

Record.

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, N. S.
September 15, 1983
8:00 P. M.

A meeting of Halifax 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 Hamshaw, and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, Grant, Nolan, Jeffrey, and Flynn.

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

Expression of Sympathy - Alderman N. P. Meagher and Family of the late Mrs. Felix Thibodeau

His Worship, on behalf of members of Council, expressed sympathy to Alderman N.P. Meagher and family on the passing of Alderman Meagher's sister, Mrs. Felix Thibodeau.

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Nolan that City Council send condolences to Alderman N. P. Meagher and the family of the late Mrs. Felix Thibodeau.

Motion passed.

MINUTES

Minutes of City Council meetings held on August 25 & 31, and September 7, 1983 were approved on Motion by Deputy Mayor Hamshaw, seconded by Alderman Cromwell.

Insertion of Amended Page - April 28, 1983 Council Minutes

A report dated September 9, 1983 was submitted from the City Clerk relating to the above item.

MOVED by Alderman Meagher, seconded by Alderman Grant that City Council authorize the insertion of amended page No. 205A to the Council minutes of April 28, 1983, as attached to the report from the City Clerk dated September 9, 1983.

Motion passed.

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APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS, AND DELETIONS:

At the request of the City Clerk, Council added:

- 20.1 - Re-appointment of Members - Planning Advisory Committee
- 20.2 - Appointment of Fire Chief

At the request of Alderman Jeffrey, Council added:

- 20.3 - P.L.O. Meetings at Dalhouse and St. Mary's Universities

Alderman Meagher, at this time, advised there was recently a tender call in the newspaper from the Nova Scotia Liquor Commission for work to be carried out at what Council knows at the old Dominion Store on Agricola Street which is to be a liquor Commission outlet.

Alderman Meagher advised that the action was distressing to him and suggested it represented a lack of sensitivity to the wishes of the people of the north end of Halifax on the part of the Provincial Government and the Provincial Minister involved. Alderman Meagher referred to a petition which was compiled by area residents and noted the petition was not replied to and was ignored. Alderman Meagher suggested the situation should be noted so that in the future the people will know the details surrounding the establishment of the outlet.

His Worship indicated that Alderman Meagher's comments would be forwarded to the Minister.

MOVED by Alderman Cromwell, seconded by Alderman Flynn that the agenda, as amended, be approved by City Council.

Motion passed.

Council agreed to deal with Added Item No. 20.2 at this time, as follows:

Appointment of Fire Chief

The above item was added to the agenda at the request of the City Clerk.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that Deputy Fire Chief Donald Swan be appointed as Fire Chief for the City of Halifax.

Motion passed unanimously.

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DEFERRED ITEMS

Case No. 4311 - Contract Development -
Brunswick, Sackville, and Market Streets

A public hearing was held into the above matter on July 20, 1983 with the item being most recently discussed by City Council on August 31, 1983.

The following correspondence was received since the August 31, 1983 meeting.

- Letter dated September 15, 1983 from Graphic Design Associates.
- Letter dated September 15, 1983 from ATC Properties.
- Letter dated September 14, 1983 from Parks Canada.
- Letter dated September 12, 1983 from Heritage Trust of Nova Scotia.
- Letter dated September 12, 1983 from Mr. Philip Pacey of 6269 Yukon Street.
- Letter dated September 14, 1983 from Mrs. Maud Rosinski of 5235 South Street.

A private and confidential, supplementary report was submitted from the City Solicitor dated September 14, 1983.

Aldermen Dewell and Flynn not being in attendance at the public hearing and not having a vote on the item, left the Council Chamber.

MOVED by Alderman Meagher, seconded by Alderman Cromwell
that the application for Contract Development from A.T.C. Properties Ltd. for the block south of Sackville Street bounded by Brunswick Street and Market Street as shown on Plan Nos. P200/10835-48 and 10850, Case No. 4311 be dismissed for the following reasons:

1. The design of the two towers is not sufficiently complementary to the adjacent historic sites and buildings, in particular the proportions, massing, and building lines do not reinforce those same aspects of the existing buildings contrary to the Municipal Plan C.B.D. Objective 7 and Policies 7.2 and 7.2.1.
2. The development would not strengthen the desirable cultural uses in the C.B.D. Sub-Area 3, as set in Schedule III-1 and C.B.D. Economic Policies 1.1, 1.1.1, 1.1.2.
3. The development is contrary to C.B.D. Objective 7, particularly with regards to topography.

4. The development does not make every effort to preserve views from Citadel Hill, contrary to City-wide Objective 5 and Policies 5.1 and 5.2 or to complement the view from Citadel Hill as required by Policy 5.3 and C.B.D. Objective 6.

5. Furthermore, the development does not fulfill the overall Objectives of the Municipal Development Plan as stated in Section I and it does not conform to the general intent of the Municipal Development Plan as expressed in Policies concerning the protection of institutional and recreational facilities and the protection of and compatibility with the environment.

The question was put and the Motion was passed with five voting for it and three voting against it, as follows:

For: Deputy Mayor Hamshaw and Aldermen Cromwell,
Meagher, Grant, and Nolan - 5

Against: Aldermen Downey, O'Malley, and Jeffrey - 3

Deputy Mayor Hamshaw advised that he had meant to vote in favour of the proposed development and the Chairman ruled it would not be proper to change one's vote after the item was voted upon.

A short discussion followed on the matter and Alderman O'Malley suggested a Motion of Reconsideration would be made on the item and the Chairman ruled that such a motion would not be in order.

The Chairman questioned whether those voting for the Motion had additional reasons in addition to those advanced by Alderman Meagher.

Alderman Cromwell put forth Policies 7.3 and 5.2,
Section 2.

Alderman Nolan advised that he found the proposed building to be out of scale with the street and too massive for the area.

Alderman Grant put forth Objective 6 and also suggested the Municipal Planning Strategy is not clear as to which area the property falls within in that the Spring Garden Road Commercial Area and the C.B.D. are one and the same with respect to the property in question.

Aldermen Dewell and Flynn returned to the meeting.

Case No. 4343 - Contract Development - 50 Main Avenue

A public hearing was held into the above matter on August 17, 1983.

4. The development does not make every effort to preserve views from Citadel Hill, contrary to City-wide Objective 5 and Policies 5.1 and 5.2 or to complement the view from Citadel Hill as required by Policy 5.3 and C.B.D. Objective 6.

5. Furthermore, the development does not fulfill the overall Objectives of the Municipal Development Plan as stated in Section I and it does not conform to the general intent of the Municipal Development Plan as expressed in Policies concerning the protection of institutional and recreational facilities and the protection of and compatibility with the environment.

The question was put and the Motion was passed with five voting for it and three voting against it, as follows:

For: Deputy Mayor Hamshaw and Aldermen Cromwell, Meagher, Grant, and Nolan - 5

Against: Aldermen Downey, O'Malley, and Jeffrey - 3

Deputy Mayor Hamshaw advised that he had meant to vote in favour of the proposed development and the Chairman ruled it would not be proper to change one's vote after the item was voted upon.

A short discussion followed on the matter and Alderman O'Malley suggested a Motion of Reconsideration would be made on the item and the Chairman ruled that such a motion would not be in order.

The Chairman questioned whether those voting for the Motion had additional reasons in addition to those advanced by Alderman Meagher.

Alderman Cromwell put forth Policies 7.3 and 5.2, Section 2.

Alderman Nolan advised that he found the proposed building to be out of scale with the street and too massive for the area.

Alderman Grant put forth Objective 6 and also suggested the Municipal Planning Strategy is not clear as to which area the property falls within in that the Spring Garden Road Commercial Area and the C.B.D. are one and the same with respect to the property in question.

Aldermen Dewell and Flynn returned to the meeting.

Case No. 4343 - Contract Development - 50 Main Avenue

A public hearing was held into the above matter on August 17, 1983.

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

1. The contract development application to permit the construction of a 4-unit apartment building at 50 Main Avenue as shown on Plan No. P200/11927-11931 of Case No. 4343, be approved by City Council.
2. Council require that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, the contract approval will be void and obligations arising thereunder shall be at an end.

The City Clerk advised that Alderman Grant was not present at the public hearing.

Motion passed with Alderman Grant abstaining.

Case No. 4347 - Contract Development and Lot Consolidation -
5661-5667 Cogswell Street

A public hearing was held into the above matter on August 31, 1983. A supplementary staff report dated September 7, 1983 was submitted.

MOVED by Alderman Downey, seconded by Alderman
Meagher that:

1. The lot consolidation application to create Lot N as shown on Plan No. P200/11964, and the contract development application to permit the construction of an ~~X~~8-unit apartment building at 5661-67 Cogswell Street as shown on Plan No. P200/11955-11963 of Case No. 4347, be approved by City Council.
2. Council require that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any otherbodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, the contract approval will be void and obligations arising thereunder shall be at an end.

The City Clerk advised that Aldermen Cromwell and O'Malley were not present at the public hearing.

The Motion was put and passed with Alderman Cromwell
and O'Malley abstaining.

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Contract Development - Mainland South Community Centre -
Case No. 4354

A public hearing was held into the above matter on August 31, 1983.

MOVED by Alderman Grant, seconded by Alderman Nolan
that City Council:

1. Approve the development of the Mainland South Community Centre substantially as shown on Plan Nos. P200/11978-11981 inclusive;
2. Approve the lot consolidation;
3. Require that the construction agreement for the development contain a clause requiring that proper construction practices be used so that there is no siltation or pollution of the McIntosh Run during the time of construction; and
3. Require that development within the 100 year flood plain of the McIntosh Run be subject to the approval of City staff and the Department of Environment.

The City Clerk advised that Alderman Cromwell was not present at the public hearing.

Motion passed with Alderman Cromwell abstaining.

Case No. 4355 - Contract Development - 108 Old Sambro Road

A public hearing was held into the above matter on August 31, 1983. A letter dated June 4, 1983 was submitted from Ethel Hayden of 114 Old Sambro Road.

MOVED by Alderman Grant, seconded by Alderman Nolan
that:

1. The application from Spryfield Properties Limited for a contract development to permit the addition of 2 units to the existing 33-unit apartment building at 108 Old Sambro Road, as shown on Plan Nos. P200/11986-11989 of Case No. 4355, be approved by City Council.
2. Council require that the contract shall be signed within 120 days or any extension thereof granted by Council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, the contract approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Alderman Cromwell was not in attendance at the public hearing.

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Alderman Grant referred to the south west corner of the property which people use as a shortcut to the parking lot and advised he has been informed that the property of the abutting neighbour is also starting to be used for such a purpose. Alderman Grant asked that the owners be asked to correct the corner of the property in question, and His Worship advised that staff would be in touch with owners on the matter.

Motion passed with Alderman Cromwell abstaining.

Schedule "K", Rockingham Ridge - Contract Development,
Case No. 4341

A public hearing was held into the above matter on August 31, 1983. A supplementary staff report dated September 12, 1983, was submitted.

Deputy Mayor Hamshaw submitted a petition signed by residents of the Sherwood Heights Subdivision requesting that the existing plans for Rockingham Ridge development be altered to designate Donaldson Avenue and Ross Street as dead-end streets or cul-de-sacs.

Deputy Mayor Hamshaw proposed a motion approving the application but with two amendments; those being that instead of having a cul-de-sac on Donaldson Avenue, it be continued around to Douglas Avenue, and that the buffer zone of 40 single family dwellings which was originally part of the proposal, be re-established.

Deputy Mayor Hamshaw suggested that staff display a map of the area in order that he may illustrate the intent of the Motion, and His Worship questioned whether the item should not be deferred to the Committee of the Whole Council if there was to be a presentation and discussion.

His Worship suggested that the proposed motion may be changing the application which was made saying the applicant should be present to determine if the intent of the Motion is what he wishes to go forward.

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Nolan that the item be deferred to the next regular meeting of the Committee of the Whole Council.

Alderman Meagher suggested that prior to the Committee meeting, the Deputy Mayor, representatives of the residents, and the developer and staff meet to discuss the proposed changes.

The Motion to defer was put and passed.

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Case No. 4350 - Contract Development - Arcade -
Bayers Road Shopping Centre

A public hearing was held into the above matter on
September 7, 1983.

MOVED by Alderman Flynn, seconded by Alderman O'Malley
that:

1. The contract development application to permit the location of 2 amusement centres in the Bayers Road Shopping Centre, as shown on Plan No. P200/11969 of Case No. 4350, be approved by City Council.
2. Council require that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, the contract approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

Case No. 4316 - Contract Development - Lot A-3-R,
Corner Herring Cove Road and Greystone Drive

A public hearing was held into the above matter on
September 7, 1983.

MOVED by Alderman Grant, seconded by Alderman Nolan
that:

1. The contract development application to permit the construction of a 4-unit apartment building on proposed Lot A-3-R, as shown on Plan Nos. P200/11917-19 and 12087 of Case No. 4316, be approved by City Council.
2. Council require that the contract shall be signed within 120 days or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, the contract approval will be void and obligations arising hereunder shall be at an end.

Alderman Grant asked that staff contact the developer with respect to saving the trees around the area in question, or if it is necessary to remove a large number of trees, consideration be given to planting new ones. His Worship advised that the developer would be informed of the request.

Motion passed.

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PUBLIC HEARINGS, HEARINGS, ETC.:

Minor Variance Appeal at 1830 Garden Street

A staff report dated August 23, 1983, was submitted.

Mr. B. Algee, the Development Officer, addressed Council and explained the item as contained in the submitted report.

Mrs. R. H. McLean, the applicant, addressed Council and outlined the purpose of the application, and informed members of Council that the neighbour on the side of the property abutting the proposed addition has written the City a letter advising of non-objection. Mrs. McLean advised the proposal has also been discussed with other neighbours with no opposition expressed.

MOVED by Alderman Cromwell, seconded by Alderman Downey that the appeal of the Development Officer's decision to refuse a minor variance at 1830 Garden Street be upheld and the minor variance be granted by City Council.

Motion passed.

Appeal of a Variance Refusal at 1091 Wellington Street

A staff report dated August 26, 1983, was submitted.

Mr. B. Algee, the Development Officer, addressed Council and explained the matter as contained in the submitted report.

Alderman Cromwell noted that the Alderman representing the Ward in question was not present at tonight's meeting and questioned whether the matter should not be deferred to a subsequent meeting.

MOVED by Alderman Cromwell, seconded by Alderman Downey that the item be deferred to the next regular meeting of City Council. Motion passed.

Alderman Meagher left the meeting.

REPORT - FINANCE & EXECUTIVE COMMITTEE:

Council considered the report of the Finance and Executive Committee from its meeting held on September 7, 1983, as follows:

Halifax-Dartmouth Port Development Commission

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance & Executive Committee, the matter be deferred until the Legislature is sitting with consideration to be given to the subject at that time.

Motion passed.

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St. Andrew's School Lease

MOVED by Alderman Flynn, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, the areas of St. Andrew's school as shown on Attachment "B" of the August 30, 1983 staff report be leased to the Maritime Conservatory of Music and the Junior Achievement of Metropolitan Halifax-Dartmouth for a term of three years at a rental based on \$3.50 per square foot.

Motion passed.

MOVED by Alderman Flynn, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, the City of Halifax Recreation Department be allowed to use the ground floor and gymnasium as shown on Attachment "A" of the August 31, 1983 staff report to carry out the programming as outlined in the body of the report dated August 31, 1983.

Motion passed.

Alderman Grant referred to the estimated \$3,000 revenue from programming and group rentals which was \$500 less than the estimated janitorial expenses. Alderman Grant said he would like to see the department charge a fee which would at least represent a break-even situation with respect to the janitorial expenses, and His Worship advised that the suggestion would be forwarded to the department.

Tender #527548 - Police Chief's Vehicle

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the Finance & Executive Committee, Tender No. 527548 for one 1984 model Ford Marquis be awarded to A. E. Fowles Ltd., 6055 Almon Street, Halifax, Nova Scotia, B3K 1T9 with funds to be made available in account number 127417 B0140

Motion passed.

Specifications for Dog Control Contract

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

"That the suggestions put forth at the Finance & Executive Committee meeting of September 7, 1983 be incorporated in the specifications for the Dog Control Contract and that the tenders be called."

A supplementary staff report dated September 14, 1983 was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolan that Council approve the specifications for the Animal Control Contract as outlined in the September 14, 1983 supplementary staff report, and that tenders be called.

Motion passed with Alderman Downey against.

Insurance - Fleet, Property, Liability Umbrella

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that, as recommended by the Finance & Executive Committee:

1. Simpson Hurst Ltd., be authorized to place the recommended insurance coverages so indicated with an asterisk (*) in the staff report of August 25, 1983 for a total premium of \$228,245.00 to the Royal Insurance Company;
2. A \$1,000.00 deductible be assumed on all coverage and that a continuing loss prevention program be established to reduce premiums in future years;
3. The City Manager and Director of Finance be authorized to execute proof of loss forms to the amount of \$25,000.00 to facilitate and expedite settlement of claims.

