979

he and other non-smokers were committed to the effects of smoking.

Mr. Lloyd Ryan, representing the Federation of Drug Abuse, addressed Council in support of the Ordinance. He felt that this would reinforce fire safety hazards which now exist; favoured prohibition of smoking in retail stores; and felt more work should be done so that a non-smoking area would be established in all restaurants.

Dr. Roger Michael, a specialist in Chest diseases, 422-1708, addressed members of Council in support of this Ordinance. Dr. Michael felt that passive smoking had an effect on a certain group of people, especially patients with asthma and others with bronchitis, most of whom had to stop smoking, in that they were limited in their ability to attend public functions.

Andrea Whitehead, 2015 Gottingen Street, Halifax, 422-6323, representing the Halifax/Dartmouth Labour Council, addressed members of Council in opposition to the proposed Ordinance. Ms. Whitehead stated that smoking was one privilege workers had; and by enforcing this Ordinance, it would be taken away. She also felt that in a public place; such as store or restaurant, the owner should post signs for smoking or non-smoking, if he or she feels that this should be prohibited.

9:10 p.m. Alderman Meagher arrives.

Gene Beatty, representing the Innkeepers' Guild, (463-2148) addressed members of Council in opposition to this proposal. Mr. Beatty read a letter addressed to members of Council in opposition to this proposal and felt it was not an acceptable solution to the smoking problem. Mr. Beatty stated that it was the Guild's feeling that they are both sympathetic and understanding to the rights of smokers and non-smokers, and they would be probably one of the first to consider steps to permit such rights.

Marilyn Grantham, President, Public Health Association of Nova Scotia, addressed members of Council, and read a letter in favour of this proposal. She reiterated previous speakers' remarks on smoking and good health.

An unidentified gentleman addressed Council in support of the proposed Ordinance. He felt that innkeepers and others in public establishments should provide an area for smokers.

Mr. Alan Ruffman, addressed members of Council in support of this Ordinance. He felt that restaurant owners should provide an area for non-smokers and also felt that innkeepers should be encouraged to put more input into the

November 19, 1979

Ordinance.

A gentleman representing the Nova Scotia Lung Association addressed members of Council in support of this proposal. He felt this was a progressive step in bringing forth such legislation and also that some area for non-smokers in restaurants and otherwise, should be provided.

Mr. Bob Milne, representing Higgins & Wilson Refrigeration, Saint John, New Brunswick, addressed members of Council on this proposed Ordinance. Mr. Milne stated that his company provided air-cleaning devices and machines so that all air would be cleaner, and said in buildings where these devices have been used, there has been no need to segregate smokers and non-smokers. Mr. Milne felt that installation of such air-ventilating systems would be a sensible solution.

9:30 p.m. Alderman Clarke retires from the meeting.

Ron MacDonald, on behalf of the Ecology Action Centre, addressed members of Council on this proposal. He support the proposed Ordinance and reiterated previous speakers' remarks on smoking and health.

Dr. Kempton Hayes, President, Halifax Medical Society, addressed members of Council in support of this Ordinance. Dr. Hayes felt that small children who are now smoking at an early age may benefit a great deal from this proposal, as children learn by example.

Ms. Jenny Point, 5740 Willow Street, addressed Council members in support of this proposal. She reiterated previous speakers' remarks and felt that restaurants should be restricted with areas for non-smokers.

Mr. Bob Bechwith, on behalf of the Nova Scotia Council on Smoking and Health, addressed members of Council in support of this proposed Ordinance. A brief had previously been received from the Organization. Mr. Bechwith reiterated remarks in the brief on smoking and good health.

Mike Droppe, addressed Council in support of this proposal. He felt, from a public point of view, smoking was unacceptable in a public place.

Dr. Sandy Cameron, Vice-President, Nova Scotia Council on Smoking and Health, 454-7336, addressed members of Council in support of the proposal and reiterated previous remarks on anti-smoking areas and good health.

An unidentified gentleman from this City, addressed members of Council and felt that although he was now a non-smoker, cigarette smoking did not bother him, but he was concerned

PUBLIC MEETING
ORDINANCE NO. 172

November 19, 1979

as to how this Ordinance could be enforced.

Ms. Marie Watters, an operator of a Business College in the City, addressed members of Council in support of this proposal. She told members present of an experiment done with some of the students at the College which had proven that those who smoked had a lack of rapid motor skills.

Mr. Graham Hicks, addressed members of Council in support of this proposal. He reiterated previous speakers' remarks and would like to see an area for non-smokers established in public places.

Mr. Christian Seymour, a resident of Montreal and an employee with the Tobacco Industry, addressed members of Council in opposition to this proposed Ordinance. Mr. Seymour stated that the Tobacco Industry provides money each year to the Medical profession for research. He also said that the rail transportation industry and Air Canada had established non-smoking areas without need of legislation. He stated that from experience in larger cities, smoking and non-smoking areas in private enterprise would not be welcomed by the owners. The greatest problem, Mr. Seymour felt, would be enforcement of the Ordinance.

There were no other persons present wishing to address this meeting.

10:15 p.m. Meeting adjourned.

HIS WORSHIP EDMUND D. MORRIS
CHAIRMAN

/wc

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, N.S.
November 21, 1979
7:30 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 Hanson, Chairman; Aldermen Downey, Meagher, Sullivan, Clarke, Wooden, Moore and Hamshaw.

ALSO PRESENT: City Manager, City Solicitor, City Clerk and other members of staff.

It was agreed that the following additional items be considered.

1. Case No. 3756, Rezoning and Lot Consolidation, Seaforth & Windsor Streets
2. Zoning Review - Soft Area 14 - SET DATE FOR PUBLIC HEARING

Alderman Meagher asked that the matter of Case # 3756, Rezoning and Lot Consolidation, Seaforth and Windsor Streets, be considered before the regular items, to which all agreed.

Case No. 3756, Rezoning and Lot Consolidation, Seaforth & Windsor Streets

This item was referred to this Special Meeting from the City Council meeting of November 15, 1979.

Correspondence dated November 21, 1979 from Mr. John A. Snow, Snow's Funeral Home was received and distributed to members of Council.

MOVED by Alderman Meagher, seconded by Alderman Wooden that this item be referred to the next regular meeting of City Council without recommendation. Motion passed.

Zoning Review - Soft Area 16

A public hearing regarding the above matter was held at this time.

Mr. David Russell, Senior Planner, with the aid of maps and sketches, outlined the application which resulted

November 21, 1979

from the series of considerations of the area in question. A plan amendment was approved by City Council on August 16, 1979, Mr. Russell stated, and it was approved by the Minister on September 18, 1979. The property known as "Lot R" is now a commercial property within a residential environment.

Mr. Russell advised that this property could be rezoned from C-2 to R-2 and be compatible with the MDP policies.

There were no persons present wishing to speak in support of, or in opposition to the application.

