

SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
January 8, 1986
7:30 p.m.

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

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

Also Present: Mr. B. G. Smith, Acting City Manager; Mr. B. Allen, Acting City Solicitor; Mr. E. A. Kerr, Acting City Clerk and other members of City staff.

ADDED ITEMS

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

1. Street Closure - Proctor Street

Street Closure - Proctor Street

This matter was added to the agenda at the request of the Acting City Clerk from the Finance and Executive Committee meeting held earlier today.

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, a date be set for a public hearing to consider the closure of Proctor Street from Brunswick Street to Barrington Street, as shown on City of Halifax plan Number TT-20-21400, attached as Appendix "A" to the staff report dated December 30, 1985.

Motion passed.

The Acting City Clerk advised that the date for the public hearing was set as WEDNESDAY, FEBRUARY 19, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 4859 - Contract Development - 124 Herring Cove Road

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

Mr. Phil Francis, Development Control, with the aid of maps and sketches, outlined the application for contract development to permit the occupancy of a portion of the ground floor of 124 Herring Cove as a take-out (pizza) restaurant as found in the staff report dated October 28, 1985.

Mr. Francis indicated that the building presently contained a non-conforming grocery store and one dwelling unit. Mr. Francis further noted that, in staff's opinion, a take-out restaurant at this location conflicted with the both the policies of the MPS as well as the policies of the draft MSSPS and the proposed Lands Use Bylaw amendments. Mr. Francis indicated that for these reasons staff was recommending refusal of this application.

Mr. Francis then responded to questions from members of Council.

Mr. Leo Toulany, the applicant, addressed Council in favor of the application noting that he simply wished to establish a take-out pizza outlet as an additional source of income. Mr. Toulany noted that he did not propose any restaurant facilities.

A further questioning of staff and Mr. Toulany ensued.

Mr. Willard Pye, 130 Herring Cove Road, addressed Council in opposition to the application indicating that it was his understanding that one building could not house both a meat market and a pizza outlet.

Mr. Pye then responded to questions from members of Council.

Alderman Dewell addressed Mr. Pye's concern regarding the housing of both a meat market and a pizza outlet in the one building and asked if under health regulations, both these operations could legally be housed within one building.

The Acting City Solicitor responded indicating that certainly two separate permits would be required and noting that he would check into this more fully and report back to Council.

Mr. Tod Pye, 130 Herring Cove Road, addressed Council in opposition to the application noting that his driveway was immediately adjacent to the driveway belonging to the property involved and expressing concern for the safety of his son with the increased traffic.

There were no further persons present wishing to address Council with regard to this application. There was no correspondence received in relation to this application.

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

Motion passed.

7:55 p.m. Alderman Meagher joins the meeting.

Case No. 4738 - Contract Development - 334-338 Herring Cove
Road and Street Closure - Herring Cove Road

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

Mr. Phil Francis, Development Control, with the aid of maps and sketches, outlined the application for contract development under Schedule "D", Section 66 of the Land Use Bylaw, Mainland area, to permit the construction of a commercial centre at 334-338 Herring Cove Road between Hartlen Avenue and Pinegrove Drive and the closing of a portion of Herring Cove Road abutting 334-338 Herring Cove Road shown as Parcel S-19 on City of Halifax Plan No. TT-28-26086, all as outlined in the staff report dated October 24, 1985.

Mr. Francis further noted that staff was of the opinion that the proposed parking facility access off Pinegrove should be buffered from adjacent resident uses with suitable screening and/or landscaping and similar treatment should extend along the commercial/residential interface between Pinegrove Drive and Hartlen Avenue.

Mr. Francis further indicated that the existing C-2A zone required a minimum rear yard of 20 ft. noting that the proposed commercial centre has a rear yard of only 8 ft. Mr. Francis indicated that staff feel that this rear yard should be increased as much as possible and noted that this could be achieved by the closure of a portion of Herring Cove Road, Parcel S-19 and the subsequent purchase of this land by the applicant or alternately a land exchange between the city and the applicant.

Mr. Francis noted that as a larger rear yard is desirable it is proposed that the acquisition of the additional land previously mentioned be a condition of the approval of this contract development.

Mr. Francis further indicated that Council should not grant approval to the street closure until such time as an agreement has been made with the developer in regard to the purchase of lot S-19.

In conclusion, Mr. Francis indicated that staff was recommending approval of this application providing the above conditions are met.

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Mr. Francis then responded to questions from members of Council with Alderman R. Grant asking if the applicant would also be agreeable to erecting a fence along Pinegrove to further buffer the development from the surrounding residential area.

Mr. Francis indicated that should Council desire this it could be included in the contract.

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

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

Motion passed.

8:05 p.m. The meeting adjourned.

HEADLINES

ADDED ITEMS	1
Street Closure - Proctor Street	1
Case No. 4859 - Contract Development - 124 Herring Cove Road	1
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DEPUTY MAYOR ARTHUR FLYNN
CHAIRMAN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

/sg

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
January 16, 1986
8:10 P.M.

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

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, Leiper and Hamshaw.

ALSO PRESENT: B. G. Smith, Acting City Manager; W. Anstey, Acting City Solicitor; and E. A. Kerr, Acting City Clerk.

A moment of silence was observed in memory of Mrs. Gladys I. Blennerhassett, City Clerk, who passed away on December 26, 1985.

Presentation - Long Service Award: Charles Day,
Halifax Fire Department

On behalf of members of City Council, Mayor Ron Wallace presented a Long Service Award to Captain Charles Day, a 30-year veteran of the Halifax Fire Department. Alderman D. Grant also presented a corsage to Mrs. Day.

Presentation by the Nova Scotia Heart Foundation to
City Council

Mr. Wes Campbell, representing the Nova Scotia Heart Foundation, presented an award to Mayor Wallace and members of Council in recognition of their designation of the Halifax Council Chamber as a smoke-free space.

MINUTES

Minutes of the regular meeting of City Council held on December 12, 1985 and of Special Council held on January 8, 1986 were approved on a motion by Alderman Hamshaw, seconded by Alderman Cromwell.

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Approval of the Order of Business, Additions and Deletions

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

20.1 Request for Authorization of Deferral of Presenting of Budget

20.1 Appointments

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

20.3 PCB Storage

MOVED by Alderman Cromwell, seconded by Deputy Mayor Flynn that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS

Case No. 4859 - Contract Development: 124 Herring Cove Road

A public hearing on this matter was held on January 8, 1986.

MOVED by Alderman Walker, seconded by Alderman Jeffrey that:

(1) the contract development application to permit the occupancy of a portion of the existing grocery store at 124 Herring Cove Road as a take-out restaurant, as shown on Plan No. P200/14248 of Case No. 4859, be approved;

(2) the contract shall be signed within 120 days or any extension thereof 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 period; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

The Acting City Clerk advised that Aldermen D. Grant and Meagher were absent from the January 8 public hearing.

Motion passed with Aldermen D. Grant and Meagher abstaining.

Case No. 4738 - Contract Development: 334-338 Herring Cove Road and Street Closure - Herring Cove Road

A public hearing on this matter was held on January 8, 1986.