Motion passed.

Tender #83-200 - Fire Hose - Halifax Fire Department

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that, as recommended by the Finance & Executive Committee:

1. Tender #83-200 for fire hose and accessories be awarded to the following companies on the basis of lowest bidder meeting specifications:
 - Items 1 and 2 as shown in the staff report dated August 22, 1983 be awarded to Cummings Fire & Safety Ltd., Bridgewater, Nova Scotia for a total cost of \$13,650.00.
 - Item 3 as shown in the staff report dated August 22, 1983 be awarded to Palmer Industries, Dartmouth, Nova Scotia for a total cost of \$2,700.00.
 - Items 4 through 9 as shown in the staff report dated August 22, 1983 be awarded to Safety Supply Ltd., Dartmouth, Nova Scotia for a total cost of \$44,991.36.
 - Total expenditure - \$61,341.36.
2. Funds to be made available from Account Number 125601 B0360.

Motion passed.

Tender #82-29 - Novalea Storm Sewer Extension

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance & Executive Committee, Tender #83-29, Novalea Storm Sewer Extension, for materials and services listed at the unit prices quoted, be awarded to Seaport Contractors Ltd. with funding to be made available from Account Number FA041.

Motion passed.

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School Charter Service

MOVED by Alderman Nolan, seconded by Alderman Grant that, as recommended by the Finance & Executive Committee, the School Board and City Council work together in the spirit of co-operation with any changes to be made brought to the attention of City Council in advance and in particular, to the Alderman of the area.

Motion passed.

Union of Nova Scotia Municipalities - Notice of Dues Increase

MOVED by Alderman Cromwell, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, the annual dues paid to the Union of Nova Scotia Municipalities by the City be proposed to increase by 5% for 1984.

Motion passed.

Fire Damage - G. K. Butler School

MOVED by Alderman Grant, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, authority be granted to the City Manager to execute proof of loss forms and settle the matter of fire damage - portable classroom - G. K. Butler School premises for the net amount of \$5,764.53.

Motion passed.

Appointment of Special Collectors of Rates and Taxes

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Cromwell that, as recommended by the Finance & Executive Committee, Paul W. Patterson, Outside Collector, be appointed as a special collector of rates and taxes under the authority of Section 122(1) of the Assessment Act of the Province of Nova Scotia, and that Emden R. Ehler previously appointed, be deleted from the list authorized for this purpose.

Motion passed.

Committee of the Whole Council meeting at
Mount Saint Vincent University

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Nolan that, as recommended by the Finance & Executive Committee, the regularly scheduled Committee of the Whole Council meeting to be held on October 5, 1983 at 2:00 p.m. be held at Mount Saint Vincent University, subject to the City Clerk investigating the suitability of the facilities available to Council at the University with the Public Hearings scheduled for that evening being held in the Council Chamber.

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Deputy Mayor Hamshaw advised that he was familiar with the various buildings at the University and offered to accompany the City Clerk for an inspection of the facilities for the meeting.

His Worship advised that the Committee of the Whole Council would have to adjourn at 5:30 p.m. noting that Public Hearings were scheduled for that evening in the Council Chamber.

Motion passed.

REPORT - COMMITTEE ON WORKS:

Council considered the report of the Committee on Works from its meeting held on September 7, 1983 as follows:

Closure of Mayor Avenue - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Grant, seconded by Alderman Nolan that, as recommended by the Committee on Works, a date be set for a public hearing to consider the closure of Mayor Avenue.

Motion passed.

The City Clerk advised that the date was scheduled for October 19, 1983 at 7:30 p.m. in the Council Chamber.

Appointment of Consultant - Retaining Wall -
Robie Street Connector

MOVED by Alderman Flynn, seconded by Alderman Nolan that, as recommended by the Committee on Works, the Mayor and City Clerk be authorized to enter into an agreement on behalf of the City of Halifax with George Brandys and Associates Limited for the provision of engineering services with respect to the repairs to the retaining wall on Robie Street Connector for an amount not to exceed \$26,000.00 with funds for the work being available in Account Number CK003 - Retaining Wall Construction.

Motion passed.

Off-Site Servicing - Annexed Lands (Industrial Park)

Nolan MOVED by Alderman O'Malley, seconded by Alderman that, as recommended by the Committee on Works:

1. The concept of extending the Pollution Control System to the Annexed Lands of the proposed Industrial Park be approved, and that Ordinance No. 156 be amended to include this system.
2. Staff be authorized to engage consultants to design the interceptor system for the annexed lands.

Motion passed.

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Deputy Mayor Hamshaw advised that he was familiar with the various buildings at the University and offered to accompany the City Clerk for an inspection of the facilities for the meeting.

His Worship advised that the Committee of the Whole Council would have to adjourn at 5:30 p.m. noting that Public Hearings were scheduled for that evening in the Council Chamber.

Motion passed.

REPORT - COMMITTEE ON WORKS:

Council considered the report of the Committee on Works from its meeting held on September 7, 1983 as follows:

Closure of Mayor Avenue - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Grant, seconded by Alderman Nolan that, as recommended by the Committee on Works, a date be set for a public hearing to consider the closure of Mayor Avenue.

Motion passed.

The City Clerk advised that the date was scheduled for October 19, 1983 at 7:30 p.m. in the Council Chamber.

Appointment of Consultant - Retaining Wall -
Robie Street Connector

MOVED by Alderman Flynn, seconded by Alderman Nolan that, as recommended by the Committee on Works, the Mayor and City Clerk be authorized to enter into an agreement on behalf of the City of Halifax with George Brandys and Associates Limited for the provision of engineering services with respect to the repairs to the retaining wall on Robie Street Connector for an amount not to exceed \$26,000.00 with funds for the work being available in Account Number CK003 - Retaining Wall Construction.

Motion passed.

Off-Site Servicing - Annexed Lands (Industrial Park)

MOVED by Alderman O'Malley, seconded by Alderman O'Malley that, as recommended by the Committee on Works:

1. The concept of extending the Pollution Control System to the Annexed Lands of the proposed Industrial Park be approved, and that Ordinance No. 156 be amended to include this system.
2. Staff be authorized to engage consultants to design the interceptor system for the annexed lands.

Motion passed.

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

Report - Planning Advisory Committee

A report with attachments from the Chairman, Planning Advisory Committee, dated September 9, 1983 was submitted. An information report dated September 8, 1983 was also submitted.

Alderman Cromwell addressed the matter and referred to the submitted information and requested that members of Council review and study the material, pointing out that this would be a policy change in the proposed amendment to the Municipal Development Planning Strategy and Land Use Bylaw and MOVED, seconded by Alderman Nolan that the matter be deferred to the next meeting of the Committee of the Whole Council.

Motion passed.

Seniors Entrance to Metro Centre - Advisory Committee on Concerns of Ageing - Resolution

A report from the Advisory Committee on Concerns of Ageing, dated September 6, 1983, was submitted.

MOVED by Alderman Dewell, seconded by Alderman Cromwell the resolution regarding Seniors Entrance to Metro Centre be referred to the World Trade Centre for consideration.

Motion passed.

Postponement of Payment of Taxes - Senior Citizens - Advisory Committee on Concerns of Ageing Resolution

A report from the Advisory Committee on Concerns of Ageing, dated September 6, 1983, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Dewell the resolution regarding the postponement of payment of Taxes - Senior Citizens be forwarded to the Director of Finance for review and report.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee, from its meeting held on September 7, 1983, as follows:

Lot Consolidation - Case No. 4383 - 5254-60 Green Street

MOVED by Alderman Downey, seconded by Alderman O'Malley, as recommended by the City Planning Committee, that the application to consolidate Parcel A and Parcel C to form Lot AC, located at Civic Nos. 5254-5260 Green Street, lands of Courtyard Green Developments Limited, as shown on Plan No. P200/12128 of Case No. 4384, be approved with the condition that proper drainage controls

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be in place as submitted in correspondence from A.S. Barber & Associates dated September 6, 1983.

Motion passed.

Case No. 4297 - Lot Consolidation - 2627-29 Agricola Street

The above item was forwarded to City Council without recommendation.

A supplementary staff report dated September 9, 1983 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley, the application to consolidate Lots 9 and 10 to form Lot 1P-C, Agricola Street, as shown on Plan No. P200/12150 of Case No. 4297, be approved by City Council.

Motion passed.

Heritage Advisory Committee Report - 1350 Hollis Street

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Grant, as recommended by the City Planning Committee, that Council approve the issuance of a building permit for the construction of an addition to the Registered Heritage Property at 1350 Hollis Street in accordance with plans submitted in conjunction with Permit Application No. 93106 dated July 5, 1983.

Motion passed.

Case No. 4397 - 1790 Granville Street - Contract Development
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman Grant, as recommended by the City Planning Committee, that a date be set for a public hearing to consider the application for contract development under Schedule "F", Section 84 of the Land Use Bylaw, Peninsula Area, to allow the development of a commercial building at 1790 Granville Street.

Motion passed.

The City Clerk advised the date set for this public hearing was WEDNESDAY, OCTOBER 19, 1983 at 7:30 p.m. in the Council Chamber.

Case No. 4369 - Contract Development - Lyons Avenue - SET DATE FOR
PUBLIC HEARING

An information report dated September 14, 1983 was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolan, as recommended by the City Planning Committee that a date be set for

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a public hearing to consider the application for contract development under Schedule "D" of the Land Use Bylaw to permit a second storey addition to and the conversion of 26 Lyons Avenue (Ida Mae Marriott School) to a 12-unit apartment building; and further, that a clause be inserted in the agreement requiring the five spaces be replaced.

Motion passed.

The City Clerk advised the date set for this public hearing was WEDNESDAY, OCTOBER 19, 1983 at 7:30 p.m. in the Council Chamber.

Case No. 4404 - Contract Development - 5600 Sackville Street,
SET DATE FOR PUBLIC HEARING

MOVED by Alderman O'Malley, seconded by Alderman Cromwell, as recommended by the City Planning Committee, that a date be set for a public hearing to consider the application for contract development under Schedule "C", Section 83 of the Land Use Bylaw by the Canadian Broadcasting Corporation for the property at 5600 Sackville Street to construct a roof-top radio studio, as shown on Plan Nos. P200/12212-12214.

Motion passed.

The City Clerk advised the date set for this public hearing was WEDNESDAY, OCTOBER 19, 1983 at 7:30 p.m. in the Council Chamber.

Contract Development - 2448-52 Gottingen Street - Case No. 4362
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman O'Malley, as recommended by the City Planning Committee, that a date be set for a public hearing to consider the application for contract development under Schedule "C", Section 83 of the Land Use Bylaw for 2448-52 Gottingen Street to permit resubdivision to create Lot A-5 as shown on Plan No. P200/12264 of Case No. 4362.

Motion passed.

The City Clerk advised the date set for this public hearing was WEDNESDAY, OCTOBER 19, 1983 at 7:30 p.m. in the Council Chamber.

Lease of Land Re: Billboards - TO BE TABLED

The recommendation forwarded to Council from the City Planning Committee reads:

' that the item be tabled by City Council '

Correspondence dated September 15, 1983 from G.C. Findlay, Mediacom Incorporated, 6189 Young Street, Halifax, N.S. was submitted.

MOVED by Deputy Mayor Hamshaw, seconded by Alderman O'Malley that correspondence by Mediacom be circulated to members of Council,

Council
September 15, 1983

and that the letter of appeal with respect to the lease of land re billboards be withdrawn, as per instructions of the applicant.

Motion passed.

MOTIONS:

Proposed Amendment to Ordinance Number 150, respecting the
Halifax City Market - Alderman Flynn

Notice of Motion with respect to this proposed amendment to Ordinance No. 150 respecting the Halifax City Market was given by Alderman Flynn at the Council meeting held on August 25, 1983.

MOVED by Alderman Flynn, seconded by Deputy Mayor Hamshaw
the following amendment to Ordinance Number 150, respecting the
Halifax City Market be now read and PASSED A FIRST TIME:

- 1) Section (2) (1) (i) is deleted and the following substituted therefor:

For table, per year \$165.00
- 2) Section 2 (1) (ii) is deleted.
- 3) Section 2 (1) is further amended by deleting the word and figures " and (ii) " as they appear in the first line of the second paragraph thereof.
- 4) Section 2 (1) (iii) is deleted and the following substituted therefor as section 2 (1) (ii):

For table, per week \$6.00.
- 5) Section 2(1) (iv) is deleted.
- 6) Section 2 (1) (v) is renumbered to Section 2 (1) (iii) and is amended by deleting the figures \$4.00 and substituting therefor the figures \$6.00 and is further amended by deleting the phrase "except on the occasion of the first use by an applicant in any given year".

Motion passed.

His Worship the Mayor re: Participation in a Task Force
concerning Cleanliness in the Receiving Waters in the Region

Notice of Motion of this matter was given by His Worship the Mayor at the Council meeting held on August 25, 1983.

MOVED by Alderman Flynn, seconded by Alderman Grant that
Halifax City Council approve the following Motion:

- ' that the City of Halifax participate in a Task Force to be composed of representatives of the County of Halifax,

Council
September 15, 1983

the City of Dartmouth, the Town of Bedford,
along with representatives of appropriate
Provincial and Federal Government Departments".

Motion passed.

MISCELLANEOUS ITEMS:

Tender # 83-11 - Storm Sewer - Fenerty Road

A staff report dated September 7, 1983, was submitted.

MOVED by Alderman Nolan, seconded by Alderman Flynn, that
Tender No. 83-11 - Storm Sewer - Fenerty Road, be awarded as follows:

- 1) to Eric Whebby Ltd., in the amount of \$56,225.00;
- 2) funding be authorized from account number(s): DB039 Storm
Sewer Fenerty Road and DB033;
- 3) funding transfers, if applicable, be approved as follows:

<u>Account Number:</u>	<u>Description</u>	<u>Amount</u>
From DB033 to DB039	From Dutch Village Rd. Sanitary Sewer to Fenerty Rd. Storm Sewer	\$8,000.

Motion passed.

QUESTIONS:

Question Alderman Dewell re: Sodium Lighting - Ward Six area

Alderman Dewell raised concerns from residents of Edinburgh,
Liverpool, London and various other streets in Ward Six regarding
the poor lighting in the area and requested a report from the
Engineering Department on this matter.

Question Alderman Jeffrey re: Maintenance Soccer Field - Halifax
West Highschool

Alderman Jeffrey referred to the soccer field at Halifax
West High School and in particular to the maintenance of the field,
advising that the School Board maintenance cuts the grass and
nothing else is being done. Alderman Jeffrey requested that a
report be prepared identifying the responsible party for maintenance
of this field.

Question Alderman Jeffrey re: Amendment to Taxi Ordinance re
Insurance

Alderman Jeffrey advised of Council's approval of the
amendment with respect to the Taxi Ordinance regarding insurance,

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and noted that the Minister of Municipal Affairs did not approve the amendment when submitted; and asked if correspondence would be forwarded to the Minister requesting the reasons for disapproval.

Question Alderman Jeffrey re: Closure of Soccer Field - Central Commons

Alderman Jeffrey referred to the closure of the Soccer field at the Central Commons on September 7, 1983, and advised that the Recreation Department was not aware of this closure. Alderman Jeffrey requested a report on the reasons why the Recreation Department was not informed and the reasons for the closure.

Question Alderman Downey re: Cost-Sharing - Barrington Street Alignment

Alderman Downey referred to the approval by the Minister of Transportation with regard to cost-sharing of the Barrington Street Alignment and questioned when work would be started.

The City Manager advised of a Committee consisting of the Department of Transportation and staff established to work together with a report of their findings to be submitted to Council; stating that work probably will begin in a couple of months.

Question Alderman Downey re: Crosswalk, Corner Cornwallis Street and Brunswick Street

Alderman Downey referred to the absence of a sign or a crosswalk sign at the corner of Cornwallis Street and Brunswick Street and asked that the Traffic Authority review the matter and provide a solution for the citizens' safety.

Question Deputy Mayor Hamshaw re: Committee of the Whole Meeting Mount Saint Vincent University - Rockingham Ridge Proposal

Deputy Mayor Hamshaw requested that the item with respect to the Rockingham Ridge proposal be placed on the agenda of the Committee of the Whole Council meeting scheduled for Mount Saint Vincent University, on October 5, 1983 at 2:00 p.m. Council agreed that this item be placed on the agenda of that particular meeting.

Question Alderman O'Malley re: Crosswalk - Duffus Street West/ Agricola Street

Alderman O'Malley referred to the absence of a crosswalk at Duffus Street and Agricola Street and raised concerns with regard to the safety of the school children going to St. Stephen's School and asked whether the crosswalk could be reinstated.