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

Case No. 3404 - Amendments To The Zoning Bylaw - HOMES FOR
SPECIAL CARE

A public hearing regarding the above matter was held at this time.

Mr. H.F. Haliburton, Planner, Development Department, described the proposed amendment to the Zoning Bylaw. This amendment would permit Special Care Homes in the City, and presently, these types are not permitted in the mainland area. The Peninsula Area permits such homes in R-2 zones only. Should these amendments be adopted, Mr. Haliburton noted, these homes would be permitted in R-1 and R-2 zones in both the Mainland and Peninsula area, and further, new construction would be permitted. A 500-foot radius distance would be maintained between these types of homes, with the smaller homes limited to ten occupants, which would include live-in staff.

Mr. Haliburton defined "Special Care Homes" for the benefit of members of Council and other persons present. As well, Mr. Haliburton responded to questions from members of Council.

Mr. Steve Bornamen, representing the Canadian Mental Health Association, Halifax Branch, addressed members of Council in support of the application. On behalf of the Board of Directors of the Branch, he submitted for distribution, a letter of support to this proposed amendment. In particular, the group supported special care homes in all residential areas, new construction as well as conversion, specification of distance factor, combination of the Mainland and Peninsula area bylaw, and the up-to-date definition of "Special Care Homes".

Mr. Bornamen noted that the word "hostel" was used but not defined and also felt that tying of parking spaces to number of employees should not be considered, as the number of employees might change.

SPECIAL COUNCIL
PUBLIC HEARINGS

November 21, 1979

Mr. Bornamen also felt that the limit of ten Special Care residents in R-1 and R-2 zones might also be considered and felt that density should be recognized; seven residents in an R-1 zone and 15 in an R-2 zone, suggested.

Mr. Bornamen responded to questions from members of Council.

Ms. Charlotte Sullivan, representing the Canadian Association of the Mentally Retarded, and Chairman of the Halifax/Dartmouth/Halifax County Regional Residential Society addressed members of Council in support of the application. Ms. Sullivan pointed out that community awareness and involvement from the community is important and makes for a good relationship within the neighborhood. Ms. Sullivan brought support of the proposal from both the organizations.

Ms. Sullivan responded to questions from members of Council.

Bob Britton, Secretary, Metro Group Homes Association, addressed members of Council in support of this proposal. Mr. Britton pointed out that Group Homes have found from experience, that eight residents seem to be the most manageable; and community involvement on boards of management of these Group Homes has proven beneficial to the community.

Mr. Britton responded to questions from members of Council.

There were no other persons present wishing to speak in support of or in opposition to this application.

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

Case No. 3646 - Rezoning and Lot Consolidation - 5641-57 Stairs St.

A public hearing regarding the above matter was held at this time.

Mr. E.B. Algee, Development Department, with the aid of sketches and maps, explained the application for rezoning and lot consolidation to permit the construction of an apartment building containing twenty-three units, consisting of nine bachelor units and 14 one-bedroom units; with the ground floor containing a dentist's office. Mr. Algee stated there would be three floors, underground parking for 23 cars with the access from Stairs Street. The density would be 82.4 per acre.

Mr. Algee stated that this application is a very good design and meets with the M.D.P. policies.

SPECIAL COUNCIL
PUBLIC HEARINGS

November 21, 1979

Mr. Algee responded to questions from members of Council.

Dr. Errol F. Gaum, the applicant, addressed Council on behalf of the application. Dr. Gaum stated that this proposed construction was not only complementary to the area, but had quality, not quantity. The proposed structure provides a much-needed dental office for the area. The density is low and the open space is more than twice the amount required. This construction, Dr. Gaum further stated, would serve as a model for others in the area and it meets with the residents' satisfaction.

Dr. Gaum responded to questions from members of Council.

Mrs. Mont, a resident of the Hydrostone development, addressed members of Council in support of the application. She felt that it would fit in nicely with the community and would be satisfactory to the area.

Mrs. Penny, a resident of Isleville Street, addressed members of Council in support of the application. She felt the proposed building was appealing to all residents of the area.

Ms. Sarah Bardsley, a resident of Isleville Street, addressed Council in support of the application, and reiterated previous speakers' remarks.

There were no other persons wishing to speak in support of the application. There were no persons present wishing to speak in opposition to this application .

MOVED by Alderman Sullivan, seconded by Alderman Clarke that this item be forwarded to the next regular meeting of City Council without recommendation. Motion passed.

Case No. 3574 - Rezoning and Lot Consolidation - Maynard and
Charles Street

A public hearing regarding the above matter was held at this time.

Mr. E.B. Algee, Development Department, with the aid of sketches and maps, outlined the application which consists of a lot consolidation involving five lots and a rezoning from R-3 to C-2. Mr. Algee pointed out the purpose of the rezoning which is to allow the construction of a general repair garage for automobiles to be a one-storey structure with access on Maynard Street.

SPECIAL COUNCIL
PUBLIC HEARINGS

November 21, 1979

The property is in a R-3 zone with some commercial property surrounding. It is also located within a NIP area, with a school across the street. Mr. Algee pointed out that staff suggest refusal in that the application does not meet the MDP policies. The areas are shown as residential on the Land Use Plan and this plan also indicates vacant sites should be developed for residential purposes. As well, the NIP three-year development plan suggests residential development.

Mr. Algee responded to questions from members of Council.

Mr. Frank Cordon, representing Mr. Leon Lohnes, addressed members of Council in support of this application. In his opinion, in good planning, zoning isn't intended to be rigid. Mr. Cordon pointed out that this property has always been commercial; the area is completely commercial, and residential property would not be compatible to the area. In relation to the nearby school, Mr. Cordon said that the proposed construction would be located on Charles Street with access from that Street, and it is not a business with a high-traffic count. Mr. Cordon submitted a petition containing 15 names from abutting property owners, all of whom felt the proposed construction would be an improvement to the area.

Mr. Cordon also felt that a contract rezoning would be acceptable, it would be narrow and protect the objections raised. In summation, Mr. Cordon felt that the proposal would be an improvement for the area, as well as being compatible.

Mr. Cordon responded to questions from members of Council.

There were no other persons present wishing to speak in favor of, or in opposition to the application.

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

Zoning Review - Soft Area 14 - SET DATE FOR PUBLIC HEARING

This matter was referred to this meeting from the City Planning Committee meeting of November 21, 1979.

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 the rezoning of the properties known as Civic Nos. 5648 Stairs Street and 5648 Kane Street from C-2 (General Business Zone) to R-2 (General Residential Zone), as shown on Map 1. Motion Passed.

SPECIAL COUNCIL
PUBLIC HEARINGS

November 21, 1979

The City Clerk advised that the public hearing was scheduled for January 9, 1980 at 7:30 p.m.

9:15 p.m. Meeting adjourned.