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A supplementary staff report, dated January 15, 1986, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Jeffrey that:

(1) the application by Mr. Steven Hantias for approval of a contract development under Schedule "D," Section 66 of the Land Use Bylaw, Mainland Area, to permit a commercial centre on the property known as Civic No. 334-338 Herring Cove Road, Civic No. 4 Pinegrove Drive, and Civic No. 5 Hartlen Avenue, as shown on Plans No. P200/14062-63 of Case No. 4738, be approved by Council, provided that a clause is added to the said contract to require that fencing be supplied by the developer at the rear of the property in question extending from Hartlen Avenue through to Pinegrove Drive; and;

(2) the contract shall be signed within 120 days or any extension thereof 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 period; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

A discussion ensued as to the maintenance and upkeep of the surplus parcel of land which will result from the proposed closure of this portion of Herring Cove Road.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Flynn that approval of the proposed contract development be deferred to the next regular meeting of Committee of the Whole Council, in order to allow staff an opportunity to review and report on the long-term implications of the City's retention of the aforementioned surplus parcel of land.

The Motion to defer was put and carried.

With regard to the proposed closure of Parcel S19 abutting the Herring Cove Road side of the development, Alderman R. Grant recommended that, as the developer has indicated he does not wish to purchase the surplus portion of land in question, the closure of the street in this vicinity should not be carried out.

After some discussion, it was moved by Deputy Mayor Flynn, seconded by Alderman Hamshaw that the matter of the proposed street closure be deferred, pending further discussion of the contract development application scheduled for the next regular meeting of Committee of the Whole Council, and to allow staff an opportunity to attempt a compromise with the developer in question concerning the purchase of the surplus parcel of land.

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The motion to defer consideration of the proposed street closure was put and lost.

A lengthy discussion ensued concerning the City's obligations with regard to maintenance of the surplus land parcel, if a compromise cannot be reached with the developer in question.

At the suggestion of the Acting City Manager, it was moved by Alderman Dewell, seconded by Deputy Mayor Flynn that the matter of the proposed street closure be deferred to the next regular meeting of Committee of the Whole Council in order to allow staff an opportunity to further clarify the implications of City ownership of the surplus parcel of land.

The motion to defer was put and passed.

REPORT - FINANCE & EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of January 8, 1986 as follows:

Cowie Hill Playground

A supplementary report, dated January 10, 1986, and a confidential staff report, dated January 13, 1986, were submitted.

MOVED by Alderman Walker, seconded by Alderman Jeffrey that City Council uphold its resolution of August 29, 1985, and further, that the playground in question be acquired from the Cowie Hill Village Council.

After a lengthy discussion and questioning of Mr. N. Murray of the City's Recreation Department, it was moved in amendment by Alderman R. Grant that the existing totlot in Cowie Hill be upgraded and its equipment retained, but that the area be grassed over and the equipment removed once the totlot portion of the Chebucto Heights playground facility is completed.

There was no seconder for the proposed amended motion.

After considerable discussion and further questioning of staff, the original motion to acquire the playground from the Cowie Hill Village Council was put and passed.

9:50 P.M. - Council adjourned for a brief recess.

10:05 P.M. - The meeting was reconvened with the same members being present.

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Dockage - Halifax Waterfront

A report dated January 15, 1986 from D. F. Murphy, Q. C., City Solicitor was submitted. A supplementary staff report dated January 16, 1986 was also submitted.

Following is the recommendation of the Finance and Executive Committee:

"That between now and next Thursday staff meet with Mr. Jenkins and Mr. Partridge (owner of Marine Charter Services) with a view to reaching some mutual agreement with regard to docking facilities for the year 1986 and further that staff report with regard to whether the present agreement with Mar II provides for a three year lease or if it was for last year only and not automatically renewed in 1986."

MOVED by Alderman Cromwell, seconded by Alderman Meagher that the City tender for docking spaces but that the Mar II site be excluded until it is decided whether a contract exists for the site.

Alderman O'Malley addressed the matter asking if the docking sites had been identified and requesting that if this was not the case, that no tenders be let until such time as Council has identified the docking spaces it desires to be used for such purposes.

The Chairman indicated that this was the procedure which will be followed in this regard.

The motion was put and passed.

5994 Spring Garden Road - Commercial Tenant Lease

A supplementary staff report dated January 6, 1986, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee the Mayor and City Clerk be authorized to execute the lease attached as Schedule "B" to the December 30, 1985 staff report, with the removal of Clause 6, Page 8, with Raymond and Najib El Hage for rental of the premises at 5994 Spring Garden Road.

Motion passed.

Former Richmond School Building

This matter was forwarded to City Council without recommendation.

A staff report dated January 13, 1986 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that City Council declare the proposed Richmond/Hydrostone/Fort Needham Conservation Area to be a historic site pursuant to section 425 of the City Charter, the boundaries being more particularly set out as (1) Novalea Drive (west side), Young Street, Isleville Street, Duffus Street; and (2) Novalea Drive (east side) from Devonshire Avenue to the southern boundary for Fort Needham and including City-owned land zoned park and institutional abutting Dartmouth and Devonshire Avenues and Union Street, all as outlined on the map attached to the January 13, 1986 staff report.

Motion passed.

Alternatives and Assistance for those Engaged in Prostitution

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, this matter be referred back to staff with compliments in staff's attempt to set up a pilot project, and with the recommendation that staff attempt to bring on-side the educational and employment agencies as partners in the project, and to return Council with whatever staff is able to achieve in this direction.

Motion passed.

Tax Concessions and Grants

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council allocate \$13,038.16 from the 1985 Tax Concession and Grants to be pro-rated across the grants noted in the December 19, 1985 staff report.

Motion passed.

Access Road - Seaview Park

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve payment up to \$12,000.00 to the Canadian National Railway for relocation of signals on the access road to Seaview Park from Capital Account #PA041, Seaview Park.

Motion passed.

Sale - 5 Everest Drive

MOVED by Alderman Walker, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the property known as Civic No. 5 Everest Drive be sold to Arthur V. Sullivan and Lorraine V. Sullivan for the sum of \$3,500.00 and further the proceeds to be deposited in the Sale of Land Account.

Motion passed.

Resolution - Town of Vaughan, Ontario, Applications to the
Railway Transport Committee

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, the Corporation of the City of Halifax supports the petition of the Town of Vaughan (Ontario) that an immediate review of the Federal Railway Act be undertaken by the Honourable Minister of Transport with a view to eliminating the overriding provisions of the Act with respect to expropriation for railway purposes and further to make amendments to the necessary Act and Regulation to allow affected municipalities recognized status before the Canadian Transport Commission on any matters affecting their jurisdiction as local governments.

His Worship addressed the matter questioning the interpretation of the first part of the motion indicating that he believed that it meant that municipalities would have the ability to block expropriation by the railway.

A short discussion ensued and it was MOVED by Alderman O'Malley, seconded by Alderman Dewell that this matter be deferred pending a legal interpretation of the first part of the motion.

Motion to defer was put and passed.

Interest Rate on Local Improvement Charges

MOVED by Alderman Dewell, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, interest on Local Improvement charges, for projects scheduled for 1986, be set at 11% per annum, in accordance with Section 394(1) of the Halifax City Charter.

Motion passed with Alderman Meagher voting against the motion.

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World Trade & Convention Centre - Shareable Construction
Costs

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council approve the payment of \$150,000 to the World Trade and Convention Centre from accounts CC011 - \$81,994, CC012 - \$25,127, CC013 - \$24,980, and approve a transfer of funds from CB400 to CC011 in an amount of \$17,899, being the agreed City share of costs associated with construction.