The City Manager advised a reply would be forwarded to the Alderman.

Question Alderman Grant re: Tranquilizer Guns - Police Department

Alderman Grant referred to the recent 'animal-at-large'

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in the City and asked whether a tranquilizer gun and operator was available at the Police Department for such instances.

Question Alderman Grant re: Right-of-way - Elizabeth Sutherland School and Civic Nos. 69 and 70 Tartan Avenue

Alderman Grant raised concerns from the residents of 69 and 70 Tartan Avenue in that the property abutting was being used to gain access to the Elizabeth Sutherland School and asked if the School Board could be contacted as to whether they view the particular area as a right-of-way to their land.

The Chairman advised the matter would be reviewed.

NOTICE OF MOTIONS:

Notice of Motion Alderman Flynn re: Reconsideration of Council Resolution of September 15, 1983 respecting the Halifax-Dartmouth Port Development Commission

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council, he proposed to introduce a Motion of Reconsideration of Council's Motion of deferral concerning the Halifax-Dartmouth Port Development Commission.

Notice of Motion Alderman Jeffrey re: Proposed Amendment to Ordinance 116, the Taxi Ordinance

Alderman Jeffrey gave Notice of Motion that at the next regular meeting of Halifax City Council, he proposes to introduce an amendment to Ordinance 116, the Taxi Ordinance, with respect to a) the testing of license applicants; b) the inspection of licensed taxi vehicles; and c) size requirements for taxi vehicles.

ADDED ITEMS:

Re-appointment of Members - Planning Advisory Committee

A report from the Chairman, Planning Advisory Committee, dated September 15, 1983 was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolan that City Council reappoint all members for a period of one year, or until the question of Planning Advisory Committee membership is resolved with respect to the recommendations of the Commission on City Government and the new requirements in the Planning Act.

Motion passed.

Appointment of Fire Chief

This item was dealt with earlier in this meeting.

Amended Page

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in the City and asked whether a tranquilizer gun and operator was available at the Police Department for such instances.

Question Alderman Grant re: Right-of-way - Elizabeth Sutherland School and Civic Nos. 69 and 70 Tartan Avenue

Alderman Grant raised concerns from the residents of 69 and 70 Tartan Avenue in that the property abutting was being used to gain access to the Elizabeth Sutherland School and asked if the School Board could be contacted as to whether they view the particular area as a right-of-way to their land.

The Chairman advised the matter would be reviewed.

NOTICE OF MOTIONS:

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ADDED ITEMS:

Re-appointment of Members - Planning Advisory Committee

A report from the Chairman, Planning Advisory Committee, dated September 15, 1983 was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolan that City Council reappoint all citizen members for a period of one year, or until the question of Planning Advisory Committee membership is resolved with respect to the recommendations of the Commission on City Government and the new requirements in the Planning Act.

Motion passed.

Appointment of Fire Chief

This item was dealt with earlier in this meeting.

P.L.O. Meeting - Dalhousie University and St. Mary's University

This item was added to the agenda at the request of Alderman Jeffrey.

Alderman Jeffrey referred to the recent near riot at Dalhousie University and raised concerns from residents of his area, members of the Lebanese community and requested that the Halifax Police Department along with the R.C.M.P. investigate this matter; and further that the matter of holding such meetings, of showing movies of such nature to students; and whether these meetings may or may not be held, be reviewed and a report of the findings be submitted.

9:35 p.m. - No further business, the meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

G.I. BLENNERHASSETT
CITY CLERK

DATE APPROVED BY CITY COUNCIL: _____

ek/ wc

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
September 29, 1983
8:10 p.m.

A meeting of Halifax City Council was held at this time.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Hamshaw and Aldermen Doehler, Cromwell, Downey, Meagher, O'Malley, Jeffrey and Flynn.

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

The meeting was called to order and those attending joined the City Clerk in the recitation of the Lord's Prayer.

Section 16 (3A) of the Municipal Elections Act

MOVED by Deputy Mayor Hamshaw, seconded by Alderman O'Malley,
in accordance with Section 16(3A) of the Municipal Elections Act,
Alderman Don LeBlanc be granted leave of the Council due to illness.

Motion passed unanimously.

Presentation - Long Service Award - Victor J. Backman
Halifax Fire Department

His Worship presented a long service award to Victor J. Backman of the Halifax Fire Department, on behalf of members of Council and the citizens of the City, noting Mr. Backman began his career with the Department in 1955 and thanking him for his faithfulness and loyalty over the years. Alderman Cromwell presented Mrs. Backman with a corsage and extended best wishes to the Backmans.

Mr. Backman addressed Council and advised the City of Halifax had been a wonderful place to work during the past twenty-eight years.

Fire Chief Swan addressed Council and expressed the Department's appreciation to Mr. Backman for his service.

Presentation - Miss Halifax - Miss Paula Davis

His Worship presented Miss Halifax and Miss Nova Scotia, Miss Paula Davis, to members of Council and advised of her achievements and of her role in representing Halifax at conferences, greeting visitors, and personal appearances.

Alderman Dewell presented Miss Davis with a pin in recognition of her achievement and expressed best wishes for the future.

Council
September 29, 1983

Miss Davis addressed Council and thanked all members, as well as Mr. Ron Hanson, Mr. Darrell Wentzell and Mr. Peter Cox for their co-operation during the Halifax Natal Day weekend.

MINUTES

Minutes of the regular meeting of City Council held on September 15, 1983, were approved on a Motion by Alderman Cromwell, seconded by Deputy Mayor Hamshaw.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS:

At the request of the Acting City Clerk, Council added:

20.1 Auditor General

At the request of Alderman Dwell, Council added:

20.2 Motorcycles and Noise Abatement

At the request of Alderman Flynn, Council added:

20.3 Downtown Parking

At the request of Alderman Jeffrey, Council added:

20.4 Crosswalks

At the request of the Acting City Clerk, Council deferred:

15.3 Contract Development - 5247 Morris Street

MOVED by Alderman Doehler, seconded by Alderman Cromwell,
the agenda, as amended, be approved. Motion passed.

DEFERRED ITEMS:

Appeal of a Variance Refusal at 1091 Wellington Street

This item was deferred to this meeting from the Council meeting held on September 15, 1983.

Mr. E.B. Algee, Development Officer, addressed Council and advised his reasons for the refusal of the variance as contained in the staff report of August 26, 1983. Mr. Algee responded to questions put forth.

Mr. Kenneth F. Drinkwater, the applicant, addressed Council and advised the application would provided additional space in his dwelling.

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September 29, 1983

MOVED by Alderman Deohler, seconded by Alderman Cromwell
that the Development Officer's decision to refuse the variance
at 1091 Wellington Street be overturned; and the variance be
allowed. Motion passed.

MOTIONS OF RECONSIDERATION:

Alderman Flynn re: Reconsideration of Council Resolution of
September 15, 1983 respecting the Halifax-Dartmouth Port Commission

Alderman Flynn gave notice of reconsideration concerning
the above item at the last regular meeting of City Council.

Alderman Flynn addressed Council and advised he was
attempting to arrange a meeting with the Minister with respect
to the Legislation in this matter and suggested the matter be
deferred until the next meeting of Halifax City Council, scheduled
for October 13, 1983, with the information and meeting to be held
in the interim.

Alderman O'Malley addressed the matter and raised a point
of order, submitting the deferring of the motion of reconsideration
on a resolution of deferral should not be permitted and requested
a ruling from the City Solicitor.

8:30 p.m. - Alderman Nolan arrives at the meeting.

The Acting City Solicitor advised he was not in a position
to give an opinion at this time without reviewing the matter and
report, suggesting the report could be submitted at the next meeting
of Halifax City Council.

Alderman O'Malley again addressed the matter and advised
further information must be available before any decision is made.

A further discussion ensued and it was MOVED by Alderman
O'Malley, seconded by Alderman Meagher that the item be laid on
the table until such time as sufficient information is available.

Motion passed.

The Chairman advised information on the ruling in this
matter would be submitted to Council.

Council
September 29, 1983

PETITIONS AND DELEGATIONS:

Petition Alderman Doehler re: Enforcement of Section 43A, E
of the City of Halifax Zoning Bylaw (Peninsula Area)

Alderman Doehler submitted a petition containing 48 signatures regarding the increased volume of the building at 5654 Morris Street, contrary to Section 43AE of the City of Halifax Zoning Bylaw (Peninsula Area), requesting enforcement of the Section of the Bylaw to require the property owner to restore the original roof line at that address. Alderman Doehler advised the petition was a request to the City to check and enforce its Bylaws, thus giving equal treatment of the law to everyone.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 21, 1983, as follows:

Proposed Modification of Tendering Policy

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Hamshaw,
as recommended by the Finance and Executive Committee, that Council authorize the discontinuance of calling for competitive quotations for all items where the individual component cost and the aggregate number of components to be purchased in any one instance do not result in costs any greater than \$100.00.

Motion passed.

Policy with respect to Computers and Allied Equipment

The following recommendation was forwarded from the Finance and Executive Committee meeting:

' that Council approve a policy in developing a distributed data processing system through the use of micro and mini computer systems to handle the future data processing requirements of the City of Halifax and its Boards and Commissions, with emphasis on standardization of both hardware and software '.

Council
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Alderman O'Malley addressed the matter and advised he had discussions with the City Manager with respect to informative proposal factors which may be available and MOVED, seconded by Alderman Meagher that the matter be deferred for a period of two weeks so that the City Manager may review these possibilities.

Motion passed.

Micro Computers Standardization - Tender # 527110

The following recommendation was forwarded to this meeting of Halifax City Council from the Finance and Executive Committee:

' that Wang Canada Ltd., Suite 610, Cogswell Tower, Halifax, N.S. be awarded this proposal on the basis of the lowest responsible bidder meeting proposal criteria '.

Alderman O'Malley advised this item should be deferred in light of Council's action in the previous agenda matter; and MOVED, seconded by Alderman Meagher this item be deferred for a two-week period. Motion passed.

Tender # 83-206 - Highway Salt

MOVED by Alderman Doehler, seconded by Alderman Downey, as recommended by the Finance and Executive Committee, that authority be granted to purchase this seasons salt requirements from the Canadian Salt Company at the prices as shown in the September 13, 1983 staff report.

Motion passed.

NIP I, Land Acquisition

MOVED by Alderman Downey, seconded by Alderman Meagher, as recommended by the Finance and Executive Committee, that Council indicate to all owners a willingness to accept a negotiated and mutually agreeable program of rehabilitation of properties proposed for acquisition, the proposals to be in the City's hands not later than October 7, and results to be reported to Committee of the Whole Council on October 19, 1983.

Motion passed.

Land Exchange - 188 Herring Cove Road

MOVED by Alderman Nolan, seconded by Alderman Dewell, as recommended by the Finance and Executive Committee, that:

- 1) Parcel H-188 be acquired from Gary and Lorraine Trenholm for \$3,051.

Council
September 29, 1983

- 2) that Lot T-2 as shown on Plan # 00-27453 be sold to Mr. Trenholm for \$3,051. Funding for the acquisition is available in Account No. CJ012, the Herring Cove Road Widening Account.

Motion passed.

Clayton Developments Limited - Westridge Drive Storm Sewer

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Jeffrey, as recommended by the Finance and Executive Committee that the City of Halifax refund to Clayton Developments Limited the \$50,000 paid by Clayton Developments Limited to the City on May 17, 1979, on the terms and conditions set forth therein, the said funds to be paid out of Account Number DA001.

Motion passed.

Request for Fly Past - Canadian Forces Snowbirds - FOR CONFIRMATION ONLY

MOVED by Alderman Nolan, seconded by Alderman Doehler, as recommended by the Finance and Executive Committee, that Council approve the request for an overfly of the City of Halifax during the period September 22 to 26, 1983, provided that all Ministry of Transport regulations are complied with.

Motion passed.

Report - Metropolitan Transit Commission on Richmond Manor

MOVED by Alderman Flynn, seconded by Alderman O'Malley, as recommended by the Finance and Executive Committee, that the services to Richmond Manor be extended until the cul-de-sac repairs are completed.

Motion passed.

Transinfo Agreement

MOVED by Alderman Flynn, seconded by Alderman Nolan, as recommended by the Finance and Executive Committee, that His Worship the Mayor and the City Clerk be authorized to sign an agreement with Metropolitan Authority to proceed with the Transinfo project.

Motion passed.

Transit - Possible Bylaw Change

The following recommendation was forwarded to this meeting from the Finance and Executive Committee meeting:

- that staff be authorized to review the proposed amendment to the bylaw respecting the Establishment, Operation and Maintenance of a Regional Public

Council
September 29, 1983

Transit System and a Regional Transit Planning and Traffic Management Advisory Board and report back to Council as to the cost factor '.

MOVED by Alderman Flynn, seconded by Alderman Nolan the Director of Finance and the City Manager be requested to review the proposed amendment to the bylaw respecting the Establishment, Operation and Maintenance of a Regional Public Transit System and a Regional Transit Planning and Traffic Management Advisory Board and report to Council as to the ramifications on the budget should such a change be implemented.

Motion passed.

City Market

MOVED by Alderman O'Malley, seconded by Alderman Doehler, as recommended, a Committee consisting of Aldermen O'Malley and Flynn be appointed to call a meeting between the parties concerned in an attempt to review the possibility of establishing a City Market facility; and further, that the meeting be called within the next two weeks.

Motion passed.

Alderman O'Malley advised a meeting has been arranged for Monday, October 3, 1983 at 1:30 p.m. in the Council Chamber.

Council
September 29, 1983

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on September 21, 1983 as follows:

School Avenue Walkway - Tender # 83-28

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that, as recommended by the Committee on Works:

1. Tender #83-28 for School Avenue Walkway, be awarded to Stewiacke Construction Limited for the bid price of 33,440.00, and a total project cost of \$40,000.00 which includes recommended tender price, and engineering, inspection, testing, T.V. inspection and administration at 20%.

2. Funding be authorized from Account Number CK049. Motion passed.

Petition - Residents, Merchants, Institutions - Argyle Street
RE: Mardi Gras

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Committee on Works, the requested use of the Grand Parade and the closing off of a portion of Argyle Street in connection with a proposed Mardi Gras, be refused by City Council but that Council be open to consideration of an alternate site.

Motion passed.

Tender No. 83-39 - Gabion Retaining Walls a) Arglington Avenue & b) Fenwood Road

MOVED by Alderman Jeffrey, seconded by Alderman Nolan that, as recommended by the Committee on Works:

a. Arlington Avenue be awarded to Edmond Bros. Landscaping Ltd. for the price of \$24,665.00 and a total project cost of \$30,000.

b. Fenwood Road be awarded to Stewiacke Construction Limited for the bid price of \$9,700.00 and a total project cost of ~~\$16,400.00~~

RK. ~~\$12,000.00~~
c. Funding Authorized from Account Number CK003.

Motion passed.

Council
September 29, 1983

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Report re: Commission on City Government Part III Recommendations

The report of the Committee of the Whole from its meeting held on September 6, 1983 with respect to Part III of the Commission on City Government recommendations, was submitted.

Alderman O'Malley advised that he was unable to attend the Committee of the Whole Council meeting and expressed the view that the subject was such that all members of Council should be in attendance.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that the item be deferred back to the Committee for further study.

Motion passed.

Proposed Amendment to Ordinance Number 150 respecting the Halifax City Market - SECOND READING

This matter was last considered at the Committee of the Whole Council meeting held on September 21, 1983.

MOVED by Alderman Flynn, seconded by Deputy Mayor Hamshaw that, as recommended by the Committee of the Whole Council, the following amendment to Ordinance Number 150, respecting the Halifax City Market be given SECOND READING:

1) Section 2 (1) (i) is deleted and the following substituted therefor:

For table, per year \$165.00

2) Section 2 (1) (ii) is deleted.

3) Section 2(1) is further amended by deleting the word and figures " and (ii)" as they appear in the first line of the second paragraph thereof.

4) Section 2(1) (iii) is deleted and the following substituted therefore as section 2 (1) (ii):

For table, per week \$6.00

5) Section 2 (1) (iv) is deleted.

6) Section 2 (1) (v) is renumbered to Section 2 (1) (iii) and is amended by deleting the figures \$4.00 and substituting therefor the figures \$6.00 and is further amended by deleting the phrase "except on the occasion of the first use by an applicant in any given year."

Motion passed.

Council
September 29, 1983

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on September 21, 1983 as follows:

1572 Barrington Street - St. Mary's Temperance Hall

MOVED by Alderman Meagher, seconded by Alderman Doehler that, as recommended by the City Planning Committee, Council approve the issuance of a building permit for the exterior renovation of the Registered Heritage Property at 1572 Barrington Street in accordance with plans submitted in conjunction with permit application Number 93425 dated August 4, 1983.