HEADLINES

Case No. 3756 , Rezoning and Lot Consolidation Seaforth and Windsor Streets630
Zoning Review - Soft Area 16630
Case No. 3404, Amendments to the Zoning Bylaw HOMES FOR SPECIAL CARE631
Case No. 3646, Rezoning and Lot Consolidation 5641-57 Stairs Street632
Case No. 3574, Rezoning and Lot Consolidation Maynard and Charles Street633
Zoning Review, Soft Area 14, SET DATE FOR PUBLIC HEARING	.634

DEPUTY MAYOR RONALD HANSON
CHAIRMAN

G.I. BLENNERHASSETT
CITY CLERK

/wc

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
November 29, 1979
8:05 P. M.

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

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

Also Present: Mr. D. F. Murphy, City Solicitor and Acting City Manager; City Clerk, and other staff members.

After the meeting was called to Order, the members of Council attending were led in prayer by Reverend Norman Marple of the United Memorial Church.

MINUTES

Minutes of City Council meetings held on November 15 & 21, 1979, were approved on Motion of Alderman Moore, seconded by Alderman Hamshaw.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 - Appointments
- 20.2 - Underground Wiring - Granville Street/Buckingham Street

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

- 20.3 - Soft Area 9

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

- 20.4 - Intersection - Devonshire Avenue & Albert Street

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

- 20.5 - New Camp Hill Hospital.

The agenda, as amended, was approved.

Council
~~February~~ 29, 1979
NOVEMBER

DEFERRED ITFMS

Case No. 3756 - Rezoning and Lot Consolidation -
Seaforth Street and Windsor Street

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

Letters dated November 8 & 21, 1979 were submitted from J. A. Snow Funeral Home Ltd. since the time of the public hearing.

MOVED by Alderman Meagher, seconded by Alderman Hamshaw that City Council approve the rezoning of Civic No. 6229 Seaforth Street from R-2 to C-2 and the consolidation of Lots 5 and 6 Seaforth Street with Lot A Windsor Street to form Block J as shown on Plan No. P200/9048-49 of Case No. 3756 taking into account undertakings in correspondence dated November 8 & 21, 1979 from the applicant.

The City Clerk advised that Deputy Mayor Hanson and Aldermen Shannon and Moore were not present at the public hearing.

The Motion was put and passed with Deputy Mayor Hanson, and Aldermen Shannon and Moore abstaining.

Case No. 3404 - Amendment to the Zoning Bylaw -
Homes for Special Care

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

Alderman Shannon said she was not in attendance at the public hearing but advised that she wished to ask a number of questions. Alderman Shannon asked why the amendments, if passed, would only apply to homes regulated by Provincial regulations and the City Solicitor indicated it was his understanding the legislation was intended to cover all homes. The City Solicitor suggested the subject could be deferred in order for staff to determine whether the proposed definition includes all the operations which Alderman Shannon feels should be included in the Bylaw.

Alderman Shannon also referred to the proposal that a 500-foot radius be maintained between such homes and expressed the view that it should be 1,000 feet. Alderman Shannon also referred to other problems experienced in the past with such homes suggesting that the staff have not been adequate to cover the numbers involved or the homes are required to take people they cannot handle. Alderman Shannon referred to one particular home which she suggested was being operated as a hostel rather than as a group home.

Council
November 29, 1979

Alderman Shannon said she would like the matter referred back to staff to review the points raised.

Council agreed that the item be deferred and referred to staff for further review and appropriate comment.

Case No. 3646 - Rezoning and Lot Consolidation -
5641-57 Stairs Street

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

Alderman Sullivan spoke on the subject and MOVED, seconded by Alderman Meagher that the application to consolidate Lots 1, 2, 3, and 7 Mercklesfield Subdivision to create Parcel X, and the application to rezone Parcel X from R-2, General Residential Zone to R-3, Multiple Dwelling Zone, as shown on Plan P200/8800 of Case No. 3646, be refused by City Council.

The City Clerk advised that His Worship the Mayor, and Aldermen Maley and Shannon were not in attendance at the public hearing.

Following a short discussion, the Motion was put and Lost with Aldermen Maley and Shannon abstaining.

MOVED by Alderman Hanson, seconded by Alderman Moore that the application to consolidate Lots 1, 2, 3, and 7 Mercklesfield Subdivision to create Parcel X, and the application to rezone Parcel X from R-2, General Residential Zone to R-3, Multiple Dwelling Zone, as shown on Plan P200/8800 of Case No. 3646, be approved by City Council.

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

Case No. 3574 - Rezoning and Lot Consolidation -
Maynard and Charles Streets

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

MOVED by Deputy Mayor Downey, seconded by Alderman Hamshaw that the application for rezoning from R-3 to C-2 and for consolidation to create Lot 35A, as shown on Plans P200/8334, 8389, and 8438 of Case 3574, be refused by City Council.

The City Clerk advised that His Worship the Mayor and Aldermen Maley and Shannon were not present at the public hearing.

The Motion was put and passed with Aldermen Clarke, Wooden, and Deputy Mayor Hanson against and Aldermen Maley and Shannon abstaining.

Case No. 3689 - Zoning Review - Soft Area 16

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

MOVED by Alderman Clarke, seconded by Alderman Sullivan that the application for the rezoning of a portion of Block H (Lot R), lands of Reliable Investments Limited (N.S.L.C. parking lot), Windsor Street, from C-2 (general business zone) to R-2 (general residential zone), be approved by City Council.

The City Clerk advised that His Worship the Mayor and Aldermen Shannon and Maley were not in attendance at the public hearing.

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

PETITIONS AND DELEGATIONS

Petition - Dunbrack Street - Woodbury Studd Subdivision
Alderman Hamshaw

A petition in connection with the above matter was submitted at the last regular meeting of the Committee of the Whole Council and the item was forwarded to this meeting for indexing purposes.

The Acting City Manager advised that a report would be submitted at the next regular Committee of the Whole Council meeting.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on November 21, 1979, as follows:

Noonday Graphics - Appeal - Lord's Day Ordinance

The above item was forwarded to City Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Wooden that the decision of the City Clerk in refusing to grant a Lord's Day permit to Noonday Graphics, be upheld by City Council and the appeal of the decision, be denied.

Motion passed.

Disposal of Surplus Equipment

The above item was forwarded to Council without recommendation to allow Council to further consider the matter based upon a further staff report requested.

A supplementary report dated November 27, 1979, was submitted.

MOVED by Alderman Wooden, seconded by Alderman Sullivan that authority be granted to award tenders to the highest bidder in each case as indicated by an asterisk in the staff report of November 13, 1979 and that all bids on tender 79-166 be rejected and the unit be offered for sale by retender.

Alderman Clarke referred to information received but noted he also requested information with respect to the way in which such vehicles are submitted to tender, and indicated he still expected to receive the requested information.

Discussion ensued on the subject and His Worship made the suggestion that the item be referred to the Committee of the Whole Council meeting and appropriate representatives from the Police Department be requested to attend in order to discuss the subject with members of Council.

