

CITY COUNCIL
MINUTES

Council Chamber,
City Hall,
Halifax, N. S.
December 27, 1979
8:15 p.m.

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

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

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

ALSO PRESENT: D. F. Murphy, Q.C., City Solicitor and Acting City Manager, City Clerk and other staff members.

PRESENTATIONS

His Worship paid tribute to Mr. William (Bill) Durston for his thirty-eight years' service with the Fire Department. Alderman N. P. Meagher, on behalf of City Council, presented Mr. Durston with a Long Service Award.

His Worship paid tribute to Mr. Harris Boutilier for his thirty-three years' service with the Fire Department. Alderman Terrence Sullivan, on behalf of City Council, presented Mr. Boutilier with a Long Service Award.

MINUTES

Minutes of the City Council meeting held on December 13, 1979, were approved on Motion of Alderman Downey, seconded by Alderman Hamshaw.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

At the request of the City Clerk, it was agreed to add:

9.1. - Resolution - City of Sydney

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- 20.1. - Authorization to Expropriate - Fairview Overpass Project
- 20.2. - Appointments
- 20.3. - Taxi Fare Increases
- 20.4. - Senior Citizen Transit Tickets

The Order of Business, as amended, was approved.

DEFERRED ITEMS

Case No. 3799 - Contract Development and Lot Consolidation
- Brunswick and George Streets

A letter dated December 21, 1979 was received from the solicitor for the applicant requesting postponement of City Council's decision.

MOVED by Alderman Moore, seconded by Alderman Hamshaw that the matter be deferred until a meeting of City Council scheduled for January 31, 1980. Motion passed.

PETITIONS AND DELEGATIONS

Resolution - City of Sydney

A letter dated December 11, 1979 was received from Paul J. Roach, City Clerk, City of Sydney, with attached resolution passed by Sydney City Council re Eastern Transcontinental Service.

MOVED by Alderman Moore, seconded by Alderman Hamshaw that the matter be referred to staff for review and a report. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on December 19, 1979, as follows:

Possible Expropriation Settlement: Lot AX, Glenn Drive,
Rockingham

MOVED by Alderman Hamshaw, seconded by Alderman Moore that, as recommended by the Finance and Executive

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Committee, the expropriation of the easement right over the lands shown as Lot AX, Glenn Drive, Rockingham, Plan TT-25-23109, be settled for \$1630.50 plus simple interest of 6% on \$800.00 from January 31, 1979, to respective dates of payment. Funds can be made available from Account No. 227 418 Z0500 EH014 (Lands for Municipal Purposes).
Motion passed.

Single Parent Day Facility - 3 Sylvia Avenue

A staff information report dated December 27, 1979, was submitted.

Mr. Crowell stated that it is assumed that the facility will be included in the Provincial policy which provides that projected operational expenditures in Social Services for the City of Halifax will be reduced by an amount representing taxes and/or rent received from agencies funded directly or indirectly by the Department of Social Services.

MOVED by Alderman Wooden, seconded by Deputy Mayor Hanson that the property known as 3 Sylvia Avenue be leased to the Home of the Guardian Angel, on a one-year basis, as a demonstration project, for a rental fee of \$1.00 per annum, for the operation of a single parent day facility, with a periodic information flow to the City, provided that the tenant shall be responsible for all operating costs and the acquisition of such occupancy or other permits as are required for use of the premises. Motion passed.

Aerial Easement - Kempt Road Transmission Line (N.S.P.C.)

A supplementary staff report dated December 21, 1979, was submitted.

MOVED by Alderman Clarke, seconded by Alderman Hamshaw that for consideration of \$31,675, the City grant to the Nova Scotia Power Corporation aerial easement rights as set forth in the agreement attached to the staff report dated December 11, 1979, over lands shown on Plan No. TT-27-25875 and that His Worship the Mayor and the City Clerk be authorized to execute same on the City's behalf. Motion passed.

His Worship asked that staff investigate the public liability of the City under the overhead 138 Kv transmission line.

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Award of Tender No. 520484 - Fire Department Clothing

MOVED by Alderman Sullivan, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee:

1. Tender No. 520484 for the clothing listed in the staff report dated December 7, 1979, be awarded to Industrial Textiles Ltd., 200 Clinton St., Toronto, Ontario, for the unit prices quoted;
2. Project funds be authorized from Current Accounts 125315, B0310

Motion passed.

Housing Authority Agreement - Westmore Lodge, Cook Avenue

MOVED by Alderman Moore, seconded by Deputy Mayor Hanson that, as recommended by the Finance and Executive Committee, City Council approve the agreement and authorize the Mayor and City Clerk to sign on behalf of the City of Halifax. Motion passed.