Motion passed.

Amendment to Contract Development - 59 Main Avenue, Case No. 3603

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee:

1. In the case of the amendment to the contract development approved by City Council on March 1, 1979 for the property at 59 Main Avenue, City Council consider that the contract is not changed substantially and approve of the amendment as is outlined in the staff report dated September 7, 1983; and
2. Council require that the contract shall be signed within 120 days or any extension thereof granted by Council on request of the applicant from the date of final approval by Halifax City Council or any other bodies as necessary, whichever approval is later including applicable appeal periods; otherwise, the contract approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

Contract Development - 5247 Morris Street

This matter was deferred to the next meeting of the Committee of the Whole Council during the setting of the agenda.

South End/Peninsula Centre Land Use Bylaw - Amendments

MOVED by Alderman Cromwell, seconded by Alderman Doehler that, as recommended by the City Planning Committee, that a date be set for a public hearing to consider the South End/Peninsula Centre Land Use Bylaw Amendments as contained in a staff report dated July 12, 1983 addressed to the Planning Advisory Committee.

Motion passed.

Council
September 29, 1983

The Acting City Clerk advised that the date for the public hearing was set as WEDNESDAY, NOVEMBER 9, 1983 at 7:30 p.m. in the Council Chamber City Hall.

Proposed Amendment to the Municipal Planning Strategy and Land Use Bylaw (United Equities Limited) Summer Street/Spring Garden Road - (PAC Report) - SET DATE FOR PUBLIC HEARING

Alderman Cromwell, in referring to the recommendation from the City Planning Committee, advised that he wished to present a motion which had the effect of changing the Committee recommendation.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that Council set a date for a public hearing to consider the following amendments to the Municipal Planning Strategy and Land Use Bylaw:

"1) Municipal Planning Strategy

(a) to amend the Generalized Future Land Use Map of the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to redesignate the property at the southwest corner of Spring Garden Road and Summer Street from "University" to "Medium-Density Residential" or "High-Density Residential" (See Map 2);

(b) to amend the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to add the following policy:

For that area located at the intersection of Spring Garden Road, Summer Street and College Street, designated "Medium Density or High Density Residential," the City may consider applications for any specific development consistent with the zoning designation. In considering such applications, the City may:

1) permit development to exceed the height precinct established through Policy 8.1.1; however, any proposed development shall not cast any shadow on the Public Gardens after 10:00 a.m. Atlantic Standard Time between March 21 and September 21;

2) permit modifications to the provisions of the zoning designation, provided that all other policies of this Plan and (1) above are met.

2) Land Use Bylaw

(a) to consider rezoning the property in question from U-1 (Low Density University) Zone to R-2 (General Residential) Zone or R-3 (Multiple Family) Zone (see Map 3);

(b) to amend Section 16AB of the Peninsula section of the Land Use Bylaw to renumber subsection (f) as subsection (g), and to add as subsection (f) the following:

Section 16AB (f). Council may, by resolution under the authority of the Planning Act and Policy 8.1.4, Part II, Section VI of the Municipal Planning Strategy, permit any residential development which would not otherwise be permitted by this Bylaw in accordance with said policy."

A discussion followed and Alderman Doehler proposed an amendment to the motion which was seconded by Alderman O'Malley that the public advertisement for the public hearing contain a sentence to the effect that the proposed amendment does not preclude low or medium density development for the property.

The Chairman ruled that the proposed amendment was not in order.

The main motion was put and lost.

MOVED by Alderman Doehler, seconded by Alderman O'Malley that Council set a date for a public hearing to consider the following amendments to the Municipal Planning Strategy and Land Use Bylaw:

"1) Municipal Planning Strategy

(a) to amend the Generalized Future Land Use Map of the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to redesignate the property at the southwest corner of Spring Garden Road and Summer Street from "University" and "Medium-Density Residential" to "High-Density Residential" (see Map 2);

(b) to amend the Municipal Planning Strategy (Section VI, Peninsula Centre Area) to add Policy 8.1.4 as follows:

Policy 8.1.4 For that area located at the intersection of Spring Garden Road, Summer Street, and College Street, designated

Council
September 29, 1983

"High-Density Residential," the City may consider applications for any specific development consistent with the zoning designation. In considering such applications, the City may:

- 1) permit development to exceed the height precinct established through Policy 8.1.1; however, any proposed development shall not cast any shadow on the Public Gardens after 10:00 a.m. Atlantic Standard Time between March 21 and September 21;
- 2) permit modifications to the provisions of the zoning designation, provided that all other policies of this plan and (1) above are met.

2) Land Use Bylaw

(a) to rezone the property in question from U-1 (Low-Density University) Zone and R-2 (General Residential) Zone to R-3 (Multiple Family) Zone (see Map 3);

(b) To amend Section 16AB of the Peninsula section of the Land Use Bylaw to renumber subsection (f) as subsection (g), and to add as subsection (f) the following:

Section 16AB(f). Council may, by resolution under the authority of the Planning Act and Policy 8.1.4, Part II, Section VI of the Municipal Planning Strategy, permit any residential development which would not otherwise be permitted by this Bylaw in accordance with said policy."

And further that the public advertisement for the public hearing contain a sentence to the effect that this amendment does not preclude Council from considering a Low or Medium Density or any other use for the property.

Motion passed.

The Acting City Clerk advised that the date for the public hearing was set as WEDNESDAY, NOVEMBER 9, 1983 at 7:30 p.m. in the Council Chamber, City Hall.

Council
September 29, 1983

Cooperative Housing Project - Bayers-Westwood Area - SET
DATE FOR PUBLIC HEARING

MOVED by Alderman Flynn, seconded by Deputy Mayor Hamshaw
that, as recommended by the City Planning Committee, Council
set a date for a public hearing to consider the changing of
the zoning of the subject area of the City.

Motion passed.

The Acting City Clerk advised that the date for the Public
Hearing has been set as WEDNESDAY, NOVEMBER 23, 1983 at 7:30 p.m.
in the Council Chamber, City Hall.

MOTIONS

Proposed Amendment to Ordinance Number 116 respecting The
Regulation of Vehicles Transporting Passengers For Hire-
Taxi Ordinance

Alderman Jeffrey addressed Council noting that new information
had been received with regard to this matter and MOVED, seconded
by Alderman Cromwell that the matter be deferred until such time
as the Taxi Commission has had an opportunity to review the new
information.

Motion passed.

QUESTIONS

Question Alderman Doehler re: Establishment of Vacancy Rate
Percentage to Permit Condominium Conversion

Alderman Doehler referred to the City of Toronto not
allowing conversion to condominium if the vacancy rate were
below a certain percentage. He requested that the Legal Depart-
ment look into enacting similar legislation for the City of
Halifax.

Alderman Dewell indicated that this topic had been
discussed by the Advisory Committee on Concerns of Ageing and
that representation had been made to the Provincial Government
in this regard. He noted that the discussion and reports
regarding this matter would be made available to Alderman Doehler.

Question Alderman Cromwell re: Charging of Universities for
False Alarms

Alderman Cromwell noted that at the last Committee of the
Whole Council meeting he raised a question concerning false alarms
and subsequently received an information report advising the City
did not have the authority to charge universities for false alarms.
Alderman Cromwell questioned how such authority could be obtained
and the City Manager indicated the Province could be asked for
the authority.

Council
September 29, 1983

His Worship referred to the large amount of money involved suggesting that something should be done and advised that staff are looking into the matter.

Question Alderman Jeffrey Re: School Crossing Guards

Alderman Jeffrey referred to an information report submitted in response to a question concerning crossing guard procedures in the Kearney Lake area, and expressed the view that the guards do an excellent job. Alderman Jeffrey suggested that many guards are being abused by motorists in that they do not give the guards the right-of-way when they should. Alderman Jeffrey also questioned whether motorists who are reported, receive any form of communication from the Police Department suggesting the guards should have more authority than they presently have. Alderman Jeffrey asked that the Chief of Police look into the matter with a view to perhaps giving the crossing guards more authority allowing them to charge motorists.

Question Alderman Nolan Re: Reinstatement of Provincial Grants

Alderman Nolan referred to the announcement concerning the re-instatement of Provincial Grants from last year and questioned what base line will be used and what year will the Province be using, and whether the entire \$11 million from last year will be re-instated. Alderman Nolan suggested to the Chairman that the question be forwarded to the Province.

Question Alderman O'Malley Re: Proposed Rental Increase,
Halifax Housing Authority Tenants

Alderman O'Malley advised that he has received a number of calls from concerned senior citizens who are housed in the City's senior citizens facilities to whom it has been indicated there will be a rather substantial rental increase. Alderman O'Malley advised that the people in question are on a Provincial Social Assistance program only, and indicated the information results from a letter received by the Housing Authority from the Minister of Social Services for the Province.

Alderman O'Malley indicated the tenants in question are of the opinion there is not to be a compensating increase in social service benefits but in checking into the matter, advised it is his understanding there is intended to be such a compensating increase but that this has not been relayed to the tenants concerned. Alderman O'Malley asked if there was some way the Social Planner has of contacting the tenants in question to provide them with a letter of information outlining it is intended to be compensation of some form for the rental increase. His Worship advised that the Social Planner would look into the matter.

Question Deputy Mayor Hamshaw Re: Meeting at Mount Saint Vincent
University

Deputy Mayor Hamshaw referred to a memo received from the Acting City Clerk concerning the above meeting and, for the information of Council, indicated the entrance to the Seton Academic Centre is located at the second entrance to the university property rather than the main entrance as indicated in the memo.

Council
September 29, 1983

NOTICE OF MOTION

Notice of Motion Alderman Doehler re: Proposed Amendment to Ordinance No. 3, the Streets Ordinance

Alderman Doehler gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on Thursday, October 13, 1983, he proposes to introduce an amendment to Ordinance No. 3, the Streets Ordinance.

The purpose of the amendment is to replace the following phrase "...a penalty not exceeding \$10.00 with"....a penalty not less than \$25.00 and not exceeding \$100.00.

ADDED ITEMS

Auditor General

The above item was added to the agenda at the request of the Acting City Clerk. Alderman O'Malley requested that the Auditor General address Council and indicated he wished to ask some questions concerning the status of the office.

Alderman Flynn questioned whether the office was officially in place at this time and whether the appointment of Auditor General has been made. Alderman O'Malley, who read from Council's resolution of April 14, 1983, suggested that such was the case.

Further discussion followed and, in reply to a question, the Acting City Solicitor indicated that Council has the authority to appoint officers of the city with the position of Auditor General not being presently included in the City Charter. Mr. Anstey suggested that in addition to the necessary administrative order, amendments to the City Charter are required which were being circulated.

Alderman O'Malley indicated that he had previously been informed by the City Solicitor that a Charter amendment was not required and he requested that the City Clerk research previous minutes pertaining to the question and circulate them to him.

Alderman Grant joins the meeting.

After further discussion Alderman O'Malley indicated that he had requested that the item be added in order to discuss whether the role was being filled, whether Council could be of assistance, and whether the City is on target in moving ahead with the fulfillment of the intent of Council's previous motion.

The Chairman advised that the position has not be officially created nor an official appointment made at this time.

Motorcycles and Noise Abatement - Alderman Dewell

This matter was added to the agenda at the request of Alderman Dewell.

Alderman Dewell advised that he has received complaints from all areas of the City concerning the driving of motorcycles in the morning without the proper exhaust systems. Alderman Dewell said he would like to receive information with respect to the City's present regulations concerning exhaust noises from all vehicles, whether the law is sufficient, and if it is not, how the matter can be brought before Council to strengthen the law.

Alderman Dewell asked if he could receive a report on the subject by the date of the October 19th Committee of the Whole Council meeting.

Alderman Grant also referred to the matter of motorized vehicles such as mini-bikes being driven by persons under sixteen years of age. Alderman Grant questioned whether there was any way the City could approach the Province with a view to having such individuals licensed by the Registry of Motor Vehicles. Alderman Grant noted the City has regulations covering such uses of its recreational spaces but referred to areas such as the sides of roads and back-yards where the practice is representing a problem and a danger to the children involved.

Downtown Parking

The above item was added to the agenda by Alderman Flynn who noted with the start of construction of the Sheraton Hotel, the downtown area will be losing a great many parking spaces. Alderman Flynn questioned whether the City parking lot on the waterfront could be made available to motorists at least during the evening with some form of security lighting installed, and for the Traffic Department to also pursue the availability of additional day-time parking as well.

The City Manager advised that the lot in question is not supervised in the evening making it free for use by citizens but suggested that lighting would be expensive. Alderman Flynn noted the light standards are presently in place and indicated that landscaped lighting was not necessary but rather a couple of flood lights which he suggested would not be that expensive. Alderman Flynn suggested the City should do what it can with respect to providing parking during the hotel construction.

Alderman Grant referred to an item previously discussed relating to the possibility of parking under the Grand Parade and the Chairman advised that the City Manager will be submitting a report on that subject.

Crosswalks

The above item was added to the agenda at the request of Alderman Jeffrey who, in referring to a crosswalk located on the corner of Rosedale Avenue and Dutch Village Road, advised that he recently had a meeting with business people in the area on the matter.

Alderman Jeffrey indicated there have been a number of accidents and near misses and advised that what takes place is that when a pedestrian proceeds across the crosswalk, one vehicle will stop but that a vehicle in the other lane proceeds through the crosswalk. Alderman Jeffrey suggested the situation exists day after day which is going to result in a fatality.

Alderman Jeffrey advised that he was prepared to make a motion on the matter but asked that Council support a request that the Police Department monitor the situation. The Chairman suggested that Alderman Jeffrey make the request which would be carried out.

Alderman Jeffrey asked that His Worship forward a letter or call the Chief of Police asking that the Department monitor the crosswalk in question for the next three weeks or month.

10:25 P. M. - Meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E.A. KERR
ACTING CITY CLERK

Date Approved by City Council: _____

wc/sg

SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
October 5, 1983
7:30 p.m.

A Special meeting of Halifax City Council, Public Hearings, was held on the above date.

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

Present: Deputy Mayor A. Hamshaw, Acting Chairman; and Aldermen Cromwell, Downey, O'Malley, Nolan, Jeffrey and Flynn.

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

ADDED ITEMS

The Acting Clerk advised that there was one item to be added from the Committee of the Whole held earlier this date. He advised that the item was 'Hemlock Ravine - Estate of Frederick G. Hartlen'.

It was agreed by the members of Council that 'Hemlock Ravine - Estate of Frederick G. Hartlen' be added to the agenda of this evenings meeting.

Hemlock Ravine - Estate of Frederick G. Hartlen

This matter was added to the agenda from the Committee of the Whole Council held earlier today.

MOVED by Alderman O'Malley, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, staff be authorized to negotiate with the solicitor for the estate of Frederick G. Hartlen for the purchase of 564 Bedford Highway.

Motion passed.

Nominated Heritage Properties

An information report dated September 29, 1983 was submitted. Correspondence from L.J. Hayes, McInnes, Cooper & Robertson dated October 4, 1983 has been received requesting deferral of consideration of the nominated Heritage Property located at 1546 Barrington Street.

Special Council
October 5, 1983

1546 Barrington Street

MOVED by Alderman O'Malley, seconded by Alderman Flynn that consideration of the above matter be deferred to the next meeting of Council to consider nominated Heritage Properties.

Motion passed.

Mr. A.W. Churchill, Heritage Co-ordinator, City of Halifax, addressed Council explaining the origin of the nominated Heritage Properties before Council this evening. He noted that all assessed owners had been notified as per the requirements of the Heritage Act as well as by phone.

Mr. Churchill then explained the effect of registration as a Heritage Property has on the demolition or exterior change to a property. He further advised that Commodore A. C. McMillin Chairman, Heritage Advisory Committee was present should Council have any questions regarding the nomination of the properties to be dealt with this evening. Alderman Grant arrives at the meeting.

1551 Barrington Street

A public hearing was held into the above matter at this time. There were no persons present wishing to address Council regarding this matter. No correspondence has been received pertaining to this matter.

MOVED by Alderman Flynn, seconded by Alderman Meagher that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

1558 Barrington Street

A public hearing into the above matter was held at this time. There were no persons present wishing to address Council regarding this matter. No correspondence has been received pertaining to this matter.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

Special Council
October 5, 1983

1650-52-54 Barrington Street

A public hearing was held into the above matter at this time. There were no persons present wishing to address Council with regard to this matter. No correspondence has been received regarding this matter.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

1656-58 Barrington Street

A public hearing was held into the above matter at this time. There were no persons present wishing to address Council with regard to this matter. No correspondence has been received regarding this matter.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

1709-11 Barrington Street

A public hearing was held into the above matter at this time. There were no persons present wishing to address Council with regard to this matter. No correspondence has been received regarding this matter.

MOVED by Alderman Nolan, seconded by Alderman O'Malley that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation. Motion passed.