Motion passed.

Write Off of Accounts

MOVED by Alderman Dewell, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, under Section 184 of the City Charter 1963, City Council excuse the Treasurer from collection of monies due to the City, as summarized in the December 10, 1985 staff report, and authorize the write off of \$287,515.38.

Motion passed.

Continuing Expenditures in 1986 - Social Planning Sundries

MOVED by Alderman Downey, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, permission be granted to the Social Planning Department to expend funds in January and February 1986 or until the 1986 budget is approved, to agencies normally receiving funding on a monthly basis through Social Planning Sundries Accounts H0210, H0220 and N010.

Motion passed.

Date for Hearing - Recommended Heritage Properties

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, City Council consider the inclusion of the properties listed in the December 18, 1985 staff report in the Halifax Registry of Heritage Property and that in accordance with the requirements of Section 14(2) of the Heritage Property Act a date be set to provide the owners thereof an opportunity to be heard.

Motion passed.

The Acting City Clerk advised that the date for the hearing had been set as Wednesday, March 5, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Transit Service to Manors

Alderman Downey addressed the matter reiterating his remarks made at the Finance and Executive Committee meeting and indicating that he would like the reference to 'on an interim basis' removed from the recommendation as made by that Committee, to which Council agreed.

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, this service be continued, at a subsidy cost of \$4,000 per month, until the 1986 budget for Transit services is reviewed by Council, and that staff be instructed in the interim to review the need for transportation services by senior citizens in order to determine whether this service could be modified in any way or the funds re-directed to provide a wider service for senior citizens.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on January 8, 1986 as follows:

Kaye Street Relief Sewer - Tender 85-35

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

1. Council award Tender 85-35 for Project, materials and services listed and for the unit prices quoted in the December 5, 1985 staff report to P. A. Wournell Construction Ltd. at a total project cost of \$178,000.00.
2. Funding Authorized from Account Number DB038 Kaye Street Relief Sewer.

Motion passed.

Sanitary Sewer - Industrial Park

MOVED by Alderman O'Malley, seconded by Alderman Grant that, as recommended by the Committee on Works, City Council pass a motion of the strongest possible endorsement to the Minister of Environment and the Minister of Municipal Affairs that they intervene in what appears to be the dispute between the Halifax County and the Halifax City with regard to the use of the under-used sewer facility in Halifax County for purposes of sanitary drainage for the Halifax Industrial Park with a view to having the city negotiate a position for the use of the sewer in conjunction with the County of Halifax.

Alderman Grant addressed the matter outlining the work carried out by the City in relation to improvement of sewer systems in the Mainland South and North and suggested that His Worship could hold this work up as proof that the City was certainly doing their share during his meeting with the Province.

The Motion was put and passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Report - Heritage Advisory Committee - Alteration - 1841 Tower Road - Registered Heritage Property

A report from the Heritage Advisory Committee dated January 13, 1986, was submitted.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the Heritage Advisory Committee, the proposed addition to the registered heritage property at 1841 Tower Road as shown on a plan dated January 9, 1986 by Kassner/Goodspeed Associates Limited Architects be approved by City Council provided that existing tree growth on the site is retained and subject to the issuance of building permits as necessary.

Motion passed.

Report - Heritage Advisory Committee - Date for Heritage Hearing (Deferred) - 1268-70 Hollis Street

A report from the Heritage Advisory Committee dated January 13, 1986 was submitted.

MOVED by Alderman D. Grant, seconded by Alderman O'Malley that, as recommended by the Heritage Advisory Committee, a date be set for the adjourned hearing respecting the proposed registration as a heritage property of 1268-70 Hollis Street.

Alderman D. Grant indicated that the owner had requested that the hearing be held on January 22, 1986 as he would be out of town on February 5, 1986. Alderman D. Grant further suggested that the hearing be held at 4:30 p.m. as there were no hearings scheduled for the evening of January 22, 1986 and noted that the owner was in agreement with this time, to which Council agreed.

The motion was put and passed.

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Report - Retirement Committee re: Proposed Amendments to the
Superannuation Act

A report from the Acting Secretary of the Retirement Committee dated January 14, 1986 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Leiper that, as recommended by the Retirement Committee, the proposed amendments to the Halifax Superannuation Act, as attached to the January 14, 1986 report from the Acting Secretary of the Retirement Committee, be approved by City Council for forwarding to the Nova Scotia Legislature.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on January 8, 1986 as follows:

Case No. 4912 - Contract Development - 2707-11 Clifton Street

This matter was forwarded to Council without recommendation.

A supplementary staff report dated January 15, 1986 was submitted. Correspondence dated January 16, 1986 from D. J. Clarke, solicitor for the applicant, was also submitted.

A short discussion regarding the matter ensued and it was MOVED by Alderman Meagher, seconded by Alderman Hamshaw that a date be set for a public hearing to consider the application for contract development to permit conversion of the existing 4 unit building with office at 2707-11 Clifton Street to 8 units with office.

Motion passed.

The Acting City Clerk advised that the date set for the hearing was WEDNESDAY, FEBRUARY 19, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 4128 - Agreement - 5265 Tobin Street

This matter was forwarded to City Council without recommendation.

MOVED by Alderman D. Grant, seconded by Alderman Leiper that Council declare the resolution of June 17, 1982 approving a contract development to permit the rear addition to remain at 5265 Tobin Street, be discharged and at an end.

Motion passed.

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Case No. 4440 - Rezoning, Proposed Lots DO-1, DO-2 and Parcel
COH-1 Donaldson Avenue/Dunbrack Street - SET DATE FOR
PUBLIC HEARING

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

1. the application to rezone the area shown as Lot DO-1 on Plan No. P200/13271 from R-2 (Two Family Dwelling Zone) and P (Park and Institutional Zone) to R-1 (Single Family Dwelling Zone); and
2. rezoning the areas shown as Lots COH-1 and DO-2 on Plan No. P200/13271 from P (Park and Institutional Zone) to R-1 (Single Family Dwelling Zone).

Motion passed.

The Acting City Clerk advised that the date for the hearing was set as WEDNESDAY, FEBRUARY 19, 1985 at 7:30 p. m. in the Council Chamber.

Case No. 4898 - Schedule "K" Application - Knightsridge Phases
Three and Four

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

1. The application by Clayton Developments Limited under Schedule "K", Section 68 of the Land Use Bylaw, Mainland area, for Stage II approval of the Knightsridge - Phases Three and Four development, 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; otherwise the Stage II approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

Cases 3697, 4285 - Rezoning, R-2 to R-1 - 2872, 2878, and 2894
Barrington Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman O'Malley, seconded by Alderman
Walker that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the rezoning of 2872, 2878 and 2894 Barrington Street from R-2 to R-1.

Motion passed.

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The Acting City Clerk advised that the date for this hearing was WEDNESDAY, FEBRUARY 19, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Amendments to the Land Use Bylaw Concerning the Subdivision of
Land - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the City Planning Committee a date be set for a public hearing to consider amending the Land Use Bylaw as outlined in the staff report of October 31, 1985 and amended in the staff report of November 27, 1985.

Motion passed.