Alderman Shannon referred to the use of tachographs on such vehicles which was proposed at one time and suggested that the proposal should be looked at again.

Alderman Hamshaw referred to the five trucks which were being sold, including the plows, and indicated he would like to be informed as to why the plows were being sold along with the trucks.

Alderman Wooden, at this time, withdrew her Motion in order that the item could be referred to the Committee of the Whole meeting.

The Acting City Manager expressed some concern with respect to length of time the bid prices would stand and suggested that if the item is referred to Committee, Council may wish to add the item to the special Council meeting scheduled for the evening of the date of the Committee of the Whole meeting.

His Worship expressed the view that Council would agree to add the item to the special Council meeting and also expressed the hope that Mr. Jessome, the mechanical superintendent, may be in attendance at the Committee meeting in order to have a chat with members of Council.

Council then agreed that the item be referred to the next regular meeting of the Committee of the Whole Council meeting and be added to the agenda of the Special Council meeting scheduled for that evening.

Write-off of Accounts

MOVED by Alderman Moore, seconded by Alderman Shannon that, as recommended by the Finance & Executive Committee, under Section 184 of the City Charter 1963, City Council excuse the Treasurer from collection of monies due to the City, as summarized in the staff report dated November 15, 1979, and authorize the write-off of \$165,189.24.

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

Isaac Walton Killam Hospital Parking Garage and Lot

The above item was forwarded to City Council without recommendation.

A supplementary staff report dated November 29, 1979 was submitted.

The City Solicitor noted that Alderman Clarke asked that staff review the proposed agreements which was carried out by his Department but advised that there was not sufficient time to circulate a report on the matter to Council. The City Solicitor suggested the item be deferred to the Committee of the Whole Council meeting in order that the report may be circulated.

Alderman Sullivan said that he had asked how the proposal would or would not affect taxes and requested that he receive some information from the Director of Finance in order that he may better understand the item.

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

Pollution Control - 1980 Rates

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Finance and Executive Committee, the pollution control charge for 1980, as called for under Section 4(2) of Ordinance 156, be set at forty cents (40¢) per one thousand (1,000) gallons of water consumed.

Motion passed.

Subsidies for Day Care Centres

MOVED by Alderman Wooden, seconded by Alderman Maley that, as recommended by the Finance & Executive Committee, City Council request the Union of Nova Scotia Municipalities to make a presentation to the Minister of Social Services with respect to the implications for municipalities of the recommendations of the Provincial Government's Task Force to examine the adequacy of the level of subsidization of Day Cares.

Motion passed.

Council
November 29, 1979

Fire Department Clothing - Universal Coats (Tender 79-43)

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Finance & Executive Committee, authority be granted to purchase 183 universal coats from E & R Inc. at a unit price of \$99.50.

Motion passed.

Tender 79-43(R) - Fire Clothing

The above item was forwarded to City Council without recommendation.

A supplementary staff report dated November 22, 1979, was submitted.

In referring to Alderman Downey's question raised at the Committee of the Whole Council meeting, Mr. Messenger, Purchasing Manager, read a resolution passed by City Council on March 15, 1979 which provided that Tender #79-43-14B be awarded to Gordon B. Isnor in the amount of \$31.50 per pair.

Alderman Shannon referred to the matter of Gordon B. Isnor not honoring their commitment in accordance with information contained in the supplementary staff report, and asked what the Company's position would likely be if the City had changed its mind.

The City Solicitor then informed members of Council of the law respecting contracts with a municipality.

Alderman Maley indicated she was prepared to make a Motion awarding the tenders but requested that members of Council receive a report setting out the events, in a logical fashion, relating to the tender.

MOVED by Alderman Maley, seconded by Alderman Shannon that City Council approve the purchases from the overall lowest bid meeting specifications and Fire Department requirements as indicated in the attachment to the staff report dated November 7, 1979.

Motion passed.

Heritage Discussion Paper

MOVED by Alderman Maley, seconded by Alderman Shannon that, as recommended by the Finance and Executive Committee, City Council refer the matter to staff for review and comments.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on November 21, 1979, as follows:

Street Acceptance - Streets in Cowie Hill

The following is the recommendation from the Committee on Works:

"That the following streets in Cowie Hill be accepted as part of the official street system as they fulfill the standards of the City:

- | | |
|--------------------|----------------------|
| 1. Bromley Road | 5. Limerick Road |
| 2. Abbey Road | 6. Cavendish Road |
| 3. Shepherd Road | 7. Ridge Valley Road |
| 4. Drumdonald Road | 8. Highfield Street" |

Alderman Shannon, in referring to the recommendation, asked whether the streets actually meet City standards or whether they were accepted as a result of the development agreement which was entered into. Alderman Shannon advised it was her understanding the streets were narrower than normal City streets and suggested that if they meet the standards set by the agreement entered into rather than normal City standards, the Motion should be worded as such.

His Worship suggested that perhaps Council should ask staff to review the development agreement saying it would be a matter of fact whether the agreement amended any standards.

His Worship said that members of Council should receive a report on the matter to which agreement was expressed.

Renaming of Heatherwood Court - Petition

MOVED by Alderman Sullivan, seconded by Alderman Wooden that, as recommended by the Committee on Works, City Council re-approve the naming of the private street which is located in Lot A-1-2 of Convoy Place, as Heatherwood Court; City Council's decision to name the street in no way implies acceptance as an official City street.

Motion passed.

Fairview Overpass

The following is the recommendation from the Committee on Works:

"That:

1. staff be requested to secure appropriate confirmation that any costs in excess of the funding provided through DREE plus any other funding recoveries be cost-shared with the Province on a 50/50 basis;
2. subject to securing confirmation as per item 1. above, that:
 - (a) Council approve a total project cost of \$6.1 million, with a net City funding of up to \$1.5 million, and
 - (b) Council approve the awarding of a contract to Municipal Spraying and Contracting Limited at the bid price of \$5,065,003; and
 - (c) Staff continue to represent that any City costs in excess of 15% of the project-shareable costs shall be recovered to the City through any future federal provincial development agreement."

His Worship read a letter dated November 29, 1979 to the Minister of Development in connection with a commitment by Cabinet of additional funding up to \$650,000 by the Province to the mutually agreed Fairview Overpass project.

His Worship, in referring to the recommendation from the Committee on Works, advised that Item No. 1 was not now required and suggested inserting the words "when finally determined" between the words "costs" and "shall" in the third part of the recommendation.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Hanson that:

1. Council approve a total project cost of \$6.1 million, with a net City funding of up to \$1.5 million,
2. Council approve the awarding of a contract to Municipal Spraying and Contracting Limited at the bid price of \$5,065,003; and
3. Staff continue to represent that any City costs in excess of 15% of the project-sharable costs when finally determined shall be recovered to the City through any future federal-provincial development agreement.

Motion passed.