Aldermen Doehler and Meagher arrive at the meeting.

1729 Barrington Street

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

Mr. Jack Goldman, Newley Investments Limited, the owner, addressed Council indicating he had some questions with regard to the registration of the property and how this would affect possible new owners. Mr. Goldman noted that he was presently considering the sale of the building and the prospective new owners were concerned with regard to the effect the registration would have on proposed changes to be made to the building.

Special Council
October 5, 1983

The City Solicitor advised that this would depend on the type of change noting that an exterior change would require Council approval or a one year delay from the date of application for the change.

Mr. Goldman indicated that he believed the change was to be to the exterior of the building and requested that the matter be deferred in order that he might have an opportunity to discuss this matter with the Heritage Advisory Committee and the prospective new owners.

MOVED by Alderman O'Malley, seconded by Alderman Flynn
that this matter be deferred in order to allow Mr. Goldman the opportunity to discuss the matter with the Chairman of the Heritage Advisory Committee in order to obtain a complete understanding with respect to registration.

Motion passed.

945 Tower Road

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

Alderman O'Malley addressed the matter questioning the ownership of the property by the City indicating that it had been his understanding that the Board of School Commissioners owned the property until such time as they turned it over to the City.

The City Solicitor advised that the City owned the building but that the Board of School Commissioners had complete control over the use, administration, and maintenance of the building until such time as they turned it over to the City.

Alderman O'Malley requested that the matter be deferred and that clarification be sought with regard to the ownership and the effect of registration of the property should the Board of School Commissioners turn the property over to the City. Alderman O'Malley noted that the registration could possibly restrict the use of the property by the City.

MOVED by Alderman O'Malley, seconded by Alderman Grant that this matter be deferred until such time as the ownership of the property is clarified and further, that staff prepare a report on the implications for the City in relation to a school review, should the City ultimately wish to dispose of the property.

Motion passed.

Special Council
October 5, 1983

Case No. 4368 - Rezoning - 84 (Lot 554) Sunnybrae Avenue

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

Mr. P. Francis, Development Control, outlined the application for rezoning of 84 (Lot 554) Sunnybrae Avenue from R-1 (Single Family Dwelling) to R-2 (Two-Family Dwelling) Zone as found in the staff report dated July 11, 1983.

Mr. Francis indicated that staff was recommending approval of the application. Mr. Francis responded to questions from members of Council.

Mr. Gerald G. Lantz, the applicant, addressed Council from the gallery indicating that he was of course in favor of the application.

There were no further persons present wishing to address Council regarding the matter. No correspondence has been received regarding the matter.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley
that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

Case No. 4370 - Contract Development - 2468-80 Robie Street

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

Mr. P. Francis, Development Control, outlined the application for contract development to permit the conversion of the existing Central Baptist Church into 20 condominium two-bedroom units as found in the staff report dated July 15, 1983.

Mr. Francis advised that there was also a lot consolidation involved in relation to the property adjacent to the church. He noted that the developer would be using this for parking and had agreed to fence the parking lot.

Mr. Francis indicated that staff was recommending approval of the application. Mr. Francis responded to question from members of Council.

Mr. V.P. Liberatore, the applicant, addressed Council indicating that he was present to answer any questions Council might have.

Questioning occurred with regard to the date the development would begin and the time period involved in the conversion as well as landscaping for the property.

Special Council
October 5, 1983

There were no persons present wishing to address Council with regard to this matter. No correspondence has been received regarding this matter.

MOVED by Alderman Meagher, seconded by Alderman Nolan that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

8:05 p.m. The meeting adjourned.

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DEPUTY MAYOR A. HAMSHAW
CHAIRMAN

E. A. KERR
ACTING CITY CLERK

Date Approved by Council: _____

CITY COUNCIL
MINUTES

Record -

Council Chamber
City Hall
Halifax, N. S.
October 13, 1983
8:00 P. M.

A meeting of Halifax 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 A. Hamshaw, Chairman; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, Grant, Nolan, Jeffrey, and Flynn.

Also Present: Mr. P. Connell, Acting City Manager; City Solicitor, City Clerk, and other members of staff.

MINUTES

Minutes of City Council meetings held on September 29, 1983 and October 5, 1983 were approved on Motion by Alderman Cromwell, seconded by Alderman Downey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS, AND DELETIONS:

At the request of the City Clerk, Council agreed to defer to the November 17th meeting, item:

5.5 - Case No. 4370 - Contract Development -
2468-80 Robie Street (At the request of the Applicant)

The City Clerk also proposed the deferral of item 8.1 - Appeal of Variance Refusal at 6531 Chebucto Road, to the October 27th meeting at the request of the applicant, but Council agreed to leave the item on the agenda and to hear from Counsel for the applicant at the appropriate time in the agenda.

At the request of the City Clerk, Council deferred to the October 19th meeting of the Committee of the Whole Council, item:

11.2 - Sidewalks - 6295 Seaforth Street and Surrounding Areas

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

15.3 - Amendment to Subdivision Bylaw - Sidewalks, AND to delete:
17.3 - Acquisition - Hartlen Estate - 564 Bedford Highway -
Hemlock Ravine

CITY COUNCIL
MINUTES

Record -
Council Chamber
City Hall
Halifax, N. S.
October 13, 1983
8:00 P. M.

A meeting of Halifax 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 A. Hamshaw, Chairman; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, Grant, Nolan, Jeffrey, and Flynn.

Also Present: Mr. P. Connell, Acting City Manager; City Solicitor, City Clerk, and other members of staff.

MINUTES

Minutes of City Council meetings held on September 29, 1983 and October 5, 1983 were approved on Motion by Alderman Cromwell, seconded by Alderman Downey.

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- 11.2 - Sidewalks - 6295 Seaforth Street and Surrounding Areas

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

- 15.3 - Amendment to Subdivision Bylaw - Sidewalks, AND to delete:

- 17.3 - Acquisition - Hartlen Estate - 564 Bedford Highway -
Hemlock Ravine

Council
October 13, 1983

At the request of Alderman Grant, Council added:

20.1 - Sewers, Mainland South

At the request of Alderman Jeffrey, Council added:

20.2 - Widening of Dutch Village Road

At the request of Alderman Flynn, Council added:

20.3 - Metropolitan Transit

At the request of Alderman O'Malley, Council added:

20.4 - Standing Commission on City Parking

MOVED by Alderman Cromwell, seconded by Alderman Nolan
that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS:

Policy with Respect to Computers and Allied Equipment

The above item was deferred to this meeting from the September 29th meeting of City Council.

In response to a question, the Director of Finance addressed Council and advised that staff have held meetings with the Technical University concerning the university's computer plans which may fit in with the City's computer situation indicating that while staff are enthusiastic about future plans, it would probably be a period of about two years before the university's proposed system becomes available.

Mr. Smith also advised that the system proposed by the university is a large system and noted the City is presently proposing the purchase of smaller units which was the course of action which he is recommending.

Alderman O'Malley indicated he was personally aware of discussions and the outcome of meetings between City staff and the university but suggested that other members of Council were not in possession of the same information. Alderman O'Malley suggested that the other members of Council should receive a written report with respect to the outcome of the meetings before making a decision concerning the present agenda item as well as the following agenda item relating to micro computer standardization.

Alderman Cromwell suggested that if the items were deferred to the next Committee of the Whole Council meeting, they could be dealt with by Council at a special meeting scheduled for that evening.

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MOVED by Alderman Cromwell, seconded by Alderman O'Malley that the item be deferred to the next regular meeting of the Committee of the Whole Council for the purpose of receiving additional information relating to the outcome of meetings between staff and the Technical University.

Motion passed.

Micro Computers Standardization - Tender #527110

The above item was deferred to this meeting from the September 29th meeting of City Council.

In view of the action taken with respect to the previous agenda item, it was MOVED by Alderman Cromwell, seconded by Alderman O'Malley that the item be deferred to the next regular meeting of the Committee of the Whole Council for the purpose of receiving additional information relating to the outcome of meetings between staff and the Technical University.

Motion passed.

Nominated Heritage Properties

A number of properties were considered by Council at a meeting of Council held on October 5, 1983 for possible registration as heritage properties. A report dated October 13, 1983 was submitted from the City Clerk reporting on Council's action at the October 5th meeting.

(1546 Barrington Street)

The motion of Council at the October 5th meeting was that consideration of the item be deferred to the next meeting of Council to consider nominated Heritage Properties.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that the item be deferred until such time as the Roman Catholic Episcopical Corporation of Halifax wishes the item brought back to Council or the Heritage Advisory Committee.

Motion passed.

(1551 Barrington Street)

The above item was forwarded to this meeting of Council without recommendation following the hearing held on October 5th.

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that the property 1551 be registered as a heritage property by City Council.

Motion passed with Aldermen Meagher and Dewell abstaining.

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(1558 Barrington Street)

A heritage hearing concerning the above property was held on October 5, 1983. The above item was forwarded to this meeting of Council without recommendation.

MOVED by Alderman Nolan, seconded by Alderman O'Malley
that the property 1558 Barrington Street be registered as a Heritage Property by City Council.

Motion passed with Aldermen Meagher and Dewell abstaining.

(1650-52-54 Barrington Street)

A heritage hearing concerning the above property was held on October 5, 1983 at which time the item was forwarded to this meeting without recommendation.

MOVED by Alderman Grant, seconded by Alderman Downey
that 1650-52-54 Barrington Street be registered as a Heritage Property by City Council.

Motion passed with Aldermen Meagher and Dewell abstaining.

1656-58 Barrington Street

A heritage hearing concerning the above property was held on October 5, 1983 at which time the item was forwarded to this meeting without recommendation.

MOVED by Alderman O'Malley, seconded by Alderman Nolan
that 1656-58 Barrington Street be registered as a Heritage Property by City Council.

Motion passed with Aldermen Meagher and Dewell abstaining.

(1709-11 Barrington Street)

A heritage hearing concerning the above property was held on October 5, 1983 at which time the item was forwarded to this meeting without recommendation.

MOVED by Alderman Nolan, seconded by Alderman O'Malley
that 1709-11 Barrington Street be registered as a Heritage Property by City Council.

Motion passed with Aldermen Meagher & Dewell abstaining.

(1729 Barrington Street)

A heritage hearing concerning the above property was held on October 5, 1983 at which time the item was deferred. A further staff report dated October 13, 1983 was submitted.

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MOVED by Alderman O'Malley, seconded by Alderman Meagher
that 1729 Barrington Street be registered as a Heritage Property by
City Council.

Motion passed with Alderman Dewell abstaining.

(945 Tower Road)

A heritage hearing concerning the above property was held on October 5, 1983 at which time the item was deferred for further information. An information report dated October 12, 1983 was submitted from the City Solicitor.

MOVED by Alderman O'Malley, seconded by Alderman Nolan
that 945 Tower Road be registered as a Heritage Property by City Council.

Motion passed with Alderman Dewell abstaining.

Case No. 4368 - Rezoning - 84 (Lot 554) Sunnybrae Avenue

A public hearing was held into the above matter on October 5, 1983.

MOVED by Alderman Jeffrey, seconded by Alderman Nolan
that the application to rezone the property known as 84 (Lot 554) Sunnybrae Avenue as shown on Plan Nos. P200/12047-53 of Case No. 4368 from R-1 (Single-Family Dwelling Zone) to R-2 (Two-Family Dwelling Zone), be approved by City Council.

Motion passed with Alderman Dewell abstaining.

Case No. 4370 - Contract Development - 2468-80 Robie Street

A public hearing was held into the above matter on October 5, 1983. During the Approval of the Order of Business, the above item was deferred to the November 17th meeting of Council.

Deputy Mayor Hamshaw took a seat in Council and Alderman Meagher took the Chair.

Case No. 4341 - Schedule "K" Rockingham Ridge - Contract Development

The above item was last considered by the City Planning Committee at its meeting held on October 5, 1983 at which time a recommendation was made to City Council.

A supplementary staff report dated October 11, 1983 was submitted as well as a Private and Confidential report dated October 7, 1983 from the City Solicitor.

MOVED by Deputy Mayor Hamshaw, seconded by Alderman O'Malley that City Council give approval of the concept of a Schedule "K" residential development under Section 68(6) of the Land Use Bylaw, Mainland Area, subject to the terms and conditions listed as follows:

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1. the proposed development will substantially conform to the concept Plan No. P200/11921;
2. the commercial area will not exceed the maximum floor area of 50,000 square feet;
3. the cost of intersection improvements at the junction of Street F and Dunbrack Street will be subject to negotiations between the developer and the City of Halifax;
4. the location of driveways on the collector and local streets will be subject to negotiation with the City of Halifax;
5. the existing contract development agreement, recorded at the Registry of Deeds in Book 3447, Pages 304-313, shall be terminated prior to the execution of the agreement for the development shown on Plan No. P200/11921;
6. the developer agrees to make subdivision application in substantial conformance to Plan No. P200/12295, which will join the ends of Donaldson and Douglas Avenues by a looped road with single-family dwellings and a church site abutting;
7. the church site located between the looped roadway at the ends of Donaldson and Douglas Avenues and Street F shall have vehicular access only from Street F;
8. the developer shall provide a 50 foot buffer of natural vegetation on the south side of the lands;
9. the developer shall be permitted to replace the senior citizen housing units, as shown on Plan No. P200/11921 with apartment units, if the senior citizen project cannot proceed;
10. the contract shall be signed within 120 days or any extension thereof granted by Council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise this contract approval will be void and obligations arising hereunder shall be at an end;
11. that the Ross Street connector be closed as soon as the subdivision to the south of this project is opened. Motion passed with Alderman Cromwell abstaining. Deputy Mayor Hamshaw took the Chair and Alderman Meagher took his normal seat in Council.

MOTIONS OF RECONSIDERATION:

Motion of Reconsideration, Alderman Flynn Re: Reconsideration of Council Resolution of September 15, 1983 respecting the Halifax-Dartmouth Port Commission

The above item was last considered at the September 29th meeting of Council. An information report dated October 5, 1983 was submitted from the City Solicitor.

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Alderman Flynn advised that a meeting has been arranged between the Mayor, the Provincial Minister of Transportation, and himself and MOVED, seconded by Alderman O'Malley that the item be deferred until the first Council meeting in November.

Motion passed.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal at 6531 Chebucto Road

A report dated September 29, 1983 was submitted from the Development Officer. A letter dated October 13, 1983 was submitted from Mr. B. H. Mitchell of Ruck & Mitchell, Solicitors, requesting adjournment of the item.

Mr. Mitchell addressed members of Council advising that he had only been retained late last evening by the property owner and requested deferment of the item for a period of two weeks to allow the proper preparation of the case.

MOVED by Alderman Dewell, seconded by Alderman Meagher that the item be deferred to the next regular meeting of City Council.

Motion passed.

Appeal of Variance Refusal at 159 Main Avenue

A report dated October 5, 1983 was submitted from the Development Officer. No persons in the gallery expressed a desire to address Council on the matter.

MOVED by Alderman Jeffrey, seconded by Alderman Nolan that the appeal of the Development Officer's decision to refuse a variance at 159 Main Avenue be upheld by City Council and the variance be granted.

Motion passed.

Appeal of Variance Refusal at 6116 Charles Street

A report dated September 15, 1983 was submitted from the Development Officer.

Alderman Meagher advised that he has been contacted on the matter indicating he was concerned with respect to the amount of lot coverage. Alderman Meagher suggested that the item be referred back to staff with a view to arriving at a proposal for a garage smaller than the 14-foot garage proposed, and one which is better situated on the property. Alderman Meagher suggested that staff contact the applicant in an attempt to develop a more suitable proposal and advised that he would be willing to attend such a meeting.

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

Condominium Legislation - Advisory Committee on Concerns of Ageing

The following resolution was forwarded to this meeting from the Advisory Committee on Concerns of Ageing:

' that City Council be requested to approach the Provincial Government with a request that a set percentage vacancy rate be incorporated in the condominium conversion legislation '.

MOVED by Alderman Cromwell, seconded by Alderman Dewell the matter be deferred to the next regular meeting of the Committee of the Whole Council, with a requested that a staff report be submitted.

Alderman O'Malley addressed the matter and requested a report incorporating a numeric recommendation for the set percentage vacancy rate be submitted.

Motion passed.

9:30 p.m. - Meeting adjourned for a short recess.

9:40 p.m. - Meeting reconvened with all members as previously stated present.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on October 5, 1983 as follows:

Case No. 4400 - Contract Development - 3 Charlton Avenue

The above item was forwarded to City Council without recommendation for the purpose of receiving a report from staff in connection with the letter submitted from the applicant.

An information report dated October 12, 1983 was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolan that the application to permit an autobody repair shop at 3 Charlton Avenue be refused by City Council as the application is inconsistent with the Generalized Future Land Use Map and Policies 1.4, 1.4.1, and 2.1.1 of the Municipal Planning Strategy.