The Acting City Clerk advised that the date for this hearing was WEDNESDAY, FEBRUARY 19, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

6273-77 North Street

This matter was forwarded to City Council without recommendation pending the receipt of a report in response to previous questions regarding the matter.

Alderman Meagher addressed the matter indicating that in conversation with staff he understood that the report was being prepared but had not been available for this evening's meeting. Alderman Meagher requested that this matter be deferred to the next meeting of the Committee of the Whole Council, to which Council agreed.

His Worship leaves the meeting and Deputy Mayor Flynn takes the Chair.

QUESTIONS

Question Alderman Jeffrey re: Garbage Container 89 Sunnybrae
Avenue

Alderman Jeffrey referred to a situation which has been ongoing for some time with regard to the location of a garbage container at 89 Sunnybrae Avenue. Alderman Jeffrey indicated that the container had been placed partly on city property and partly on the abutting property. Alderman Jeffrey indicated that attempts by the abutting property owner to have the owner remove the garbage container have been unsuccessful.

Alderman Jeffrey requested that the Inspection Department visit the property, speak with the owner of the container and have the garbage container removed.

Question Alderman Jeffrey re: Boarded House - Sunnybrae Avenue

Alderman Jeffrey referred to the boarded up house located at 58 or 60 Sunnybrae Avenue noting that it has been boarded up for about one year. Alderman Jeffrey indicated that residents in the area have reported that vandalism is being done to the house.

Alderman Jeffrey indicated that he would like to find out who owns the house and whether the owner plans to renovate the house or tear it down. Alderman Jeffrey indicated that the house was becoming an eyesore in the neighbourhood.

Question Alderman Jeffrey re: Snow Plowing - Percy and Deal Streets

Alderman Jeffrey referred to reports he had received that the snow plows were jumping the curb and knocking over signs, trees and shrubs on Percy and Deal Street. Alderman Jeffrey asked if it was necessary for the snow plows to jump the curb. Alderman Jeffrey further indicated that this problem had occurred during the recent snow storm.

Question Alderman Dewell re: Policy - Extra Units in Buildings

Alderman Dewell referred to the existence of good apartment buildings within the City having one or two units over and above that which is permitted under the Zoning Bylaw. Alderman Dewell requested that staff look into the development of some policy or mechanism to deal with these without going through the process of rezoning.

Alderman Dewell requested that staff prepare a report regarding a possible mechanism that could be put into place and what they might suggest in this regard.

Question Alderman Downey re: Gottingen Street Planning Strategy

Alderman Downey referred to the matter he had raised at Committee of the Whole Council with regard to planning strategy for the Gottingen Street area and the matter of the phasing out of the Sobeys store under a new name Foodlands. Alderman Downey indicated that he felt it was time the city took a step forward noting that a large amount of money had been spent on a development study for this area.

Alderman Downey noted that he was surprised that the City had been unaware of the phasing out of the Sobeys store in light of the planning being carried out for the street. Alderman Downey further referred to the Federal building site and suggested that future development by Sobeys stores was being adversely affected by the lack of action on behalf of the Federal government.

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Alderman Downey referred to action taken by His Worship at the time he was a member of the Provincial Government with regard to the redevelopment of this street and indicated again that he felt it was time that the City moved in this regard. Alderman Downey indicated that he felt the blunt at the corner of Cornwallis and Gottingen Streets and the lack of development of the Federal building site was affecting the area negatively.

Alderman Downey further referred to the Detailed Area Plan recommendation for a downgrading of the Sobeys lands and suggested that the city could not expect development of these lands if they downgraded the property.

Alderman Meagher addressed the matter indicating that at a recent sub-committee meeting it had been recommended that the zoning of these lands remain as Commercial noting that this recommendation would be forwarded to the Detailed Area Planning Committee.

Alderman Downey expressed his pleasure with this recommendation and referred to the report he had requested at Committee of the Whole. The Acting City Manager indicated that the report had been forwarded to Alderman Downey personally and noted that should Alderman Downey wish the report circulated to Council this could be done.

Alderman Downey requested that the report be circulated and that this matter be placed on the agenda for the next Committee of the Whole and that the Planning Department also be requested to prepare a report in this regard.

Question Alderman Downey re: Snow Plowing during the Recent Storm

Alderman Downey referred to the snow plowing carried out during the recent snow storm and noted the he was surprised at the poor condition of the side streets and some of the main streets in his ward and throughout the City. Alderman Downey asked what had caused the poor condition of the streets.

Mr. Connell, Director of Engineering and Works, responded to Alderman Downey indicating that a number of vehicles had been out all day Tuesday and after midnight clearing the streets. Mr. Connell noted that considering the amount of snow which fell he felt the streets were in reasonable condition. Mr. Connell further indicated that the side streets did indeed have snow packed on them but were passable. He suggested that the Alderman give the names of any streets he thought had been neglected to his department for action.

Alderman Downey noted that a number of streets in the South end of the city were in poor condition and noted that this was a danger particularly to young children.

Mr. Connell indicated that the cold snap being experienced resulted in salt having very little effect on the ice which has built up.

Question Alderman Cromwell re: Study - Public Gardens

Alderman Cromwell referred to the newspaper article which indicated that the Planning Advisory Committee had approved a study for the area surrounding the Public Gardens at a cost of some \$100,000. Alderman Cromwell asked if this were the case and if so, where the funds would be found.

Mr. Matthews, Director of Planning, addressed the matter indicating that no such decision had been made by the PAC and noted that a sub-committee had been established to look into this possibility. Mr. Matthews advised that staff has supplied the Committee with a report with respect to the proposed cost of a study.

Question Alderman Walker re: Snow Removal - Bus Stops

Alderman Walker referred to complaints he had received regarding snow at bus stops in areas where there were no sidewalks which require that persons wait in the roadway. Alderman Walker asked that action be taken to clear the bus stop areas.

Question Alderman Walker re: Real Estate Signs at Intersections

Alderman Walker referred to the location of Real Estate signs at intersections noting that he had received a number of complaints that these signs were obstructing road signs.

Alderman Walker asked if some action could be taken to ensure that such situations do not continue.

The Chairman indicated that these signs could be removed as they were on City property without permission.

Alderman Jeffrey suggested that a letter be forwarded to the Halifax/Dartmouth Real Estate Board explaining the situation, to which Council agreed.

Question Alderman Walker re: Wrestling Matches - Halifax Forum

Alderman Walker referred to recent wrestling matches he had attended and expressed concern with regard to the behavior he witnessed at these matches. Alderman Walker asked who had authority over such matters at these events.

The Chairman indicated that this would be a responsibility of the Forum through the security they hire.

Alderman Walker indicated that the behavior of the wrestlers also caused him concern and suggested that a reactivation of the Athletic Commission should be studied.

The Chairman indicated that a response with regard to this matter would be forthcoming from the Forum and that staff would report on why the Athletic Commission should or should not be re-activated to control wrestling.

Question Alderman R. Grant re: Letter to Halifax Herald

Alderman Grant referred to the request made that a letter be forwarded to the management of the Halifax Herald expressing the City's disappointment with their decision to move out of the City and asked if this letter had been sent.

Question Alderman R. Grant re: Traffic Lights - Williams Lake Road and Herring Cove Road

Alderman R. Grant referred to the dangerous situation existing at the corner of Williams Lake Road and Herring Cove Road noting that traffic was heavy on Herring Cove Road but not so great on Williams Lake Road. Alderman R. Grant noted that past studies done by the Traffic Authority had indicated that traffic lights were not warranted.