Wedgewood Park Water System - Public Service Commission

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Committee on Works, the City transfer to the Public Service Commission all the plant and equipment of the Wedgewood Park water system for the sum of One Dollar.

Motion passed.

Pumping Station - Duffus Street

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Committee on Works, staff monitor the problem and submit a further progress report re:

1. The modification of the ventilation system;
2. The operating procedures as set out in the Design Transmittal dated January 1971; and
3. An investigation of the bottom of Drop Chamber No. 4 to determine whether cleaning is required.

Motion passed.

Council
November 29, 1979

Wedgewood Park Water System - Public Service Commission

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Committee on Works, the City
*refer to the Public Service Commission all the plant and equipment of the Wedgewood Park water system for the sum of One Dollar.

* transfer

Motion passed.

Pumping Station - Duffis Street

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the Committee on Works, staff monitor the problem and submit a further progress report re:

1. The modification of the ventilation system;
2. The operating procedures as set out in the Design Transmittal dated January 1971; and
3. An investigation of the bottom of Drop Chamber No. 4 to determine whether cleaning is required.

Motion passed.

City Council,
November 29, 1979

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

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

An information report dated November 27, 1979 was submitted by Thomas H. Abraham, Divisional Officer, Fire Prevention Division, Halifax Fire Department. Mr. Abraham was present and responded to questions from members of City Council.

MOVED by Alderman Maley, seconded by Alderman Shannon that the amendment to Ordinance No. 168, the Fire Prevention Ordinance, as submitted, be now read and passed a Second Time. Motion passed.

Amendment to Ordinance No. 109, the Lord's Day Ordinance
- SECOND READING

The proposed amendment to Ordinance No. 109 repeals Section 5 of the said Ordinance, thereby deleting pool halls and billiard parlours from its provisions.

The Acting City Manager advised that permits issued under the Ordinance as it now exists would be valid until their expiry date on April 30, 1980.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that the amendment to Ordinance No. 109, the Lord's Day Ordinance, as submitted, be now read and passed a Second Time.

Alderman Downey asked for information re the number of permits issued for billiards halls to operate on Sunday.

His Worship asked if billiard or pool rooms in other facilities would be affected by the proposed amendment. The Acting City Manager stated he would prefer to review the matter and submit a report.

Alderman Sullivan stated that it was his intention to close only those establishments whose only purpose was that of a billiard or pool hall.

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

City Council,
November 29, 1979

Amendment to Ordinance No. 109, the Lord's Day Ordinance
- SECOND READING

The proposed amendments to Ordinance No. 109 permit the opening on the Lord's Day of a grocery store if such store has a net selling area of 1,500 square feet or less, on one floor only.

MOVED by Alderman Moore, seconded by Alderman Hamshaw that the amendments to Ordinance No. 109, the Lord's Day Ordinance, as submitted, be now read and passed a Second Time.

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

FOR: Aldermen Hamshaw, Moore, Wooden, Clarke and Deputy Mayor Hanson

AGAINST: Aldermen Sullivan, Meagher, Downey, Shannon and Maley

The Chairman cast his vote in favour of the amendments and declared the motion passed.

REPORT - CITY PLANNING COMMITTEE

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

Case No. 3385 - Lot Consolidation - 35 Coronation Avenue

A supplementary staff report dated November 27, 1979 was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the City Planning Committee, City Council approve the consolidation of Parcel A with 35 Coronation Avenue to form Lot RH, as shown on Plan No. P200/9312 of Case No. 3385. Motion passed.

Case No. 3732 - Lot Consolidation - Rolph-Clarke Stone, 6021 Young Street at Robie Street

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, as recommended by the City Planning

City Council,
November 29, 1979

Committee, City Council approve the consolidation of Lot A-1 with Lot X to form Lot XA-1, as shown on Plan No. P200/9084 of Case No. 3732. Motion passed.

Case No. 3798 - Modification of Lot Area and Side Yard Requirements - 5508-12 Hennessey Place

MOVED by Alderman Sullivan, seconded by Alderman Maley that, as recommended by the City Planning Committee, City Council approve the modification of the lot area and side yard requirements of the Zoning Bylaw to allow a day nursery and 1-bedroom apartment at 5508-12 Hennessey Place, and in accordance with Section 34(1) of the Planning Act, the registered owner of the property enter into an agreement with the City of Halifax specifying that:

"The development be substantially in conformance with Plan Nos. P200/9274, 9276 and 9278, submitted with this application."

Motion passed.

Case No. 3788 - Rezoning - 196-198 Herring Cove Road

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that, as recommended by the City Planning Committee, City Council refuse the application to rezone Civic Nos. 196-198 Herring Cove Road from R-2 to C-1, as shown on Plan No. P200/8164 of Case No. 3788, on the grounds that it is contrary to the intent of the Municipal Development Plan. Motion passed.

Case No. 3786 - Contract Development - 360 Purcell's Cove Road (Saraguay Club) - DATE FOR PUBLIC HEARING

MOVED by Alderman Moore, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, a date be set for a public hearing to consider an application to permit the construction of a freezer/cooler addition to the Saraguay Club, Civic No. 360 Purcell's Cove Road. Motion passed.

The City Clerk advised that the public hearing is scheduled for Wednesday, January 9, 1980, at 7:30 p.m. in the Council Chamber.

City Council,
November 29, 1979

Fairview Development Limited - Access Request

A supplementary staff report dated November 28, 1979, was submitted.

A letter dated November 26, 1979 was submitted by Mr. Peter J. MacKeigan, solicitor for the applicant.

Mr. Connell, Director of Engineering and Works, with the aid of a sketch, responded to questions and explained why staff reaffirm their recommendation contained in a staff report of November 13, 1979, that the City not make available the necessary land to provide a rear access to the Fairview Developments property in the location as proposed on Plan No. 7246.

Discussion ensued on the matter and it was MOVED by Alderman Wooden, seconded by Alderman Clarke that the matter be referred to the next regular meeting of Committee of the Whole Council and a report be submitted advising

- (a) where MacIntosh Street ends and the City Field driveway begins; and
- (b) what access to the development was proposed by the developer when the development application was initially considered by City Council

and, further, that Mr. Connell, Mr. Copp and other City staff who work at City Field, as well as the applicant's solicitor have a further opportunity to discuss the matter with City Council.

Motion passed with Alderman Shannon and Hamshaw voting against.

Planning Act Review

A document entitled "City of Halifax - Position Paper on the Review of the Planning Act" was submitted.

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, the Director of Planning make changes appropriate to the conversations City Council have had and advance the document to the Planning Act Review Committee at its public hearing on November 30, 1979. Motion passed.

City Council,
November 29, 1979

MOTIONS

Motion Alderman Meagher re: Amendment to Ordinance No.
116, the Taxi Ordinance - FIRST READING

Proposed amendments to Ordinance No. 116 were submitted.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that the amendments to Ordinance No. 116, the Taxi Ordinance, as submitted, be now read and passed a First Time. Motion passed.