Proposed Winter Storm Control Reserve

MOVED by Alderman Shannon, seconded by Alderman Maley that, as recommended by the Finance and Executive Committee City Council:

1. adopt a policy whereby the budget for winter storm control be set each year, based on the average weather conditions which have prevailed for the preceding five year period;
2. any funds budgetted for winter control, but unspent at the end of the year, be set aside in a Winter Control Reserve to be available for use by Council in those years when weather conditions are worse than average and that \$300,000 be added to the 1979 Winter Control Budget and approved under Section 201(1) of the City Charter.

Motion passed with Aldermen Downey and Meagher voting against.

Petroleum Tenders

A staff report dated December 21, 1979 and supplementary staff report dated December 27, 1979, were submitted.

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MOVED by Alderman Sullivan, seconded by Alderman
Wooden that:

1. Tender No. 79-177 - 79-182 inclusive for the products listed on Appendix A attached to the staff report be awarded to the companies listed under Column 5 for the unit prices quoted.

Motion passed.

His Worship stated that staff will understand that City Council, in approving the tender, wishes the Manager and staff of the Energy Conservation group to meet with City Council at the first or second Committee meeting in January 1980 for a discussion of further energy conservation programs.

Award of Tender No. 79-30 - New Paving

MOVED by Alderman Sullivan, seconded by Alderman
Clarke that, as recommended by the Finance and Executive
Committee:

1. Tender #79-30 for Projects, Materials or Services listed in Appendix "A" be awarded to Standard Paving Mar. Ltd. and Municipal Spraying for the unit prices quoted;
2. Project funds be authorized from Accounts CD006, CD024
3. Funding transfers be approved as shown.

Motion passed.

Award of Tender No. 79-172 - Cleaning of the NIP I Area
Sewers

MOVED by Alderman Downey, seconded by Alderman
Sullivan that, as recommended by the Finance and Executive
Committee:

1. Tender No. 79-172 for Projects, Materials or Services listed re Cleaning of the NIP I Area Sewers be awarded to Video Inspection & Grouting (Mar.) Ltd. for the unit prices quoted;
2. Project funds be authorized from Account EH003.

Motion passed.

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Halifax Police Boys Club

A staff report dated December 27, 1979 was submitted.

Alderman Sullivan requested that the forthcoming staff report include information as to the cost of the Police Department taking over the particular facility, that is, what it is going to cost the City per year.

His Worship requested that staff also produce a comparable figure for the Recreation Department.

MOVED by Alderman Sullivan, seconded by Alderman Meagher that City Council provide up to \$25,000. to the Tax Concessions and Grants Committee as a charge against 1980 budgetting for the purpose of the said Committee providing funding to cover costs of continued operation of the Halifax Police Boys' Club until February 29, 1980, and, further, that Council request staff to evaluate and report as quickly as possible on other operating models for the facility taking into account the needs of the immediate area and the service of the public of the City. Motion passed.

Senior Citizens Information Centre Request - Alderman Hamshaw

The Acting City Manager advised that the requested report re sharing of capital costs of the installation of water and sewers for people on fixed and limited incomes will be submitted.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on December 19, 1979, as follows:

Sidewalk Policy

MOVED by Deputy Mayor Hanson, seconded by Alderman Wooden that, as recommended by the Committee on Works, City Council authorize staff to approach the Provincial Government with a request, on behalf of City Council, that the Province should undertake to pay the abutter's share, or equivalent, on high traffic volume cost-shared street surfaces within the City for new sidewalk construction. Motion passed.

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Local Improvement Charges - Dunbrack Street and Kearney
Lake Road

MOVED by Alderman Hamshaw, seconded by Alderman
Moore that, as recommended by the Committee on Works:

1. City Council set a sewer rate of \$35.00 per linear foot of chargeable frontage plus a trunk sewer charge for properties directly benefited by the trunk sewer services installed along the Kearney Lake Road, Dunbrack Street, and Pinewood Terrace, etc.
2. the City request that the Public Service Commission request the Board of Public Utilities to cancel the watermain capital contribution requirements of the property owners affected by these projects, and
3. the City authorize the payment to the Public Service Commission for meter charges up to \$200.00 per property for installed water services to a maximum of \$13,000.00.

Motion passed.

Petition - Dunbrack Street - Woodbury Studd Subdivision

MOVED by Alderman Hamshaw, seconded by Alderman
Moore that, as recommended by the Committee on Works, staff
be authorized to negotiate with the contractor in order that
the project may be carried out to a maximum of \$20,000. with
the intention that the item should be a charge against the
1980 budget. Motion passed.