Alderman R. Grant noted, however, that it was extremely difficult to exit from Williams Lake Road to Herring Cove Road and that cars tend to speed on Herring Cove Road causing pedestrians to fear for their safety.

Alderman Grant requested that staff look into the possibility of placing traffic lights or signals at this intersection and the liability the City might incur if lights were located here.

Question Alderman R. Grant re: Traffic Warrant

Alderman R. Grant referred to the traffic warrants used by staff and asked if these were minimum standards or ideal standards.

Question Alderman Leiper re: Illuminated Signs

Alderman Leiper referred to the recent increase in large illuminated signs in Wards 9 and 10 and noted that she had received a complaint from an area residents with regard to the proximity of one of these signs to their home. Alderman Leiper asked if staff could look into the regulations governing the location of illuminated signs near homes. Alderman Leiper indicated that she would give staff the details with regard to the particular complaint she had received.

Council
January 16, 1986

Question Alderman O'Malley re: Capital Grants - Tax and Grant
Committee

Alderman O'Malley referred to the grants given by the Tax and Grants Committee asking if the Committee gave grants for capital development of facilities.

Mr. Smith indicated that in past the Committee had given such grants occasionally and have accepted that certain capital grants are a part of their mandate.

Alderman Meagher, a committee member, addressed the matter indicating that such grants were the exception rather than the rule and usually pertained to larger organizations.

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

NOTICE OF MOTIONS

Alderman Cromwell re Notice of Motion to Reconsider the January
16th City Council agenda Item 10.1 Cowie Hill Playground

Alderman Cromwell gave notice of Motion that at the next regular meeting of City Council to be held on January 30, 1986 he proposes to introduce a motion of Reconsideration re City Council's resolution on agenda item 10.1, Cowie Hill Playground.

Alderman Cromwell re: Notice of Motion to Amend Ordinance No
147, the Dog Ordinance

Alderman Cromwell gave notice of Motion that at the next regular meeting of City Council to be held on January 30, 1986 he proposes to move First Reading of amendments to Ordinance No. 147, the Dog Ordinance, the purpose of which are to provide for lower license fees in the event of early payment.

ADDED ITEMS

Request for Authorization of Deferral of Presenting of Budget

This matter was added to the agenda at the request of the Acting City Clerk. A staff report dated January 16, 1986 was received.

MOVED by Deputy Mayor Flynn, seconded by Alderman
Hamshaw that City Council grant an extension of thirty (30)
days to permit a later tabling of the 1986 current budget.

Motion passed.

Appointments

This matter was added to the agenda at the request of the City Clerk. A report from His Worship the Mayor dated January 14, 1986 was submitted.

MOVED by Deputy Mayor Flynn, seconded by Alderman Dewell that City Council make the following appointments:

Recreation Committee - Marilyn Muleski
Term to expire January 16, 1989

Halifax Industrial Commission - William Riley
Term to expire January 16, 1989

Board of Police Commissioners - Ken Rowe
Term to expire January 16, 1989

Taxi Commission - Michael Crompton
Term to expire January 16, 1987

Motion passed.

PCB Storage - Alderman Downey

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

Alderman Downey referred to the news report regarding the storage of PCB's at a dry cleaning establishment on Gottingen Street and expressed concern that this storage had been permitted. Alderman Downey indicated that a number of area residents had called him concerned with this storage and asking if there were other storage areas in the city.

Alderman Downey requested that staff investigate other possible storage areas for PCB's and report back to Council.

Alderman O'Malley indicated that the Minister of Environment should be requested to give the City information regarding the location of all such storage facilities within the city.

11:30 p.m. The meeting adjourned.

HEADLINES

Presentation - Long Service Award: Charles Day, Halifax Fire Department	5
Presentation - by the Nova Scotia Heart Foundation to City Council	5
Minutes	5
Approval of the Order of Business, Additions and Deletions .	6

DEFERRED ITEMS

Case No. 4859 - Contract Development: 124 Herring Cove Road	6
Case No. 4738 - Contract Development: 334-338 Herring Cove Road and Street Closure - Herring Cove Road	6

MOVED by Deputy Mayor Flynn, seconded by Alderman Dewell that City Council make the following appointments:

Recreation Committee - Mr. George Doucet
Term to expire January 16, 1989

Halifax Industrial Commission - William Riley
Term to expire January 16, 1989

Board of Police Commissioners - Ken Rowe
Term to expire January 16, 1989

Taxi Commission - Michael Crompton
Term to expire January 16, 1987

Motion passed.

PCB Storage - Alderman Downey

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

Alderman Downey referred to the news report regarding the storage of PCB's at a dry cleaning establishment on Gottingen Street and expressed concern that this storage had been permitted. Alderman Downey indicated that a number of area residents had called him concerned with this storage and asking if there were other storage areas in the city.

Alderman Downey requested that staff investigate other possible storage areas for PCB's and report back to Council.

Alderman O'Malley indicated that the Minister of Environment should be requested to give the City information regarding the location of all such storage facilities within the city.

11:30 p.m. The meeting adjourned.

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Case No. 4738 - Contract Development: 334-338 Herring Cove Road and Street Closure - Herring Cove Road	6

HEADLINES CONT'D

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5994 Spring Garden Road - Commercial Tenant Lease	9
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HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. Kerr
Acting City Clerk

DATE APPROVED BY COUNCIL: _____

/sg

SPECIAL COUNCIL
HERITAGE HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
January 22, 1986
4:30 P.M.

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

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen D. Grant, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, Leiper and Hamshaw.

ALSO PRESENT: City Manager; W. Anstey, Acting City Solicitor; E. A. Kerr, Acting City Clerk; and other members of staff.

Recommended Heritage Properties - 1268-72 Hollis Street
(Ginger's)

A report, dated January 20, 1986, was submitted from Commodore A. C. McMillin, Chairman of the Heritage Advisory Committee.

Mr. A. W. Churchill, Heritage Coordinator, addressed Council on this matter, emphasizing that the site in question is one of only a few properties in its neighborhood which have not already been designated for heritage preservation.

4:35 p.m. - Mayor Wallace retires from the meeting and Deputy Mayor Flynn assumes the Chair.

Referring to his submission, dated January 16, 1986, previously circulated to members of Council, Mr. R. J. Ross Stinson, solicitor for Granite Group Limited (owners of Ginger's Tavern), spoke in opposition to the proposed registration. In his comments, Mr. Stinson expressed his client's objections to the scoring system used to evaluate his property, and suggested that heritage registration could have serious consequences, particularly as "Ginger's" is operated as a commercial enterprise.

4:45 p.m. - Mayor Wallace returns to the meeting and Deputy Mayor Flynn assumes his normal seat in Council.

4:47 p.m. - Alderman Cromwell enters the meeting.

Commodore A. C. McMillin, Chairman of the Heritage Advisory Committee, responded to Mr. Stinson's comments,

indicating that, in the Committee's opinion, "Ginger's" is an excellent representation of the Victorian type of housing constructed in the post-Confederation era. Commodore McMillin also refuted the suggestion that heritage registration of a property heavily restricts the owner in terms of potential expansion or alteration, noting that Council's decision can subsequently be sought by that owner if he feels his property rights have been infringed upon by the heritage designation.