Alderman Grant referred to the matter and advised of the applicant's present employment and in particular, the repair of two automobiles at the location; and requested that the applicant be given time to complete these projects.

Members of Council agreed that Mr. O'Connell, the applicant, be granted an extension of time to complete the projects underway, the period to expire on January 1, 1984.

Motion passed.

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Case No. 4408 - Contract Development and Lot Consolidation
1505 Lower Water Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman O'Malley, as recommended by the City Planning Committee, that a date be set for a public hearing to consider the application for a contract development under Schedule "G" of the Land Use Bylaw to allow the development of a 13-storey commercial/residential building at 1505 Lower Water Street.

Motion passed.

The City Clerk advised the date set for this public hearing was WEDNESDAY, NOVEMBER 23, 1983 at 7:30 p.m. in the Council Chamber, City Hall.

Amendment to Subdivision Bylaw - Sidewalks

At the request of the City Clerk, this item was added to the agenda of tonight's meeting.

At the City Planning Committee meeting, staff was requested to prepare a further report relating to the above matter.

A supplementary staff report dated October 6, 1983 was submitted.

Alderman Cromwell referred to the submitted report and advised he did not have adequate time to review the contents, and MOVED, seconded by Alderman Flynn that this matter be referred to the next regular meeting of the Committee of the Whole Council.

Motion passed.

MOTIONS:

Motion Alderman Doehler re: Proposed Amendment to Ordinance Number 3,
the Streets Ordinance - FIRST READING

Notice of Motion of this proposed Amendment to Ordinance Number 3 was given by Alderman Doehler at the Council meeting held on September 29, 1983.

In the absence of Alderman Doehler, it was MOVED by Alderman Cromwell, seconded by Alderman Meagher that the proposed amendment to Ordinance Number 3, the Streets Ordinance, be read and passed a FIRST TIME.

Motion passed.

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MISCELLANEOUS ITEMS:

Tender # 83-31 - Glenforest Drive Storm & Sanitary Sewer Project

A staff report dated October 3, 1983 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Nolan, that
Tender # 83-31 for materials and services listed at the unit prices
quoted by awarded to:

- 1) Casavechia Contracting Ltd., for the total project cost of \$433,360;
- 2) Funding authorized from account number(s): DB002 and DB034;
- 3) Funding transfers, if applicable, be approved as follows:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
From DB002 to DB034	Rockingham Sewers to Glenforest Brook	\$109,000.

Motion passed.

Re-Organization - Halifax Visitors and Convention Bureau - Report

An information report with attachments dated July 12, 1983
was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Cromwell
the matter be deferred to the next regular meeting of the Committee
of the Whole Council.

Motion passed.

Acquisition - Hartlen Estate - 564 Bedford Highway - Hemlock Ravine

During the Approval of the Order of Business, Additions and
Deletions, this item was deleted from the agenda.

QUESTIONS

Question Alderman Cromwell re: Parking Meters Hourly Rate Increase

Alderman Cromwell requested separate reports from staff on
the increase in parking meter hourly rate to the amount of forty
cents per hour; and fifty cents per hour.

Question Alderman Downey re: Street Lights - Fuller Terrace/
Bloomfield Street - Obstruction of Trees

Alderman Downey referred to the change in the street lighting
in the area of Fuller Terrace, Bloomfield Street and Black Street
and requested the Director of Engineering and Works to review the

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possibility of removing portions of the trees causing obstruction to the lighting.

Question Alderman Dewell re: Report on Noise Abatement

Alderman Dewell referred to a previous request for a report on noise abatement, particularly with motorcycles and motor vehicles and requested the status of this report.

The City Solicitor advised the matter would be reviewed with the Police Department and a report prepared.

Question Alderman Jeffrey re: Establishment of Parking Lot at Civic Number 27 Convoy Avenue

Alderman Jeffrey referred to a problem between the property owner at 27 Convoy Avenue and his abutting neighbour with regard to a driveway; advising that the owner has dug up the front lawn and is now in the process of making a parking lot in this area, which is creating a great deal of concern for the neighbourhood. Alderman Jeffrey advised that most of the properties in the area are in an R-1 zone with this particular property zoned R-3. Alderman Jeffrey requested a report from staff on the legality of the establishment of this parking lot; whether a permit has been issued and if so, under what conditions.

Question Alderman Jeffrey re: Illuminated Mobile Signs

Alderman Jeffrey referred to a number of calls regarding illuminated Mobile signs and advised of the time limit in which these signs may be placed in a particular area. Alderman Jeffrey referred to three-month period in which these signs are allowed and requested a report with respect to the Ordinance regulating this matter and whether an amendment may be made to extend the time period.

Question Alderman Grant re: Requested Report on re-establishment of the Athletic Commission

Alderman Grant requested the status of the previously-requested report on the re-establishment of the Athletic Commission.

The City Solicitor advised the department was awaiting information on the types of regulations in place in other cities.

Question Alderman Grant re: Requested Report regarding safety meshing around ice-skating rinks

Alderman Grant requested the status of the report on the safety meshing around ice-skating rinks.

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Question Alderman Grant re: Possibility of Establishing Back-Lot
Baseball Fields

Alderman Grant requested a report on the possibility of establishing 'backlot' baseball fields, instead of the regulation size, advising of a number of calls from residents concerning children who have to leave the regulation size baseball fields at 6 P.M. and therefore, have no area for baseball. Alderman Grant asked that the possibility of 'smaller-than' diamonds with less elaborate backstops be reviewed and reported.

Question Alderman O'Malley re: Curb Painting - Hydrostone Area

Alderman O'Malley referred to the width of the streets in the Hydrostone area, the parking available and the sidewalk renewals done recently; and of the method of painting the curb orange so that the property owner may have access to the street. Alderman O'Malley requested that these street curbs be painted as was done in previous years.

The Acting City Manager advised of the policy and stated he could not recommend this for the area.

Alderman O'Malley requested that this painting be done.

Question Alderman Meagher re: Traffic Lights - Cogswell and North
Park Streets - Pedestrian Walk

Alderman Meagher referred to the number of persons walking to work in the downtown area and advised of the absence of crosswalk signs at Cogswell and North Park streets and asked that the Traffic Authority review the possibility of placing lighted indicators at this intersection.

Question Alderman Meagher re: Pedestrian Walk Indicators -
North Park Street between Cunard and Agricola Streets

Alderman Meagher referred to the absence of walk indicators in the area of Cunard and Agricola Streets, crossing North Park Street and asked the Traffic Authority to review this problem.

Question Alderman Dewell re: Timing Traffic Lights - Cunard and
Windsor Streets

Alderman Dewell requested that the timing of the traffic lights at the intersection of Cunard and Windsor Streets be checked.

Question Alderman Meagher re: Damage to Properties - Chebucto
School Playground Area

Alderman Meagher referred to the playground area at the Chebucto School and advised members of Council of damage to a property at Willow Street in which a ball was thrown and broke a window, suggesting the responsibility to repair the window lies with the City

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of Halifax, particularly in the area of playgrounds; and expressed the view that the City should set a policy in this regard.

Alderman Meagher further advised he would continue to discuss this matter with staff.

Question Alderman O'Malley re: Audio-Visual Equipment for Council Presentations

Alderman O'Malley referred to the possibility of establishing a pilot project utilizing audio-visual equipment for Council presentations and questioned whether staff have followed up on the previous comment in this regard.

The Acting City Manager advised this particular matter was being discussed by staff.

Alderman O'Malley advised he would like a local entrepreneur to make a presentation to Council utilizing such equipment.

The Acting City Manager advised that funds were being proposed in the budget for this item.

Question Alderman Meagher re: Editorial - Globe and Mail - regarding Human Resources Development Association Project

Alderman Meagher referred to an article in the Globe and Mail regarding the project by the Social Planning Department and complimented Mr. Crowell and staff for their efforts. Alderman Meagher indicated the material would be circulated to all members of Council.

NOTICE OF MOTIONS:

Notice of Motion Alderman Flynn re: Reconsideration of City Council Resolution of October 13, 1983 regarding Parking Meter - Hourly Rates

Alderman Flynn gave notice that at the next regular meeting of City Council, to be held on October 27, 1983, he intends to introduce a Motion of Reconsideration of City Council's resolution with regard to Parking Meter Hourly Rates.

Notice of Motion Alderman Cromwell re: Proposed Amendment to Section 16(5) of the Halifax City Charter, 1963

Alderman Cromwell gave notice that at the next regular meeting of City Council, to be held on October 27, 1983, he intends to introduce a Motion to request the Province to amend Section 16(5) of the Halifax City Charter, 1963, by changing the wording "including" in the 6th line to "excluding" as it refers to Board of School Commissioners.

ADDED ITEMS

Sewers - Mainland South

This item was added to the agenda at the request of Alderman Grant.

Alderman Grant referred to the item and requested a staff report with indication of the total amount of monies expended on the sanitary sewer development and upgrading in the Mainland South area. Further, Alderman Grant requested the report also contain an indication of the future proposed projects and the monies anticipated, the cost to the City of Halifax, the cost-sharing and by whom, for all sanitary and storm sewers in the annexed area of Mainland South.

The Chairman advised the requested report would be prepared.

Widening of the Dutch Village Road

This item was added to the agenda at the request of Alderman Jeffrey.

Alderman Jeffrey referred to the proposed widening of the Dutch Village Road and expressed the view that the citizens, and commercial establishments were not in favour of any widening of this roadway. Alderman Jeffrey requested that the traffic problem at Titus Street between Deal Street and Main Avenue be reviewed with a view to a solution and a report submitted. Alderman Jeffrey referred to the decrease in traffic in the area of Dutch Village Road and reiterated his remarks that all citizens and commercial businesses were not in favour and did not want widening.

Metropolitan Transit

This item was added to the agenda at the request of Alderman Flynn.

Alderman Flynn referred to the proposed amendment to a bylaw regarding Metropolitan Transit and asked for Council's direction as to procedure, suggesting that the matter be dealt with by Council rather than by the Transit Advisory Committee.

Alderman Flynn requested the matter be placed on the agenda of a Committee of the Whole Meeting, where representatives of Metropolitan Transit Planning and the Director may be present to respond to questions and provide information on the implications of the change. Alderman Flynn further requested that the City Clerk arrange this with the Metropolitan Transit representatives.

Standing Commission on City Parking

This item was added to the agenda at the request of Alderman O'Malley.

Alderman O'Malley addressed the matter and referred to a request put forth about two years ago for the establishment of a standing commission or committee on City Parking; similar to those of other cities, to review parking problems and design, advising the request was rejected at that time.

Alderman O'Malley referred to problems arising in downtown parking, advised of a previous traffic report and indicated nothing had been done to solve the problem. Alderman O'Malley requested that staff prepare a report on the advisability of establishing this commission. Alderman O'Malley referred to a previous negative response in this regard and expressed the hope that should the response be negative, that alternative solutions to the problem of downtown parking will be addressed.

Alderman O'Malley further requested that this report be prepared for the Committee of the Whole Council meeting scheduled for November 9, 1983.

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DEPUTY MAYOR ALFRED S. HAMSHAW
AND ALDERMAN NICHOLAS P. MEAGHER
CHAIRMEN

G. I. BLENNERHASSETT
CITY CLERK

DATE APPROVED BY CITY COUNCIL: _____

ek/wc

Record

SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
October 19, 1983
7:30 p.m.

A Special meeting of Halifax City Council, Public Hearings, was held on the above date.

Members of Council attending joined in reciting the Lord's Prayer.

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Hamshaw, and Aldermen Doehler, Cromwell, Downey, Meagher, O'Malley, Dewell, Grant, and Flynn.

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

ADDED ITEMS

The Manager advised that the following items were dealt with at Committee of the Whole earlier today and it had been agreed that these items be added to this evening's agenda.

1. Policy with Respect to Computers and Allied Equipment
2. Micro Computers Standardization - Tender #527110
3. Tender # 83-12 - Sidewalk Renewal Argyle Street

It was agreed by members of Council that the above items be added to the agenda.

Street Closure - Mayor Avenue

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

Mr. Peter Connell, Director of Engineering and Works, addressed Council and with the aid of maps and sketches outlined the proposal for the closure of Mayor Avenue denoting the two alternatives for choice of location of closure at either the Old Sambro Road or Layton Road.

Mr. Connell indicated that due to the study of traffic and the possibility of the closure causing redirection of traffic onto other residential streets in the area staff are not recommending that Mayor Avenue be closed.

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Mr. Connell then responded to questions from members of Council with Alderman Flynn suggesting that a temporary closure of the street to ascertain the traffic implications might be helpful.

Alderman Grant addressed the matter indicating that he did not feel that the closure of this street would result in use of residential streets in the area as the majority of these would be extremely difficult to negotiate for those vehicles posing the greatest problem.

Alderman Grant submitted a petition requesting the closure of Mayor Avenue from the residents of Mayor Avenue, Mont Street, Hiliary Avenue and Layton Road.

Mr. Leo McNeil, a resident of the area living at the corner of Mont and Mayor Avenue, addressed Council indicating that he was in favor of the closure of the street. He indicated that his fence had been knocked down on a number of occasions due to the use of the street by heavy vehicles. He further indicated that cars posed almost no problem at all.

Mr. McNeil then responded to questions from members of Council with Alderman Flynn suggesting that policing of the street might be sufficient to handle the problem along with further signage.

Mr. McNeil indicated that he did not care what solution to the problem was agreed upon as long as the problem was eliminated.

Mr. Daniel Page, 4 Mayor Avenue, addressed Council reiterating the comments of Mr. McNeil further indicating that he felt that the local doughnut shop traffic should not be permitted to enter and exit off a residential street. He further suggested that more policing and signage of the street might be helpful, but doubted that it would eliminate the problem.

Gary and Cheryl Warren, 24 Mayor Avenue addressed Council with Mr. Warren indicating that he was in favor of the closure of the street and indeed felt it was necessary to eliminate the problems being experienced on Mayor Avenue and surrounding residential streets. He outlined a number of the problems occurring noting that his preference for a point of closure was Layton Road, but indicating that either location would be equally as effective.

Mrs. Warren then addressed Council noting that the closure of the street could not be as expensive as the substantial amount of maintenance required due to the heavy traffic flows on the lower section of Mayor Avenue.

Mrs. Vivian McNeil addressed Council reiterating the problems caused by the use of Mayor Avenue by heavy vehicles and urging that Mayor Avenue be closed.

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Further questioning of Mr. Connell by members of Council ensued. There were no further persons present wishing to address Council regarding the matter. No further correspondence has been received regarding this matter.

MOVED by Alderman Grant, seconded by Alderman Doehler
that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

Case No. 4397 - Contract Development - 1790 Granville Street

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

Mr. F. Haliburton, Development Control, addressed Council and with the aid of maps and sketches outlined the application for contract development under Schedule "F", Section 84 of the Land Use Bylaw, Peninsula Area, to allow the development of a commercial building at 1790 Granville Street, as found in the staff report dated August 11, 1983

Mr. Haliburton indicated that the property was a Heritage Property and the Heritage Advisory Committee had reviewed the application and commented favorably.

He further advised that staff was recommending approval of the application.

Mr. Doug Wavrock, B.V. Property Management, addressed Council indicating that he represented the applicant and was here tonight to answer any questions Council might have regarding the application. Mr. Wavrock distributed a colored sketch of the proposal to give Council a better idea of the design of the proposal.

Mr. Wavrock then responded to questions with regard to the use of the etched glass and the retention of the original facade of the present four storey building.

The architect for the project further described the etched glass and how the original facade and the glass would harmonize.

There were no further persons present wishing to address Council with regard to this matter. No correspondence has been received regarding this matter.

MOVED by Alderman Downey, seconded by Alderman Doehler
that this matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

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Case No. 4369 - Contract Development - 26 Lyons Avenue - Ida
Mae Marriott School

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

Mr. Fred Haliburton, Development Control, addressed Council and with the aid of maps and sketches outlined the application for contract development under Schedule "D" to permit a second storey addition to and the conversion of 26 Lyons Avenue (Ida Mae Marriott School) to a 12-unit apartment building, as found the staff report dated August 24, 1983.

Mr. Haliburton indicated that staff was recommending approval of the application.

Leila Gashus, Chairperson, Homes for Independent Living, the applicant, addressed Council indicating that she would be happy to answer any questions Council might have regarding the application.

Ms. Gashus responded to questions from Council regarding the specific use of the proposal, the landscaping of the grounds and the access to the apartment building by those persons residing there.

Ms. Gashus further indicated that a public meeting had been held in the area and that the reaction to the project appeared to be positive.

Mr. Ron Lyons, an area resident, addressed Council indicating that he was in favor of the proposal.

There were no further persons present wishing to address Council with regard to the matter. No correspondence has been received with regard to the matter.