Street Acceptance - Streets in Cowie Hill

MOVED by Alderman Wooden, seconded by Deputy
Mayor Hanson that, as recommended by the Committee on Works,
the following streets in Cowie Hill be accepted as part of
the official street system as they fulfill the requirements
of the Development Agreement of December 31, 1971:

- | | |
|--------------------|----------------------|
| 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 |

Motion passed.

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Appointment of Consulting Engineers - Herring Cove Road

MOVED by Alderman Wooden, seconded by Alderman Moore that, as recommended by the Committee on Works:

1. City Council confirm the Herring Cove Road alignment, with minor variations that may be required, as shown in a study entitled "Herring Cove Road Re-alignment Study" as prepared by Whitman, Benn & Associates Limited on November 15, 1976, shown on Plan Nos. TT-23-22241, 22242, 22243, 22244, and 22245 in the area bounded by a point 150' to the south of Sussex Street and the Old Sambro Road;
2. the consulting firm of Whitman, Benn & Associates Limited be appointed to undertake and prepare the engineering design, specifications and tender documentation necessary to complete the widening of the Herring Cove Road within Priority Areas 1 and 2, as noted in the staff report dated December 5, 1979;
3. the consulting firm of Whitman, Benn & Associates Limited be appointed to undertake the supervision of construction of the works necessary to complete the widening of the Herring Cove Road within Priority Areas 1 and 2, as noted in the staff report dated December 5, 1979; and
4. the consultant fees be on a per diem rate as outlined under the Association of Professional Engineers "Guide to Consultant Engineering Services and Scale of Minimum Fees" pay schedule.

Motion passed.

Building Line - Kempt Road - DATE FOR PUBLIC HEARING

MOVED by Alderman Clarke, seconded by Alderman Sullivan that, as recommended by the Committee on Works, a date be set for a public hearing to consider the removal of the existing 20-foot building line on Kempt Road from the Windsor Street/Lady Hammond Road intersection to the CNR overpass. Motion passed.

Alderman Clarke requested that Council be advised of the area of notification.

The City Clerk advised that the public hearing is scheduled for Wednesday, February 6, 1980, at 7:30 p.m. in the Council Chamber.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on December 19, 1979, as follows:

Soft Area 19 (MDP Map 4) - DATE FOR PUBLIC HEARING

MOVED by Alderman Sullivan, seconded by Alderman Clarke that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider amending the Zoning Bylaw to provide for a C-2A Zone and to consider the rezoning of Soft Area 19 to C-2A. Motion passed.

The City Clerk advised that the public hearing is scheduled for Wednesday, February 6, 1980, at 7:30 p.m. in the Council Chamber.

Case No. 3745 - Contract Development and Lot Consolidation -
2617-19 Windsor Street and 6155-61 North Street

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

1. approve the consolidation of Lots 3 to 11 and 14 to form one lot;
2. approve the contract development application under Section 83 of the Zoning Bylaw for a 30,000 sq. ft. supermarket subject to the owner entering into an agreement containing the terms and conditions set out in Appendix D attached to the staff report dated October 3, 1979, amended as follows:
 - a) section 6 of Appendix D be amended to read: 'The refuse storage area must be screened from public view and must be cleared at least once every working day.'
 - b) section 14 of Appendix D read: 'The developer shall pay the cost of the installation of an overhead illuminated crosswalk sign at Summit and Windsor Streets.'
 - c) section 15 of Appendix D read: 'The developer shall install a physical barrier for channelization at the Gladstone Street exit, to the satisfaction of the City of Halifax Engineering and Works Department, to encourage south only turns from the parking lot into Gladstone Street and to discourage left turns out and, further, the developer provide and assist

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with internal signage within his property notifying motorists of a south turn on Gladstone Street.'

MOVED by Alderman Moore, seconded by Alderman Wooden that the motion be amended to delete sections 10 and 11 in Appendix D.

The amendment was put and passed with Aldermen Meagher, Maley and Shannon voting against.

His Worship stated the parking problem is covered at the developer's requested number of 250 because of the reference in the contract draft to the developer's plan number.

Alderman Meagher requested, in view of the approval of the foregoing amendment, that the fringe area be properly landscaped. His Worship stated it is his recollection that the landscaping is displayed in the plan no. cited in the contract document.

Alderman Meagher further requested that section 7 of Appendix D be amended to read: 'The abutting residential property lines must be fenced and landscaped to the satisfaction of the Building Inspector'. It was so agreed.

The motion, as amended, was put and passed.

Building Permits - Old South End - Permit No. 81985

A supplementary staff report dated December 20, 1979, was submitted.