There were no additional persons wishing to address Council on this matter.

The following correspondence was received with reference to this application:

Correspondence, dated January 16, 1986, from Mr. R. J. Ross Stinson (Chandler, Moore), solicitor for Granite Group Limited.

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

Motion passed.

Halifax Industrial Commission

This matter was added to the agenda at the request of His Worship Mayor Wallace.

It was subsequently agreed that the matter be deferred to the next regular meeting of Halifax City Council.

Sanitary Sewer - Industrial Park

The above-mentioned matter was forwarded to this Special Meeting of Halifax City Council from a meeting of the Committee on Works held earlier in the day.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the Committee on Works, Halifax City Council request permission from Halifax County Council to connect to the Lakeside/Timberlea sewer system and treatment plant, and that staff negotiate a joint servicing agreement at the earliest possible date.

Motion passed.

There being no further business to be discussed, the meeting was adjourned at 5:10 p.m.

Special Council
January 22, 1986

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HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

*K

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
January 30, 1986
8:00 p.m.

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

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

Council then observed a moment of silence for the tragic death of the American astronauts.

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

Also Present: City Manager, Mr. W. Anstey, Acting City Solicitor, Mr. E. A. Kerr, Acting City Clerk and other members of city staff.

His Worship acknowledged the presence this evening of the 22nd Halifax Boy Scout Troop from the St. Margaret of Scotland Church located in Ward 5. His Worship welcomed the members of the group and their leader, Mr. Doug King, to Council this evening.

Introduction of School Board Members to City Council

His Worship acknowledged the visit of the members of the Halifax District School Board to Council noting that the new Chairman of the Board was ex-Alderman Murray Doehler. His Worship then requested that Mr. Doehler, Mr. David MacAdam, Vice Chairman and Mr. Karl Perry, Director of Education come forward.

His Worship welcomed the Chairman and members of the Board along with Mr. Perry to Council and thanked them for their efforts on behalf of City Council. His Worship indicated that he felt this visit demonstrated that Council and the Board were one team working for the same objectives.

Mr. Doehler addressed Council introducing the members of the Board present this evening and thanking Council for their support in continuing with the fine quality of programs which have been established. Mr. Doehler then expressed concern with the comments made by the Minister of Education regarding holding education funding and suggested they were irresponsible.

Council
January 30, 1986

In conclusion Mr. Doehler indicated that the members of the Board were a dedicated group of people who had a great deal of experience and common sense in dealing with such matters.

His Worship thanked Mr. Doehler and the members of the Board and indicated that Council was looking forward to working with them over the next few years.

Presentation of Trophy to Constable Ron Josey - Annual City Council and Staff Golf Tournament

His Worship referred to the the City golf tournament noting that the winner of the tournament, Constable Ron Josey, Halifax Police Department, was present to receive his trophy. His Worship called upon Alderman Jeffrey to present the trophy.

Alderman Jeffrey addressed Council indicating his pleasure at presenting this award and thanking the members of staff who were involved with the organization of the tournament. Alderman Jeffrey then presented the trophy to Constable Josey.

Constable Josey addressed Council indicating that he had enjoyed the tournament and would be back next year to defend his title.

MINUTES

Minutes of the regular meeting of Halifax City Council held on January 16, 1986 and the special meeting held on January 22, 1986 were approved on a motion by Alderman Cromwell, seconded by Alderman Hamshaw.

Expression of Sympathy - Space Shuttle 'Challenger' Tragedy

Deputy Mayor Flynn addressed Council referring to the recent space shuttle tragedy and MOVED, seconded by Alderman Leiper that the Mayor express on behalf of City Council and the citizens of Halifax, through the American Consul, our sincere sympathy to the bereaved families and the people of the United States of our shock and sadness on the death of the seven American astronauts.

Motion passed unanimously.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS:

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

- 5.3 Case No. 4738 - Contract Development - 334-338 Herring Cove Road and Street Closure - Herring Cove Road

Council
January 30, 1986

In conclusion Mr. Doehler indicated that the members of the Board were a dedicated group of people who had a great deal of experience and common sense in dealing with such matters.

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Motion passed unanimously.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS:

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

- 5.3 Case No. 4738 - Contract Development - 334-338 Herring Cove Road and Street Closure - Herring Cove Road

20.1 Motion - Alderman Meagher re: Affordable Housing

20.2 Appointments

At the request of Alderman Walker Council agreed to add:

20.3 Athletic Commission

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

Motion passed.

DEFERRED ITEMS

Recommended Heritage Properties - 1268-72 Hollis Street
(Ginger's)

A hearing into the above matter was held on January 22, 1986.

MOVED by Alderman D. Grant, seconded by Alderman Downey
that this matter be deferred to the next regular meeting of Halifax City Council to allow staff an opportunity to consider new information with regard to this property.

The motion to defer was put and passed with Alderman Cromwell abstaining.

Halifax Industrial Commission

This matter was deferred to this meeting from the Special Council meeting held on January 22, 1986.

His Worship indicated that Council was still awaiting information in this regard and it was MOVED by Deputy Mayor Elynn, seconded by Alderman Hamshaw that this matter be deferred pending the receipt of information in this regard.

The motion to defer was put and passed.

Case No. 4738 - Contract Development - 334-338 Herring Cove Road
and Street Closure - Herring Cove Road

This matter was deferred at the City Council meeting held on January 16, 1986. A supplementary staff report dated January 29, 1986 was submitted.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that:

1. The application by Mr. Steven Hantias for approval of a contract development under Schedule D, Section 66 of the Land Use Bylaw, Mainland area, to permit a commercial centre on the property known as Civic Nos. 334-338 Herring Cove Road, Civic No. 4 Pinegrove Drive, and Civic No. 5 Hartlen Avenue, as shown on Plan Nos. P200/14062-63 of Case No. 4738, be approved by City Council.

2. The contract shall be signed within 120 days or any extension thereof 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.

3. No action be taken by City Council regarding the street closure of Parcel S-19.

Motion passed with Alderman Dewell abstaining.

MOTIONS OF RECONSIDERATION

Alderman Cromwell re: Motion to Reconsider the January 16th
City Council Agenda Item 10.1 - Cowie Hill Playground

Alderman Cromwell gave Notice of Motion of reconsideration of the resolution of City Council of January 16, 1986 regarding City Council agenda item 'Cowie Hill Playground' at the January 16, 1986 meeting of City Council.

Alderman Cromwell addressed the matter indicating that he wished to have this matter deferred at this time. Alderman Cromwell indicated that he felt a report should be forthcoming from legal with regard to the legal ramifications of acquiring land from the condominium corporation. Alderman Cromwell further noted that it had come to his attention that there was a possibility that a clause had been included in the agreement between the developer and the condominium corporation regarding the provision of a playground for that area and requested that legal review this agreement to ascertain whether this clause did exist.

MOVED by Alderman Cromwell, seconded by Deputy Mayor Flynn that this matter be deferred to the next regular meeting of Halifax City Council pending receipt of the requested report.

The motion to defer was put and passed.