MOVED by Alderman Grant, seconded by Alderman O'Malley
that this matter be forwarded to the next regular meeting of Halifax
City Council without recommendation.

Motion passed.

His Worship retires from the meeting and Deputy Mayor Hamshaw takes the chair.

Case No. 4404 - Contract Development - 5600 Sackville Street

A public hearing into the above matter was held at this time. Alderman Downey retires from the meeting due to a conflict of interest, as he is an employee of the applicant.

Mr. F. Haliburton, Development Control, addressed Council and with the aid of maps and sketches outlined the application for contract development under Schedule "C", Section 83 of the Land

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Use Bylaw to permit the construction of a radio studio on the roof of the existing building at 5600 Sackville Street, as found in the staff report dated August 23, 1983.

Mr. Ed Makauskas, representing the applicant, addressed Council indicating that it was proposed that this addition be made to the roof due to the fact that expansion in any other direction would be tight as well as the building as it stands having been constructed to allow for further expansion vertically.

There were no further persons present wishing to address Council with regard to the matter. No correspondence has been received regarding this matter.

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

Alderman Downey returns to the meeting.

Case No. 4362 - Contract Development - 2448-52 (Lot A-5) Gottingen Street

Mr. Fred Haliburton, Development Control, addressed Council and with the aid of maps and sketches outlined the application for contract development under Schedule "C", Section 83 of the Land Use Bylaw, to allow approval of proposed Lot A-5 which contains an existing 3-unit residential building at 2448-52 Gottingen Street, as found in the staff report dated August 23, 1983.

Mr. Haliburton indicated that staff was recommending approval of the application.

Mr. Daniel Walker, representing the co-operative interested in the property for development, addressed Council noting that he was willing to give an explanation of the proposed use of the property.

Council indicated that this matter would be brought to Council at the appropriate time and explanation at this time was unnecessary.

There were no further persons present wishing to address this matter. There was no correspondence received regarding this matter.

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

His Worship returns to the meeting and Deputy Mayor Hamshaw takes his seat in Council.

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Alderman Dewell noted at this time that none of the draft contracts regarding the matters considered this evening had a time limit included. The City Manager indicated that this matter would be reviewed and a time limit would be recommended for each proposal at the next meeting of Council.

Policy with Respect to Computers and Allied Equipment

This matter was added to the agenda from Committee of the Whole held earlier this date.

MOVED by Alderman Grant, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee:

1. Council instruct staff to remain in touch with the proposal relating to plans for a major computer facility proposed for the area as is outlined in the supplementary staff report dated October 14, 1983; and
2. Staff be instructed to regularly update their data on the proposed equipment and examine the impact of the equipment on the City Policy with respect to Computers and Allied Equipment, and to determine whether any change in that policy is warranted or should be discussed with Council.
3. Council approve a policy of developing a distributed data processing system through the use of micro and mini computer systems to handle the future data processing requirements of the City of Halifax and its Board and Commissions, with emphasis on standardization of both hardware and software.

Motion passed.

Micro Computers Standardization - Tender #527110

This matter was added to the agenda from the Committee of the Whole held earlier this date.

MOVED by Alderman Grant, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, Wang Canada Ltd., Suite 610 Cogswell Tower, Halifax, Nova Scotia be awarded the proposal for the supply of six micro computers at a total expenditure of \$65,310.00 with funds being available in Account Number 146309.

Motion passed.

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Tender # 83-12 - Sidewalk Renewal Argyle Street

This matter was added to the agenda from the Committee of the Whole held earlier this date.

MOVED by Alderman Downey, seconded by Alderman Doehler that, as recommended by the Committee on Works:

1. Tender #83-12 for the sidewalk renewal of Argyle Street east side, Duke to Prince Streets, be awarded to Edmonds Brothers Landscaping Services (1979) Limited for \$163, 518.10 and a total project cost of \$196,000.00 which included recommended bid price, engineering, inspection, testing and administration at 20%.
2. Funding authorized from Account Numbers : CC022, CK026.
3. Funding transfers be approved as follows:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
From CC035 to CC022	Market Street S/W Renewal	\$12,000.00

Motion passed.

9:05 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. HAMSHAW
CHAIRMEN

G.I. Blennerhassett
City Clerk

DATE APPROVED BY COUNCIL: _____

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
October 27, 1983
8:05 p.m.

A meeting of Halifax City Council was held at this time.

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; and Aldermen Doehler, Cromwell, Downey, Meagher, O'Malley, Dewell, Nolan and Flynn.

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

MINUTES

Minutes of the City Council meetings held on October 13 and 19, 1983 were approved on a Motion by Alderman Flynn, seconded by Alderman Cromwell.

Presentation of Trophy - Challenge of Hope

At the request of Alderman O'Malley, Council agreed that this item be added to the agenda of today's meeting and dealt with at this time.

Mr. David Bryson, on behalf of Olands Brewery and the Nova Scotia Cancer Society, presented the Challenge of Hope Trophy to His Worship the Mayor who accepted the award of behalf of all members of Council.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS:

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

- 20.1 Claim - Marathon Realty Company Limited Young Street
- 20.2 Morris Street - Possible Alteration to Street Lines
- 20.3 Tax Concessions and Grants Committee - Recommendations
- 20.4 252 Family Units - Greystone Drive
- 20.5 Twelve Family Units of Public Housing

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

- 20.6 Equiganza - 1984

MOVED by Alderman Cromwell, seconded by Alderman Doehler
the agenda, as amended, be approved. Motion passed.

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DEFERRED ITEMS

Appeal of Variance Refusal at 6531 Chebucto Road

This item was deferred to this meeting from the Council meeting held on October 13, 1983, at the request of the solicitor for the applicant.

Mr. E.B. Algee, Development Officer, addressed Council and outlined the reasons for refusal of the application for the variance at 6531 Chebucto Road, as contained in the staff report dated September 29, 1983.

8:10 p.m. - Deputy Mayor Hamshaw and Alderman Grant enter the meeting.

Mr. B.H. Mitchell, representing the applicant, addressed Council and circulated a submission in support of the application. Mr. Mitchell advised that the neighbourhood residents were in favor of the application and suggested approval should be granted.

Mr. Alex Sampson, a resident of the area, addressed Council and stated he had no objection to the application, advising of the shortage of units accepting families existing throughout the City of Halifax.

MOVED by Alderman Dewell, seconded by Alderman Cromwell that City Council overturn the decision of the Development Officer to refuse the variance at 6531 Chebucto Road; and further that approval for the four units in the building at 6531 Chebucto Road be granted.

Motion passed.

Appeal of Variance Refusal at 6116 Charles Street

This item was deferred to this meeting at the Council meeting held on October 13, 1983.

A supplementary staff report dated October 19, 1983 was submitted.

Mr. E.B. Algee, Development Officer, addressed Council and advised that a meeting with the applicant had taken place and familiarized Council with the changes made to the original application.

Mr. Andrew Seaman, on behalf of his wife, the applicant, addressed Council in support of the application, advising of the necessity for the building and indicating that the proposal would not obscure any of the surrounding properties.

MOVED by Alderman Meagher, seconded by Alderman Grant the decision of the Development Officer to refuse a variance at 6116 Charles Street be overturned; and the minor variance at 6116 Charles Street be permitted.

Motion passed.

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Street Closure - Mayor Avenue

A public hearing with respect to this matter was held on October 19, 1983.

MOVED by Alderman Grant, seconded by Alderman Nolan that Mayor Avenue be closed at Old Sambro Road.

Motion passed.

Case No. 4397 - Contract Development - 1790 Granville Street

A public hearing into the above matter was held on October 19, 1983.

MOVED by Alderman Doehler, seconded by Alderman Downey that:

- 1) Council approve the proposed commercial building at 1790 Granville Street, under Section 84, Schedule "F" of the Land Use Bylaw, Peninsula area, as shown on Plans No. P200/12171-12177;
- 2) Council require that the contract shall be signed within 120 days or to any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council, and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, the contract approval will be void and obligations hereunder shall be at an end.

The City Clerk advised that Alderman Nolan was not present at the Public Hearing.

Motion passed with Alderman Nolan abstaining.

Case No. 4369 - Contract Development - 26 Lyons Avenue - Ida Mae Marriott School

A public hearing into the above matter was held on October 19, 1983.

MOVED by Alderman Grant, seconded by Alderman Doehler that:

- a) the contract development application to permit a second storey addition to and the conversion of 26 Lyons Avenue (Ida Mae Marriott School) to a 12-unit apartment building, as shown on Plans No. P200/12054-58 of Case No. 4369, be approved by City Council;
- b) Council requires that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, the contract approval will be void and obligations

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arising hereunder shall be at an end.

The City Clerk advised that Alderman Nolan was not present at the Public Hearing.

The Motion was put and passed with Alderman Nolan abstaining.

Case No. 4404 - Contract Development - 5600 Sackville Street

Alderman Downey declares a conflict of interest as an employee of the applicant and retires from the Chamber.

A public hearing into the above matter was held on October 19, 1983.

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

- 1) The application for a contract development from the Canadian Broadcasting Corporation for the property at 5600 Sackville Street, to construct a roof-top radio studio, as shown on Plans Nos. P200/12212-12214, be approved by City Council;
- 2) Council require that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, the contract approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Alderman Nolan was not present at the Public Hearing.

Motion passed with Alderman Nolan abstaining.

Alderman Downey returns to the Chamber.

Case No. 4362 - Contract Development - 2448-52 (Lot A-5) Gottingen St.

A public hearing into the above matter was held on October 19, 1983.

MOVED by Alderman Downey, seconded by Alderman Meagher
that:

- a) the application for contract development, to permit resubdivision to create Lot A-5 as shown on Plan No. P200/12264 of Case No. 4362, be approved;
- b) the contract shall be signed within 120 days or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

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The City Clerk advised that Alderman Nolan was not present at the public hearing.

Motion passed with Alderman Nolan abstaining.

Case No. 4370 - Contract Development - 2468-80 Robie Street

This item was last discussed at the October 13, 1983 meeting of Halifax City Council.

A report from the City Clerk, dated October 24, 1983, was submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley
that:

- a) The application for consolidation of Lot 9A and Lot 4 Robie Street, to create Lot 9A4, lands of the Trustees of the Central Baptist Church, Halifax, and Hrvoje Hrestak and Katrina Hrestak, as shown on Plan P200/12091 of Case No. 4370 be approved;
- b) the application for contract development at 2468-82 Robie Street to permit the conversion of the existing building to 20 apartment units, as shown on Plans No. P200/12070-80 of Case No. 4370, be approved;
- c) the agreement contain a clause with respect to the treatment of the parking lot; the inclusion of shrubs and fencing to the property and that the contract agreement be submitted to Council for final approval;

MOVED in amendment by Alderman Doehler, seconded by Alderman Cromwell
that the usual time limits be contained in the agreement.

Alderman O'Malley advised he wished to see the time stipulated in the contract agreement.

The Chairman advised that this matter would be considered.

The City Clerk advised that Alderman Dewell was not present at the public hearing.

The amendment to the Motion was put and passed with Alderman Dewell abstaining.

The Motion, as amended, was put and passed with Alderman Dewell abstaining.

MOTIONS OF RECONSIDERATION

Motion of Reconsideration - Alderman Flynn re: Reconsideration of City Council Resolution of October 13, 1983 regarding Parking Meter - Hourly Rates

Notice of Motion of this reconsideration was given by Alderman Flynn at the Council meeting held on October 13, 1983.

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An information report dated October 25, 1983 was submitted.

Alderman Flynn addressed Council and pointed out his reasons for reconsideration of Council's previous resolution with respect to parking meter - hourly increase.

MOVED by Alderman Flynn, seconded by Deputy Mayor Hamshaw that City Council's resolution of October 13, 1983 regarding Parking Meter - Hourly Rates be reconsidered.

The Motion was put and resulted in a TIE VOTE: the Chairman voted in favour of reconsideration and declared the Motion passed.

Alderman Flynn referred to the recently submitted information report and MOVED, seconded by Alderman Doehler that the matter be deferred to the next meeting of the Committee of the Whole Council for further discussion. Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 19, 1983, as follows:

Tender Numbers 83-D-101- to 83-D-108 Inclusive, 83-D-113, and 83-D-114 - Surplus Vehicles

MOVED by Deputy Mayor Hamshaw, seconded by Alderman Flynn, as recommended by the Finance and Executive Committee, that City Council approve the following tender awards for surplus vehicles:

1. Tender 83-D-101 for one surplus 1981 Ford LTD - Car # 5, to Blenkhorn's Auto Recyclers Ltd., for \$1,400.00;
2. Tender 83-D-102 for one surplus 1981 Ford LTD - Car # 8, to Blenkhorn's Auto Recyclers Ltd., for \$1,750.00;
3. Tender 83-D-103 for one surplus 1981 Ford LTD - Car # 10 to Blenkhorn's Auto Recyclers Ltd., for \$1,750.00;
4. Tender 83-D-104 for one surplus 1981 Ford LTD - Car # 9 to Blenkhorn's Auto Recyclers Ltd., for \$1,750.00;
5. Tender 83-D-105 for one surplus 1981 Ford LTD - Car # 14 to Blenkhorn's Auto Recyclers Ltd., for \$ 1,750.00;
6. Tender 83-D-105 for one surplus 1981 Ford LTD - Car # 16 to Blenkhorn's Auto Recyclers Ltd., for \$1,750.00;
7. Tender 83-D-107 for one surplus 1980 Dodge St. Regis, Car # 17, to Blenkhorn's Auto Recyclers Ltd., for \$1,050.00;
8. Tender 83-D-108 for one surplus 1979 Chev Bel Air - Car \$ 40 to W.D. Lawrence Auto Salvage Ltd. for \$1,322.00;

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9. Tender 83-D-113 for one surplus 1980 Chev Van - Car # 2 to W.D. Lawrence Auto Salvage Ltd., for \$1,422.00;
10. Tender 83-D-114 for one surplus 1975 GMC 4x4 - Car # 4 to Kevin McNeil, 47 Candlewood Lane, Lower Sackville, Nova Scotia, B4C 1A6 for \$2,400.00;

Motion passed.

Natal Day Report

At the Finance and Executive Committee, the following Motion was LOST:

that Halifax Natal Day in 1984 be held on the first Monday in August and that the parade be held on the Saturday before Natal Day, and that this be on a trial basis for 1984.

Alderman Dewell advised of a recent meeting of the Natal Day Committee and requested that the item be referred to the Special Meeting of Committee of the Whole scheduled for November 2, 1983, to which members of Council agreed.

Driveway Blockage Hydrostone Area (No Parking Areas)

MOVED by Alderman O'Malley, seconded by Alderman Dewell as recommended by the Finance and Executive Committee that staff be authorized to paint those curbs in the Hydrostone area where there is access to the front of the house by way of a driveway in cases where the street is 16' or less in width.

Motion passed.

Tender # 527432 - Two Emergency Generators for Spryfield Fire Station and Parks and Grounds

MOVED by Alderman Grant, seconded by Alderman Nolan, as recommended by the Finance and Executive Committee, that:

1. Tender # 527432 for two only emergency generators be awarded to Samson Equipment Ltd., P.O. Box 1352, Truro, Nova Scotia, B2N 5N2 for \$12,335 for the Parks and Grounds Generator Set, and \$11,610 for the Spryfield Fire Station Generator Set.
2. Funds are available from Account Numbers 142601 and 125308. D990.DS420;
3. Funding transfers be approved as follows:

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
125308.D990.DS427	Generator	\$2,735.00

Motion passed.

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Proposed Rental Increase, Halifax Housing Authority Tenants

The above item was forwarded to City Council without recommendation pending a report on the validity of the proposed action without City Council's participation.

A private and confidential information report from the City Solicitor, dated October 26, 1983, was submitted.

Alderman O'Malley advised that a detailed financial report from the Social Services Department has not been submitted and requested that the matter be deferred to the next Committee of the Whole Council meeting.

Mr. Harold Crowell, Director, Social Services Department, advised a report was being prepared and would be submitted.

MOVED by Alderman O'Malley, seconded by Alderman Grant
the matter be deferred to the next regular meeting of the Committee of the Whole Council. Motion passed.

Transit Route 14 - Lieblin Park

The following recommendation was forwarded to this meeting from the Finance and Executive Committee:

' that the City's representative on Metropolitan Transit make a request to Metropolitan Transit to have Route 14 changed for at least a trial period to the end of June so that the school children may be picked up at the start of Lieblin Park at 8:30 a.m. '.