MOVED by Alderman Maley, seconded by Alderman Shannon that Council indicate no objection to the issuance of the Building Permit for Application #81985. Motion passed.

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MOTIONS

Motion Alderman Moore re: Repeal of Ordinance No. 11
- Regulations Made by the Directors of Point
Pleasant Park

MOVED by Alderman Moore, seconded by Deputy Mayor
Hanson that the repeal of Ordinance No. 11, Respecting
Regulations Made by The Directors of Point Pleasant Park,
be now read and passed a First Time. Motion passed.

MISCELLANEOUS ITEMS

Building Permits - Old South End

A staff report dated December 27, 1979 was
submitted.

MOVED by Alderman Maley, seconded by Alderman
Shannon that City Council indicate no objection to the
permits for the applications listed in the staff report
dated December 27, 1979. Motion passed.

QUESTIONS

Question Alderman Sullivan re: Overhead Crosswalk Sign -
North Gate of the Dockyard

Alderman Sullivan asked that staff investigate
and determine whether an overhead illuminated crosswalk
sign should be installed at the north gate of the Dockyard.

Question Alderman Shannon re: Enforcement of the Signs
Ordinance

Alderman Shannon asked if the City is going to
act with more diligence re enforcement of the Signs Ordinance
during the upcoming federal election. The Acting City Manager
advised that the Ordinance will be enforced by staff.

Question Alderman Shannon re: Erection of Signs in Public
Areas re Requirements of the Dog Ordinance

Alderman Shannon asked if signs could be placed
in public park areas, particularly school areas, outlining
in brief form the requirements of the Dog Ordinance.

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Question Alderman Shannon re: Cuts in Streets

Alderman Shannon referred to a staff report in response to her recent request for information regarding cuts in streets. She stated the report indicates there were 13 cuts in 1979 and 18 cuts in 1978 and she asked why were so many cuts made before the Public Service Commission decided they needed another thirteen in order to clean the sewer. She asked why it took so long before they isolated the problem and decided to do something about it.

NOTICE OF MOTION

Notice of Motion Alderman Clarke re: Introduction of New Ordinance No. 130, the Electrical Ordinance

Alderman Clarke gave notice that at the next regular meeting of City Council of the City of Halifax, to be held on Thursday, the 17th day of January, A.D., 1980, he proposes to introduce Ordinance Number 130, the Electrical Ordinance.

He advised the purpose of the Ordinance is to replace Ordinance 130 and provide for:

1. The licensing of Journeymen Electricians and Electrical Contractors, establishes license fees and qualifications;
2. The issuance of Electrical Maintenance Licenses for the installation of electrical wiring by applicants on their own premises;
3. The issuance of electrical permits to call out electrical wiring installation, alteration or removal;
4. The adoption of the latest edition of the Canadian Electrical Code;
5. The inspection of electrical work;
6. Permit and inspection fees;
7. Appeal procedures;
8. The condemning of faulty electrical wiring; and
9. Offences for breach of the Ordinance.

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ADDED ITEMS

Authorization to Expropriate - Fairview Overpass Project

A confidential staff report dated December 21, 1979, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Moore that Council authorize the expropriation and offers of compensation as listed in Schedule "A" of the staff report dated December 21, 1979. Funds can be made available from Account No. 226111 20500 EH014 (Land for Municipal Purposes). Motion passed.

Appointments

A memorandum dated December 21, 1979, was submitted by His Worship the Mayor.

MOVED by Alderman Meagher, seconded by Alderman Sullivan that Dr. Douglas Eisner be appointed to the Board of the Abbie J. Lane Memorial Hospital, for a term to expire October 31, 1980. Motion passed.

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

MOVED by Deputy Mayor Hanson, seconded by Alderman Moore that Mr. Ted Sutcliffe be appointed to the Visitors and Convention Bureau Committee for a term to expire October 31, 1980. Motion passed.

Taxi Fare Increases

His Worship advised that the Minister of Municipal Affairs has approved amendments to Ordinance No. 116, the Taxi Ordinance.

His Worship suggested that the Taxi Commission be asked, in its next review, to look at the question of when changes should be operative.

Senior Citizen Transit Tickets

A staff report dated December 27, 1979 was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that Council direct Halifax Transit to continue the program of half priced Senior Citizens Transit Fares from the usual distribution points from January 1, 1980 and that provision be made in the budget of Halifax Transit for the program. Motion passed.

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Meeting adjourned 10:00 p.m.

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MAYOR EDMUND L. MORRIS
CHAIRMAN

G. I. BLENNERHASSETT (MRS.)
CITY CLERK

Date Approved by City Council: _____