1. The application by Mr. Steven Hantias for approval of a contract development under Schedule D, Section 66 of the Land Use Bylaw, Mainland area, to permit a commercial centre on the property known as Civic Nos. 334-338 Herring Cove Road, Civic No. 4 Pinegrove Drive, and Civic No. 5 Hartlen Avenue, as shown on Plan Nos. P200/14062-63 of Case No. 4738, be approved by City Council.
2. The contract shall be signed within 120 days or any extension thereof 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.
3. No action be taken by City Council regarding the street closure of Parcel S-19.

Motion passed with Alderman D. Grant abstaining.

MOTIONS OF RECONSIDERATION

Alderman Cromwell re: Motion to Reconsider the January 16th City Council Agenda Item 10.1 - Cowie Hill Playground

Alderman Cromwell gave Notice of Motion of reconsideration of the resolution of City Council of January 16, 1986 regarding City Council agenda item 'Cowie Hill Playground' at the January 16, 1986 meeting of City Council.

Alderman Cromwell addressed the matter indicating that he wished to have this matter deferred at this time. Alderman Cromwell indicated that he felt a report should be forthcoming from legal with regard to the legal ramifications of acquiring land from the condominium corporation. Alderman Cromwell further noted that it had come to his attention that there was a possibility that a clause had been included in the agreement between the developer and the condominium corporation regarding the provision of a playground for that area and requested that legal review this agreement to ascertain whether this clause did exist.

MOVED by Alderman Cromwell, seconded by Deputy Mayor Flynn that this matter be deferred to the next regular meeting of Halifax City Council pending receipt of the requested report.

The motion to defer was put and passed.

Council
January 30, 1986

PETITIONS AND DELEGATIONS

Petition: Deputy Mayor Flynn re: Objection by residents of Mumford Road regarding Asphalt Paving of Mumford Road

Deputy Mayor Flynn submitted a petition, dated January 13, 1986, on behalf of residents of Mumford Road objecting to City Council expecting the property owners in the area to be held responsible for part-payment of expenses of certain asphalt pavement which is required on Mumford Road from Romans Avenue to Dutch Village Road.

Deputy Mayor Flynn indicated that he had spoken with staff regarding this matter and a staff report would be forthcoming on this matter.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council then considered the report of the Finance and Executive Committee from its meeting held on January 22, 1986, as follows:

Expropriation - Parcel 123A, Civic No. 50 Old Sambro Road

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Parcel 123-A as shown on Plan TT-36-28319 be expropriated from Ms. Nancy Hyland Bennett and that compensation in the amount of \$430.00 be offered pursuant to Section 13(1) of the Expropriation Act.

Motion passed.

Statement of Revenue and Expenditure

MOVED by Alderman O'Malley, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, City Council table the Statement of Revenue and Expenditure for the eleven months ended November 30, 1985.

Alderman Dewell referred to his request for a report regarding the \$348,000 dollar expenditure for the Forum Commission and indicated he was still waiting for this report.

Motion passed.

Acquisition of Parcel H-4C, Civic No. 27 Princeton Avenue

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Parcel H-4C as shown on Plan 00-16-28358 be acquired from Roy and Ada Brown for \$6,250 as settlement in full with funds available in Account No. DD016 (Upgrading of Roach's Pond Pumping Station). Motion passed.

Sale - 3620 Dutch Village Road (Portion)

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the land shown as Parcel B on the sketch attached to the January 13, 1986 confidential staff report be sold to Esso Petroleum Canada for the sum of \$19,194.00, subject to conditions No. 1 and No. 2 of the January 13, 1986 confidential staff report and further the sale be subject to the approval of the Provincial Minister of Municipal Affairs.

Motion passed.

Abandonment - Easements; 16 and 20 Dakin Drive

MOVED by Alderman Hamshaw, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the easements expropriated on October 12, 1979, and shown on Plans TT-27-25841 and TT-27-25840, be abandoned, and that settlements be negotiated with the two owners.

Motion passed.

Classified Advertising - Volume Control

MOVED by Deputy Mayor Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, authority be granted to enter into a classified advertising volume contract with the Halifax Herald Limited for 100,000 agate lines at the rates referred to in the January 10, 1986 staff report for the calendar year 1986.

Motion passed.

Tender #85-176 - Two 1986 Vacuum Sweepers

MOVED by Alderman R. Grant, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council award Tender #85-176 for two 1986 model street sweepers to Saunders Equipment Limited, P. O. Box 3128, Station "B," Fredericton, New Brunswick, E3A 5G9 for a total price (including extended warranty) of \$206,500 (funds are available from Account Numbers 126104.D9900.DS568 and 126104.X1710).

Motion passed.

Tender #85-164 - Mainland North Fire Station Training Centre

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Council award Tender #85-164 for the Mainland North Fire Station Training Facility to Woodlawn Construction Limited, P. O. Box 727, Dartmouth, Nova Scotia, B2Y 3Z3, for a total tender contract price of \$455,000.00 (funds to be made available from Account Number BA004: \$375,000 - 1985; \$154,000 proposed for 1986). Motion passed.

Devonshire Centre

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, City Council authorize the formation of a committee, composed of two members of the Forum Commission and two representatives of the Recreation Commission, to analyze the present use of Devonshire Centre and if, as a result of that review, the Centre is determined to be operating ineffectively, to make recommendations to Council as to methods of improving its cost-efficiency and program effectiveness.

His Worship indicated that nominations would be submitted at a future meeting.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on January 22, 1986 as follows:

Clean City Campaign

MOVED by Deputy Mayor Flynn, seconded by Alderman D. Grant that, as recommended by the Committee on Works, City Council endorse the Clean City Campaign as outlined in the report from His Worship the Mayor dated January 22, 1986.

Alderman R. Grant referred to his request that the date for clean up week be announced as soon as possible and noted that he had a number of requests for an early announcement of the date.

Alderman Jeffrey referred to his request for a report regarding the policy in relation to commercial garbage containers and how they can be controlled and indicated that he hoped this report would be forthcoming in the near future.

Alderman Walker referred to the Unsightly Premise Bylaw indicating that it appeared it was not being enforced. Alderman Walker noted that he had a number of calls regarding derelict vehicles etc. Alderman Walker suggested that the Bylaw should be stressed within the program of the Clean City Campaign.

Alderman D. Grant referred to her request regarding fines related to littering and asked if this information was available.

His Worship indicated that legal would bring forth a report in this regard.

The motion was put and passed.

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REPORT - BOARD OF HEALTH

Recommendation Re: No Smoking in the Work Place

A report from Mr. E. A. Kerr, Acting Secretary, Board of Health, dated January 24, 1986, was submitted.

His Worship indicated that Dr. MacLean, Director of the Atlantic Health, and author of the recommendations had contacted him with a request for deferral until such time as he might be able to attend Council and make a presentation in this regard.

MOVED by Alderman Cromwell, seconded by Alderman Dewell that the report from the Acting Secretary of the Board of Health dated January 24, 1986 be tabled.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on January 22, 1986 as follows:

Mainland South Secondary Planning Strategy - SET DATE FOR PUBLIC HEARING

A supplementary staff report, dated January 23, 1986, was submitted.

It had been recommended by the City Planning Committee on January 22, 1986 that City Council set a date for a public hearing to consider the adoption of the Mainland South Secondary Planning Strategy and Land Use Bylaw as recommended by the Planning Advisory Committee's report dated December 19, 1985, and including amendments as contained in a report dated January 14, 1986.