MOVED by Alderman Grant, seconded by Alderman Nolan the matter be referred to the Transit Advisory Committee for report and recommendation at the next meeting of Halifax City Council.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on October 19, 1983, as follows:

Sewer Renewal - Spring Garden Road

MOVED by Alderman Cromwell, seconded by Alderman Downey, as recommended by the Committee on Works, that City Council authorize in arrears the expenditure of \$8,000.00 for the renewal of the curb and gutter and sidewalk on Spring Garden Road (N) (Brunswick to Grafton Streets); funds are available in Account CB400.

Motion passed.

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Sidewalks- 6295 Seaforth Street and Surrounding Area

MOVED by Alderman Meagher, seconded by Alderman O'Malley, as recommended by the Committee on Works, the broken sidewalk slabs in front of Civic Nos. 6287-91-95 Seaforth Street be replaced during the 1983 construction season if funds are available, and if funds are not available, the work be carried out in the Spring of 1984.

Motion passed.

REPORT - BOARD OF HEALTH

Ordinance Re: Animals Inappropriate to Urban Living

A report from the Secretary, Board of Health, dated October 24, 1983, was submitted.

The following recommendation was forwarded to this meeting from the Board of Health meeting held on October 18, 1983:

' that City Council consider the enactment of an Ordinance with respect to those types of animals inappropriate within an urban environment '.

Alderman Grant referred to the matter and requested that staff review and enact an ordinance with respect to certain types of animals inappropriate; and MOVED, seconded by Alderman Nolan that the matter be referred to Legal Department for review and report.

The Chairman advised the matter would be reviewed and a report submitted.

Motion passed.

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

Amendment to Ordinance Number 3, the Streets Ordinance -
SECOND READING

A proposed amendment to Ordinance No. 3 was approved by the Committee of the Whole Council on October 19th and forwarded to City Council for Second Reading.

MOVED by Alderman Doehler, seconded by Alderman Cromwell that the following proposed amendment to Ordinance No. 3, the Streets Ordinance, be read and passed a Second Time by City Council:

"1 Section 41 of Ordinance Number 3 is amended by deleting the word "ten" as it appears in the fifth line thereof and substituting therefor the words "one hundred"."

Motion passed.

Board of Police Commissioners - Recommendations

A report dated October 25, 1983, was submitted from the Secretary of the Board.

MOVED by Alderman Cromwell, seconded by Alderman Doehler that City Council instruct staff to review and prepare amendments to Ordinance Nos. 43 and 47 respecting Pawn Brokers and Second-Hand Stores.

Motion passed.

REPORT - CITY PLANNING COMMITTEE:

Council considered the report of the City Planning Committee from its meeting held on October 19, 1983 as follows:

Case No. 4302 - Arcade - Halifax Shopping Centre -
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Flynn, seconded by Deputy Mayor Hamshaw that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the contract development application to permit the location of an amusement centre in the Halifax Shopping Centre, as shown on Plan Nos. P200/12287-88 of Case No. 4302.

Motion passed.

The City Clerk advised that the public hearing was scheduled for December 7, 1983 at 7:30 p.m. in the Council Chamber.

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Case No. 4405 - Contract Development - 2110-14 Bauer Street

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, the application for contract development to allow the location of storage containers at 2110-2114 Bauer Street, as shown on Plan Nos. P200/12217 and 12237 of Case No. 4405, be refused as it is inconsistent with the Municipal Planning Strategy and the Draft Peninsula North Secondary Planning Strategy, and the proposal is inappropriate and unacceptable for the site. Motion passed.

Case No. 4422 - Contract Development - Charles and
Maynard Street - SET DATE FOR A PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application from E.F.S. Holding Company for a contract development to permit an additional 5 units to be contained within the presently planned 25-unit apartment building proposed to be constructed at the northwest corner of Charles and Maynard Street, as shown on Plan Nos. P200/12289-12293 of Case No. 4422.

Motion passed.

The City Clerk advised that the public hearing was set for Wednesday, December 7, 1983 at 7:30 p.m. in the Council Chamber.

Amendment to the Subdivision Bylaw - Sidewalks

The following is the recommendation from the City Planning Committee:

"That the following amendment to the Subdivision Bylaw, Sidewalks, be approved:

1. No sidewalks required on a cul-de-sac with no arterial streets and not more than twenty dwellings;
2. Sidewalk required on one side of a cul-de-sac with no arterial streets with more than twenty dwellings;
3. Sidewalks required on both sides of a cul-de-sac with arterial streets;
4. Add immediately following Section 1 of the "Policy Regarding Installation of New Sidewalk": in accordance with the provisions of Section 381 of the City Charter, the City shall not share in the cost of installation of sidewalks on streets within subdivisions approved after (date of approval of amendment to Subdivision Bylaw)."

A supplementary staff report dated October 25, 1983, was submitted.

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October 27, 1983

Alderman Flynn, in referring to the submitted report, expressed the view that the staff recommendation deviates from the proposal made at the Committee of the Whole Council. Alderman Flynn noted also that the report was just received at this evening's meeting and MOVED, seconded by Alderman Dewell that the item be deferred to the next regular meeting of the Committee of the Whole Council for further discussion on the implications of the proposed restrictions, and to provide further time for members of Council to consider the staff recommendation.

Motion passed.

Contract Development - 5247 Morris Street

The above item was forwarded to City Council without recommendation.

A letter dated October 27, 1983 was submitted from Doucet & Associates, Solicitors representing the property owners, confirming that their clients wish Council to proceed with the item.

MOVED by Alderman Downey, seconded by Alderman Doehler that City Council rescind its motion of February 28, 1980, approving a contract development to permit the occupancy of 5247 Morris Street as two units and an interior design office.

Motion passed.

M O T I O N S:

Motion, Alderman Cromwell Re: Proposed Amendment to Section 16(5) of the Halifax City Charter, 1963

Alderman Cromwell presented a Notice of Motion concerning a proposed amendment to the City Charter at the October 13th meeting of City Council.

MOVED by Alderman Cromwell, seconded by Alderman Nolan that the Province be requested to amend Section 16(5) of the Halifax City Charter, 1963, by changing the word "including" in the 6th line to "excluding" as it refers to the Board of School Commissioners.

Discussion ensued on the matter including the possible precedent effect such action may have as it relates to other Boards and Commissions. It was noted that appointments were proposed to be made to the Stipends Committee later in this evening's meeting with the suggestion being made that the subject item may be a matter which the Stipends Committee might give consideration to.

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Alderman Cromwell indicated the intent of the motion was not to provide a stipend for members of Council on the School Board but to provide Council with the authority to consider the matter at a later date. Alderman Cromwell suggested that the subject could be referred to the Stipends Committee in the meantime if Council wished.

Further discussion followed and the City Solicitor, in reply to a question, expressed some difficulty with the wording of the section of the Charter if the proposed motion was approved.

Alderman Cromwell indicated that if the motion created a problem, he had no difficulty in the item be referred to the next Committee meeting and MOVED, seconded by Alderman Meagher that the item be deferred to the next regular meeting of the Committee of the Whole Council for further consideration at that time.

Motion passed.

MISCELLANEOUS BUSINESS:

Christmas Break - His Worship the Mayor

Alderman O'Malley, on behalf of His Worship, indicated the intent of the item was to bring before Council a recommendation that the latter December meetings of the Committee of the Whole Council and City Council scheduled during the Christmas period be cancelled.

MOVED by Alderman O'Malley, seconded by Deputy Mayor Hamshaw that the December 21, 1983 meeting of the Committee of the Whole Council and the December 29, 1983 meeting of City Council, be cancelled.

Motion passed.

Renaming Service Road to Upper Water Street

A staff report dated October 19, 1983, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that, in accordance with Section 352 of the City Charter, the street indicated on Appendix "A" attached to the staff report of October 19, 1983, be named Upper Water Street.

Motion passed.

Sewer Development and Traffic Improvement

A staff report dated October 18, 1983, was submitted.

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MOVED by Alderman Meagher, seconded by Alderman Flynn that:

1. Tender No. 83-27 for Sewer Development and Traffic Improvements be awarded to Armdale Construction Ltd. for \$114,024.50.
2. Funding authorized from Account Numbers DA052 and CJ079.

Motion passed.

Appointments - Stipends Committee

A memo dated October 24, 1983, was submitted from His Worship the Mayor containing nominations to the Stipends Committee.

Alderman Flynn, in referring to discussions held earlier in the meeting, said he would like to know what the Committee is to review and questioned whether it was intended stipends for Boards & Commissions be reviewed, or all stipends.

MOVED by Alderman Meagher, seconded by Alderman Nolan that the nominations for appointment to the Stipends Committee as presented in the memorandum from the Mayor dated October 24, 1983 be approved by City Council.

MOVED in Amendment by Alderman Flynn, seconded by Alderman Doehler that the Motion be amended by the addition of "and that members of Council be presented with a list of stipends to be reviewed by the Committee".

Alderman O'Malley, in referring to the persons recommended for appointment to the Committee, suggested that one of the individuals now resided in the City of Dartmouth and noted the appointment of non-residents was contradictory to a policy recently approved by Council.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that the item be deferred to the next regular meeting of the Committee of the Whole Council for clarification.

Alderman O'Malley asked if members could receive all pertinent information at that time including the purpose for which the Committee is being appointed.

The Motion to defer was put and passed.

QUESTIONS:

Question Alderman Cromwell Re: Sheraton Hotel, Interior Changes

Alderman Cromwell referred to the commencement of construction of the Sheraton Hotel and questioned whether it is proceeding in the same form as was presented to City Council.

The City Manager indicated that some interior changes have been made and Alderman Cromwell asked if he could be informed of what those changes are.

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Question Alderman Downey Re: Parking Space between Cunard
and Gerrish Streets

Alderman Downey asked that the City Manager look into the availability of parking space for the residents between Cunard and Gerrish Streets. Alderman Downey noted a lot on Cunard Street was previously used but that the Housing Commission has now made use of the property.

Question Alderman Downey Re: Ammunition - Police Department

Alderman Downey advised he has received a number of calls concerning the ammunition being used by the Police Department and expressed the view that if an innocent citizen was accidentally struck, it would result in more damage than would be the case if another type of ammunition were used. Alderman Downey asked to be informed of the reason for the use of the present type of ammunition.

His Worship advised that the Police Commission has considered the matter and that a report would be supplied to Alderman Downey on the subject.

Question Alderman O'Malley Re: Call for Proposals, Convoy Lands

Alderman O'Malley asked if staff have any intention of presenting to Council the possibility of a Call for Proposals for the additional Convoy Lands. Alderman O'Malley asked that staff give consideration to the desirability of another Call for Proposals suggesting the market situation has changed since the last Call.

Question Alderman O'Malley Re: Transit Route, Richmond Manor

Alderman O'Malley asked if the Metropolitan Transit Commission has approved the re-routing of the Nos. 7 & 3 Routes through the cul-de-sac at Richmond Manor. Alderman Flynn advised that he would contact Alderman O'Malley on the matter.

Question Alderman Grant Re: School Yards, Late Hours

Alderman Grant advised that he has been contacted with respect to a problem concerning the use of school property after dark. Alderman Grant indicated that debris is being found in school yards as a result of activities taking place after dark, and questioned whether there was a method of having more control of the use of the properties during late hours.

The City Manager advised that he would bring the matter to the attention of the School Board and questioned whether Alderman Grant was concerned about particular schools. Alderman Grant advised that he has contacted the Board concerning particular schools but indicated it was his understanding other school properties were affected as well.

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Question Alderman Doehler Re: Sewer Installation -
Industrial Park

Alderman Doehler referred to the proposed installation of sewer to serve the Industrial Park and asked to be informed of major property owners that would benefit from the extension of the sewer line.

His Worship left the meeting and Deputy Mayor Hamshaw took the Chair.

Question Alderman Flynn Re: City Owned Land - Small Parcels

Alderman Flynn referred to the number of small parcels of land owned by the City and which are maintained by the Parks and Grounds Division, and asked for information from staff with respect to how the City could dispose of some of these parcels of land. Alderman Flynn referred specifically to lands located in the MicMac Street and Bayers Road area as well as to a former Dairy property on Chebucto Road and expressed the view that some of these lands should more properly be privately owned.

The City Manager indicated the general practice followed is that if abutting property owners are interested in acquiring such lands, they are given first choice to purchase such lands not required by the City. Alderman Flynn indicated that such an interest has been made known to the City in the case of one of the examples which he presented but nothing has taken place as a result.

NOTICE OF MOTIONS:

Notice of Motion, Alderman Grant Re: Proposed Amendment to
Ordinance No. 3, the Streets Ordinance

Alderman Grant gave notice that at the next regular meeting of City Council to be held on November 17, 1983, he proposed to introduce a Motion that Ordinance Number 3, Section No. 45, be changed to read: "The snow which falls or accumulates during a storm must be removed from the sidewalks within 24 hours of the abatement of the storm."

Notice of Motion, Alderman Flynn Re: Repeal of Ordinance 17A
Respecting the Licensing of Bottle Dealers

Alderman Flynn gave notice that at the next regular meeting of City Council to be held on November 17, 1983, he proposes to introduce a Motion repealing Ordinance No. 17A respecting the Licensing of Bottle Dealers. Alderman Flynn advised that the purpose of repealing the Ordinance was because only one bottle dealer applied for a license in 1983 and its continuation cannot be justified on the basis of revenue.

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ADDED ITEMS:

Claim - Marathon Realty Company Limited, Young Street

The above item was added to the agenda at the request of the City Clerk. A private and confidential report dated October 24, 1983 was submitted from the City Solicitor.

MOVED by Alderman O'Malley, seconded by Alderman Doehler
that:

1. The City settle the claim of Marathon Realty Company Limited by paying to Marathon Realty Company Limited an amount up to \$67,850.00 as outlined in the report of W. G. Campbell Engineering Limited dated October 3, 1983 and attached to the report from the City Solicitor dated October 24, 1983 as Schedule "A"; the funds to be paid out of Account No. 246901, Sale of Land; and

2. The Mayor and the City Clerk be authorized to execute on behalf of the City the agreement between Marathon Realty Company Limited, Capitol Stores Limited, and the City of Halifax in the form attached to the report from the City Solicitor dated October 24, 1983 as Schedule "B".

Motion passed.

The Chairman advised that the private and confidential report could now be released.

Morris Street - Possible Alteration to Street Lines

The above item was added to the agenda at the request of the City Clerk. A staff report dated October 25, 1983, was submitted.

MOVED by Alderman Downey, seconded by Alderman Doehler
that City Council set a date for a public hearing to consider the
re-affirmation and/or relocation of the northern street line of
Morris Street.

Motion passed.

The City Clerk advised that the public hearing was set for Wednesday, December 7, 1983 commencing at 7:30 p.m.

His Worship returned to the meeting and Deputy Mayor Hamshaw took his normal seat in Council.

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Tax Concessions and Grants Committee - Recommendations

The above item was added to the agenda at the request of the City Clerk. A report dated October 27, 1983 was submitted from the Chairman of the Tax Concessions & Grant Committee.

MOVED by Alderman Meagher, seconded by Alderman Doehler
the following grants be authorized by Council for 1983 from the Tax Concessions and Grants budget:

Maskwa Aquatic Club	\$ 237.00
The Golden Age Club of Spryfield	300.00
The Halifax Skating Club	500.00
The Alexandra Day Care Centre	12,057.89
(Located in Alexandra Multi-Service Centre)	
The Children's Co-Operative Nursery	6,253.07
(Located in Alexandra Multi-Service Centre)	
The Children's Development Centre	4,919.31
(Located in Cunard Street School)	
St. Joseph's Children's Centre	596.50
	<u>\$24,863.77</u>

Motion passed.

252 Family Units - Greystone Drive

The above item was added to the agenda at the request of the City Clerk. A staff report dated October 27, 1983 was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolan that Council authorize His Worship the Mayor and the City Clerk to sign the designation agreement to provide that the City will be responsible for the continued maintenance of the extension of sewer services installed as part of the upgrading project.

Motion passed.

Twelve Family Units of Public Housing

The above item was added to the agenda at the request of the City Clerk. A staff report dated October 27, 1983, was submitted.

MOVED by Alderman Grant, seconded by Alderman Nolan that Council authorize His Worship the Mayor and the City Clerk to sign the designation agreement on behalf of the City of Halifax as outlined in the staff report dated October 27, 1983.

Motion passed.

Equiganza 1984

The above item was added to the agenda at the request of Alderman Doehler who referred to a report which members of Council received some time ago from the Director of Recreation relating to the subject. Alderman Doehler referred to the matter of possible financial implications and indicated he would like to receive a staff report submitted by the City Manager on the subject.

Alderman Doehler requested that the item be deferred to the next Committee of the Whole Council for the purpose of receiving a staff report, to which Council agreed.

10:00 P. M. - Meeting adjourned.

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MAYOR RON WALLACE &
DEPUTY MAYOR ALFRED HAMSHAW
CHAIRMEN

G. I. BLENNERHASSETT (Mrs.)
CITY CLERK

Date Approved by City Council: _____