Motion Alderman Wooden re: Amendment to Ordinance No. 12A,
respecting Fairview Lawn Cemetery - FIRST READING

Proposed amendments to Ordinance No. 12A, respecting Fairview Lawn Cemetery were submitted.

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that the amendments to Ordinance No. 12A, respecting Fairview Lawn Cemetery, as submitted, be now read and passed a First Time. Motion passed with Aldermen Downey and Meagher voting against.

Motion Alderman Wooden re: Amendment to Ordinance No. 12,
respecting Camp Hill Cemetery - FIRST READING

Proposed amendments to Ordinance No. 12, respecting Camp Hill Cemetery, were submitted.

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that the amendments to Ordinance No. 12, respecting Camp Hill Cemetery, as submitted, be now read and passed a First Time. Motion passed with Aldermen Downey and Meagher voting against.

MISCELLANEOUS ITEMS

Building Permits - Old South End

A staff report dated November 29, 1979 was submitted.

MOVED by Alderman Maley, seconded by Alderman Shannon that City Council indicate no objection to the permits applications listed in the staff report dated November 29, 1979. Motion passed.

City Council,
November 29, 1979

Recommendations - Tax Concessions and Grants Committee

A report dated November 26, 1979, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that City Council approve the following grants:

Atlantic Karate Club (for taxes)	\$750.00
S.O.S. - Service of Support	\$2,000.00
Natural Braids and Things	\$200.00

Motion passed.

Halifax Civic Hospital

His Worship submitted to members of City Council copies of various items of correspondence relating to the Halifax Civic Hospital and referred to specific information of significance contained therein.

His Worship referred to recent public comments made by J.E.H. Miller, M.D., Deputy Minister of Health, and advised that Dr. Miller has subsequently informed the Mayor that the comments were not intended the way they were interpreted by the news media and offered to attend this meeting to express his regret that the matter occurred in the way it did.

MOVED by Alderman Meagher, seconded by Alderman Wooden that City Council permit the Board of Management of the Halifax Civic Hospital to engage in conversations with the Deputy Minister of Health on matters contained in correspondence attached to a letter dated November 14, 1979, from Alderman N. P. Meagher, Chairman of the Board of Management; but on the grounds that, in any event, the Halifax Civic Hospital not be closed until at least replacement facilities are in place and operating.

Alderman Maley asked what was meant by the words 'in any event, the Halifax Civic Hospital not be closed until at least replacement facilities are in place and operating'. Alderman Meagher advised that the Board is referring to the new Camp Hill Hospital facilities being built and in place.

His Worship advised that the Board of Management will report further to Halifax City Council before giving any undertaking arising out of the conversations.

The motion was put and passed.

City Council,
November 29, 1979

Contract Development - 270 Dutch Village Road

A staff report dated November 16, 1979 was submitted.

Alderman Moore declared an interest in the matter and requested that he be excused from participating in the debate and retired from the Council Chamber.

MOVED by Deputy Mayor Hanson, seconded by Alderman Maley that City Council concurs it intended in its motion of October 11, 1979 to approve an appropriate free-standing sign at Civic No. 270 Dutch Village Road subject to the conditions proposed in a staff report dated July 25, 1979 regarding drive way width and street line and did not purport to approve a specific design. Motion passed with Aldermen Shannon and Hamshaw abstaining and Alderman Wooden voting against.

Alderman Moore returned to the Council Chamber.

City Council,
November 29, 1979

QUESTIONS

Question Alderman Downey re: Incident - Halifax Police
Department Officer

Alderman Downey stated he had heard on radio this date comments regarding an incident on a trolley coach involving a citizen and a member of the Halifax Police Department. He asked why the matter had not been forwarded to the Board of Police Commissioners.

His Worship stated that the solicitor for the citizen had forwarded last week a letter to the Attorney General, a copy of which was referred to His Worship.

His Worship stated that a report will be submitted on the matter.

Question Alderman Downey re: Temporary Parking for Month
of December - Gottingen Street

Alderman Downey asked the Traffic Authority to consider permitting temporary parking for the month of December on one side of Gottingen Street between the hours of 10:00 a.m. and 3:00 p.m. for ten-minute intervals.

The Acting City Manager advised that the request will receive immediate consideration.

Question Alderman Sullivan re: Lease of Office Space -
Scotia Square

Alderman Sullivan requested that, at the next regular meeting of Committee of the Whole Council, an item be included on the agenda re future office space for City offices and the possibility of providing our own facility.

His Worship suggested that staff prepare a report regarding comparisons over a long term and bring it to Committee of the Whole as soon as the report is ready.

Alderman Sullivan agreed and stated that he wishes the matter to be discussed at some point.

City Council,
November 29, 1979

Question Alderman Meagher re: Staff Report re Pacific St.

Alderman Meagher stated that at the last regular meeting of City Council he asked for a report on Pacific Street. He stated a staff member from the Engineering and Works Department has inspected the street and requested that the report be forthcoming.

Question Alderman Meagher re: 6276-6280 North Street

Alderman Meagher stated that he has had correspondence with staff regarding the property at 6276-6280 North Street. He stated he is lead to believe the dwelling is being operated as a rooming house and the occupants use the neighbours driveway to enter the lawn on which the cars are parked. Alderman Meagher submitted a copy of a letter to the owner to the City Solicitor and asked if the City can proceed to make improvements to the driveway so that the occupants can enter their own property and whether or not the parking on the lawn is permissible.

Question Alderman Meagher re: Bill for Cleaning of Sewers

Alderman Meagher stated that a family of three senior citizens, residents of his Ward, were billed for \$248.00 by the City of Halifax for cleaning of their sewer. He stated the City did offer an arrangement whereby the occupants would pay \$10.00 monthly. He further stated that further correspondence from the City advises that the charge is a lien against the property making it liable for inclusion in a tax sale listing.

He suggested the foregoing is harsh treatment for senior citizens and submitted correspondence to the City Solicitor with a request that the case be reviewed.

Question Alderman Maley re: Information Booklet - City of Halifax

Alderman Maley suggested that Halifax will have a large number of visitors next year with an interest in the City and requested that staff prepare some estimates on an information booklet so that funds for same might be inserted in the budget.

His Worship stated that the suggestion will be considered.

City Council,
November 29, 1979

Question Alderman Maley re: Bill C-3 regarding Federal
Taxes

Alderman Maley asked that the Legal Department review Bill C-3 as presently proposed by the Federal Government.

His Worship indicated that staff have reviewed Bill C-3 recently and will provide copies to members of City Council.

Question Alderman Shannon re: Legislation re Loitering

Alderman Shannon stated that on July 3, September 13 and again at the Board of Police Commissioners she asked about legislation to prevent loitering on public property. She advised that information has not been forthcoming to date and requested that some action be taken.

Question Alderman Shannon re: Public Service Commission
Cuts in Streets

Alderman Shannon stated that on January 25, 1978 and in September 1979 she asked about Public Service Commission cuts in streets. She stated a staff report has not been submitted to date and requested that one be forthcoming fairly soon.

Question Alderman Shannon re: Drilling of Holes on Jubilee
Road

Alderman Shannon stated that Jubilee Road was finally resurfaced between Larch and Vernon Streets and today holes were being drilled in the street and she understands that the water valves were covered up. She requested a report on what happened and why there was a complete breakdown in communications.

Question Alderman Clarke re: Vandalism in St. John's
Cemetery

Alderman Clarke requested a report from the supervisors in the City's cemeteries to indicate what vandalism has taken place this year and recommendations as to how it can be resolved.

City Council,
November 29, 1979

Question Alderman Clarke re: Nova Scotia Place

Alderman Clarke asked that information be provided re Nova Scotia Place and stated he was prompted to request it due to the Metro Centre Commission including it prospectively in budget considerations for 1982. He stated he would like to review the matter by means of knowing what negotiations or discussions have taken place so that City Council can be fully knowledgeable about what is taking place.

His Worship advised that the Minister of Public Works has made a public announcement to the effect that the Government of Nova Scotia was authorizing the Nova Scotia Arts and Convention Centre Limited to invite proposals from the hotel industry to determine whether there is interest in associating in the Nova Scotia Place development.

Alderman Clarke asked if City Council has made any commitment to the concept of whatever Nova Scotia Place is going to be. His Worship stated that no commitment has been made by City Council.

Alderman Shannon stated that she has requested on more than one occasion that City Council meet with the Tourist and Convention Bureau to discuss what size conventions are most prevalent, what ones is the City of Halifax trying to attract, etc.

Alderman Shannon further stated that a couple of Council meetings ago she requested that the Legal Department provide a legal interpretation re the status of the original letter of agreement between the City of Halifax and the Province. The Acting City Manager advised that a draft response has been prepared and will be issued shortly.

Question Alderman Hamshaw re: Trapping of Beavers in
Kearney Lake

Alderman Hamshaw stated that a family of beavers reside in Kearney Lake and individuals are setting traps to catch the beavers. He asked if there is legislation to prevent such trapping.

His Worship advised that staff will report on the matter as soon as possible.

Alderman Wooden stated residents in her area are concerned re the setting of bear traps in the MacIntosh Runs.

City Council,
November 29, 1979

Question Alderman Moore re: Stipend to Citizen Appointee
on the Board of Police Commissioners

Alderman Moore stated that there is provision for a stipend to be paid to the citizen appointee on the Board of Police Commissioners for the City of Halifax and the municipality may pay a minimum stipend of \$500.00 per year. He stated that Mr. Lawrence Freeman served on the Board from 1977 to 1979 and has not received a stipend. He stated he does not think there is provision in the City Manager's budget for payment to the past or present appointee on the Board.

Alderman Moore requested that the City Manager submit a report on formalizing the matter of a stipend to the past and present citizen appointee on the Board and funds be included in the General Government budget.

His Worship suggested that the matter should be raised at the Board of Police Commissioners and the Commission should make the request, however, the City Manager will submit the requested report.

Question Alderman Wooden re: Cleaning of Gutters on
Herring Cove Road, West Side, from Rotary to
Brighton Avenue

Alderman Wooden requested that City staff clean the gutters on the Herring Cove Road, west side, between the Rotary and Brighton Avenue.

Question Alderman Wooden re: Restrictions on Parking -
Residential Buildings on Mainland

Alderman Wooden requested a report on the restrictions on parking in front of residential buildings on the Mainland. She further asked if there is any recourse when, a green area which has existed for a number of years is paved over.

NOTICE OF MOTION

Notice of Motion Alderman Maley re: Ordinance No. 164,
the Incinerator Ordinance

Alderman Maley gave notice that at the next regular meeting of the Council of the City of Halifax, to be held on the 13th day of December, A.D. 1979, she

City Council,
November 29, 1979

proposes to introduce Ordinance No. 164, the Incinerator Ordinance.

She stated the purposes of the Ordinance are:

1. to prohibit the installation of new incinerators in the City of Halifax, with the exception of those used for the incineration of hospital wastes and hazardous materials;
2. to phase out the operation of existing incinerators;
3. to regulate the installation and operation of existing incinerators and permitted incinerators during the phase-out period.

Notice of Motion Alderman Sullivan re: Reconsideration
of Motion of City Council of November 29, 1979
re: Case No. 3646 - Rezoning and Lot Consolidation - 5641-57 Stairs Street

Alderman Sullivan gave notice that at the next regular meeting of City Council of the City of Halifax to be held on the 13th day of December, 1979, he proposes to move reconsideration of City Council's action of November 29, 1979 respecting 5641-5657 Stairs Street.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that proceedings be staid re Case No. 3646, rezoning and lot consolidation - 5641-57 Stairs Street.

The City Clerk advised that His Worship, Aldermen Shannon and Maley were not present at the public hearing concerning the application.

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

FOR: Aldermen Sullivan, Downey, Meagher and Wooden
AGAINST: Aldermen Clarke, Moore, Hamshaw and Deputy Mayor Hanson
Aldermen Maley and Shannon abstained.

The Chair ruled that, as the motion has not obtained a majority vote, it is deemed to have been resolved in the negative.

ADDED ITEMS

Appointments

1. Planning Advisory Committee

A memorandum dated November 29, 1979 was submitted by His Worship the Mayor.

MOVED by Alderman Shannon, seconded by Alderman Maley that the following persons be appointed to the Planning Advisory Committee for terms to expire November 30, 1981:

Mr. John Chamard
Dr. Malcolm MacAulay
Mrs. Jura Smith
Mrs. Joanne Thompson

Motion passed.

2. City of Halifax Non-Profit Housing Society

A memorandum dated November 27, 1979 was submitted by His Worship the Mayor.

MOVED by Alderman Meagher, seconded by Alderman Clarke that the present members of the Society be reappointed from November 1, 1979 for terms to expire October 31, 1980. Motion passed.

Underground Wiring - Granville Street/Buckingham Street

A staff report dated November 27, 1979 was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that Council:

- (1) approve the installation of underground electrical wiring along Buckingham Street (Hollis to Granville) and Granville Street (Buckingham to approximately 200 feet south of Buckingham);
- (2) approve the expenditure of \$70,000. from the 1980 Capital Budget allocation for underground wiring, as the City's cost for this project;
- (3) approve the award of tender for this project to the low bidder, provided that the City's cost does not exceed the City's estimated cost of \$70,000.

Motion passed.

City Council,
November 29, 1979

Soft Area 9 - Alderman Meagher

Alderman Meagher requested that a date be set for a public hearing re Soft Area 9 as a review of the matter indicates the decision of City Council does not reflect the intended zoning in two instances.

Alderman Clarke stated that, if the purpose of the public hearing being considered is to nullify or place in jeopardy the application which has been brought by Mr. Metledge, he would not be in favour of setting a date.

His Worship explained that Council's decision on Soft Area 9, after a public hearing had been held, was not, in his and Alderman Meagher's best view, what was understood Council intended to do.

It was agreed that the matter be referred to the next regular meeting of Committee of the Whole Council and Alderman Clarke requested that staff advise the present status of Mr. Metledge's application.

Intersection - Devonshire Avenue and Albert Street -
Alderman Sullivan

Alderman Sullivan described a recent accident at the corner of Devonshire Avenue and Albert Street, advising that this was the second such accident in the last seven months. He requested that staff, tomorrow morning, investigate the possibility of installing a guard rail on Devonshire Avenue in front of the property involved.

New Camp Hill Hospital - Alderman Shannon

Alderman Shannon suggested that the impact the proposed facility will have on the adjacent neighbourhood must be considered and requested that staff consider how the traffic from the proposed facility should be handled, where entrances and exits to parking areas will be, where ambulance bays will be, etc. She suggested that Jubilee Road cannot accommodate any more traffic than it is handling now and, in fact, should be returned to a residential flow status. She requested that staff consider the matter immediately and get together with staff from the Department of Public Works to determine what their plans are regarding the whole matter.

Recent Comments Re Taxes - His Worship the Mayor

His Worship referred to recent comments attributed

City Council,
November 29, 1979

to the Minister of Development re taxes and advised City Council that the Minister has contacted the Mayor and asked that Council be advised that he was misquoted by the press.

Meeting adjourned - 12:20 a.m.

HEADLINES

Minutes 636
Approval of Order of Business, Additions and Deletions . 636

DEFERRED ITEMS:

Case No. 3756 - Rezoning and Lot Consolidation - Seaforth Street and Windsor Street 637
Case No. 3404 - Amendment to Zoning Bylaw - Homes for Special Care 637
Case No. 3646 - Rezoning and Lot Consolidation - 5641-57 Stairs Street 638
Case No. 3574 - Rezoning and Lot Consolidation - Maynard Street and Charles Street 638
Case No. 3689 - Zoning Review - Soft Area 16 639

PETITIONS AND DELEGATIONS:

Petition - Dunbrack Street - Woodbury Studd Subdivision - Alderman Hamshaw 639

REPORT - FINANCE AND EXECUTIVE COMMITTEE:

Noonday Graphics - Appeal - Lord's Day Ordinance 639
Disposal of Surplus Equipment 640
Write-off of Accounts 641
Isaac Walton Killam Hospital Parking Garage and Lot 641
Pollution Control - 1980 Rates 641
Subsidies for Day Care Centres 641
Fire Department Clothing - Universal Coats (Tender 79-43) 642
Tender 79-43(R) - Fire Clothing 642
Heritage Discussion Paper 642

REPORT - COMMITTEE ON WORKS:

Street Acceptance - Streets in Cowie Hill 643
Renaming of Heatherwood Court - Petition 643
Fairview Overpass 643
Wedgewood Park Water System - Public Service Commission. 645
Pumping Station - Duffus Street 645

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

Amendment to Ordinance No. 168, the Fire Prevention Ordinance - SECOND READING 646

HEADLINES (CONT'D)

Amendment to Ordinance No. 109, the Lord's Day
Ordinance - SECOND READING 646
Amendment to Ordinance No. 109, the Lord's Day
Ordinance - SECOND READING 647

REPORT - CITY PLANNING COMMITTEE:

Case No. 3385 - Lot Consolidation - 35 Coronation Ave. . 647
Case No. 3732 - Lot Consolidation - Rolph-Clarke Stone,
6021 Young Street At Robie Street 647
Case No. 3798 - Modification of Lot Area and Side Yard
Requirements - 5508-12 Hennessey Place 648
Case No. 3788 - Rezoning - 196-198 Herring Cove Road ... 648
Case No. 3786 - Contract Development - 360 Purcell's
Cove Road (Saraguay Club) - DATE FOR PUBLIC HEARING .. 648
Fairview Development Limited - Access Request 649
Planning Act Review 649

MOTIONS:

Motion Alderman Meagher re: Amendment to Ordinance No.
116, the Taxi Ordinance - FIRST READING 650
Motion Alderman Wooden re: Amendment to Ordinance No.
12A, respecting Fairview Lawn Cemetery - FIRST READING 650
Motion Alderman Wooden re: Amendment to Ordinance No.
12, respecting Camp Hill Cemetery - FIRST READING 650

MISCELLANEOUS ITEMS:

Building Permits - Old South End 650
Recommendations - Tax Concessions and Grants Committee .. 651
Halifax Civic Hospital 651
Contract Development - 270 Dutch Village Road 652

QUESTIONS:

Question Alderman Downey re: Incident - Halifax Police
Department Officer 653
Question Alderman Downey re: Temporary Parking for Month
of December - Gottingen Street 653
Question Alderman Sullivan re: Lease of Office Space
- Scotia Square 653
Question Alderman Meagher re: Staff Report re Pacific
Street 654
Question Alderman Meagher re: 6276-80 North Street 654
Question Alderman Meagher re: Bill for Cleaning of
Sewers 654
Question Alderman Maley re: Information Booklet - City
of Halifax 654
Question Alderman Maley re: Bill C-3 re Federal Taxes . 655
Question Alderman Shannon re: Legislation re Loitering 655
Question Alderman Shannon re: Public Service Commission
Cuts in Streets 655

City Council,
November 29, 1979

HEADLINES (CONT'D)

Question Alderman Shannon re: Drilling of Holes on Jubilee Road	655
Question Alderman Clarke re: Vandalism in St. John's Cemetery	655
Question Alderman Clarke re: Nova Scotia Place	656
Question Alderman Hamshaw re: Trapping of Beavers in Kearney Lake	656
Question Alderman Moore re: Stipend to Citizen Appointee on the Board of Police Commissioners	657
Question Alderman Wooden re: Cleaning of Gutters on Herring Cove Road, West Side, from Rotary to Brighton Avenue	657
Question Alderman Wooden re: Restrictions on Parking - Residential Buildings on Mainland	657

NOTICE OF MOTION:

Notice of Motion Alderman Maley re: Ordinance No. 164, the Incinerator Ordinance	657
Notice of Motion Alderman Sullivan re: Reconsideration of Motion of City Council of November 29, 1979, re: Case No. 3646 - Rezoning and Lot Consolidation - 5641 - 5657 Stairs Street	658

ADDED ITEMS:

Appointments	659
Underground Wiring - Granville Street/Buckingham Street. Soft Area 9 - Alderman Meagher	659Soft 660
Intersection - Devonshire Avenue and Albert Street - Alderman Sullivan	660
New Camp Hill Hospital - Alderman Shannon	660
Recent Comments Re Taxes - His Worship the Mayor	660

MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council _____