MOVED by Alderman R. Grant, seconded by Alderman Dewell that City Council give notice of its intent to adopt the Municipal Planning Strategy amendments affecting Mainland South and the associated Land Use Bylaw amendments; and for that purpose, that Council set the date for a public hearing to consider the following:

- 1) the adoption of the report entitled "Mainland South Secondary Planning Strategy," November, 1985, as an official City report;
- 2) the adoption of the policy section of that report as Part X of the Municipal Planning Strategy;
- 3) the adoption of the Land Use Bylaw amendments as set out in the report cited above;

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- 4) the adoption of amendments to the Municipal Planning Strategy and to the Land Use Bylaw to alter or delete reference to Mainland South as contained in a staff report to the Planning Advisory Committee dated December 6, 1985;
- 5) the adoption of amendments to the above documents as follows:
 - (a) those contained in the staff reports dated January 14 and January 28, 1986;
 - (b) change the name of the Low-Density Residential Zone from R-2 (Two-Family Dwelling) Zone to R-1MS (Two-Family Dwelling) Zone, and to change the zoning maps and Land Use Bylaw accordingly;
 - (c) designate the property owned by the City, identified as "Hilden Heights," as "Medium-Density Residential" in the Municipal Planning Strategy and to zone it R-3 in the Land Use Bylaw;
 - (d) add the phrase "or through purchase" to Policy 4.3 which relates to the MacIntosh Run and would provide a more specific direction for property purchase;
 - (e) zone City-owned property at 397 to 401 Herring Cove Road R-3 in the Land Use Bylaw;
 - (f) designate City-owned property identified as the South Spryfield Recreation Field as "Park and Institutional" and the portion of this property fronting on Herring Cove Road west of Roach's Pond as "Medium-Density Residential" in the Municipal Planning Strategy, and to zone this property as "Park and Institutional" and R-3, as appropriate, in the Land Use Bylaw;
 - (g) amend Part IV of the official City report so that, when adopted, its contents will be as follows:-
 - i) that Item 3.1 (Transportation) be amended to permit consideration of a connection between Levi Street and Aldergrove Drive;
 - ii) that Item 3.2 (Transportation) be amended to require that the review of existing street design standards be completed within one year from the date of approval of this Plan;

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- iii) that the Transportation section include a recommendation that a priority list for street acceptance be developed for Council approval; and
- iv) that reference to Item 2(2)(i), Recreation, should be deleted (this property has been privately developed).

Motion passed.

The Acting City Clerk advised that the date for the hearing would be set for WEDNESDAY, APRIL 9, 1986 at 7:30 p.m. in the Council Chamber.

Case No. 4621 - Amendment to the Land Use Bylaw: Bluestone Estates Subdivision, Purcell's Cove Road - DEFERRAL

MOVED by Alderman R. Grant, seconded by Alderman Leiper that, as recommended by the City Planning Committee, consideration of Case No. 4621 (Bluestone Estates), Amendment to the Land Use Bylaw, be deferred until after the Public Hearing in relation to the Mainland South Secondary Planning Strategy.

Motion passed.

Spring Garden Road Commercial Area Plan - SET DATE FOR PUBLIC HEARING

It had been recommended by the City Planning Committee that City Council set a date for a public hearing to consider the adoption of the Spring Garden Road Commercial Area Plan as amendments to the Municipal Planning Strategy and Land Use Bylaw, as recommended in the December 31, 1985 Planning Advisory Committee report.

MOVED by Alderman Downey, seconded by Alderman Cromwell that City Council give notice of its intent to adopt amendments to the Municipal Planning Strategy and Land Use Bylaw affecting the Spring Garden Road area, and set a date for a Public Hearing to consider the following:

- 1) the adoption of the Spring Garden Road Commercial Area Plan dated December, 1985, as an official City report;
- 2) Part II of that document as an amendment to the Municipal Planning Strategy;
- 3) Part III of that document as an amendment to the Land Use Bylaw; and

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- 4) other amendments to the Municipal Planning Strategy and Land Use Bylaw contained in the Planning Advisory Committee report of December 31, 1985.

Motion passed.

The Acting City Clerk advised that the Public Hearing would be scheduled for WEDNESDAY, MAY 7, 1986 at 7:30 p.m. in the Council Chamber.

Municipal Planning Strategy Amendment - 5821 and 5841 Lady
Hammond Road (Case No. 4841)

MOVED by Alderman O'Malley, seconded by Alderman Dewell
that, as recommended by the City Planning Committee, Council not proceed with this request for a Municipal Planning Strategy amendment for 5821 and 5841 Lady Hammond Road, and that Edwards Fine Food Limited be informed of this decision.

Motion carried.

6273-77 North Street

Information reports, dated January 27, January 29 and January 30, 1986, were submitted.

Alderman Meagher indicated that he is now satisfied that measures will be taken to ensure that the developer in question will adhere to City regulations with regard to maximum occupancy of the premises and the provision of fire alarm and detector systems.

However, Alderman Meagher reiterated his previous request that staff undertake an analysis of the Nova Scotia Planning Act and related City bylaws with a view to providing the City with discretionary powers regarding the storage of garbage and landscaping in instances similar to the North Street situation.

MOTIONS

Motion - Alderman Cromwell Re: Proposed Amendments to
Ordinance Number 147, the Dog Ordinance - FIRST READING

Alderman Cromwell gave Notice of Motion at the City Council meeting held on January 16, 1986 to amend Ordinance Number 147, the Dog Ordinance, for the purpose of providing lower license fees in the event of early payment.

MOVED by Alderman Cromwell, seconded by Deputy Mayor Flynn that the proposed amendments to Ordinance No. 147, the Dog Ordinance, as follows, be given FIRST READING:

BE IT ENACTED by the City Council of the City of Halifax under the authority of Sections 341 and 581 of the Halifax City Charter, 1963, that Ordinance Number 147, the Dog Ordinance, be amended as follows:

1. Section 5 of said Ordinance Number 147 is amended by adding immediately after subsection (2) thereof the following subsection:

(2a) If the license fee prescribed by subsection (2) is paid within 60 days of the last date on which the dog is required to be licensed, the license fees shall be:

- (i) if a spayed female dog or a neutered male dog \$15.00
- (ii) if an unspayed female dog or an unneutered male dog \$25.00

Motion passed.

MISCELLANEOUS BUSINESS

Tender #85-169 - Eight 1986 Four-Door Sedans: Halifax Police Department

A staff report, dated January 30, 1986, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that Tender #85-169 be deferred, pending review of the proposal by the Halifax Board of Police Commissioners.

Motion carried.

Tender #85-170 - One 1986 3/4 Ton Van: Halifax Police Department

A staff report, dated January 30, 1986, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that Tender #85-170 be deferred, pending review of the proposal by the Halifax Board of Police Commissioners.

Motion carried.

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Tender #85-171 - One 1986 Four-Wheel Drive: Halifax Police Department

A staff report, dated January 30, 1986, was submitted.

MOVED by Alderman Cronwell, seconded by Alderman O'Malley that Tender #85-171 be deferred, pending review of the proposal by the Halifax Board of Police Commissioners.

Motion passed.

Tender #86-41 - Five Harley Davidson Motorcycles: Halifax Police Department

A staff report, dated January 30, 1986, was submitted.

MOVED by Alderman Cronwell, seconded by Alderman O'Malley that the matter be deferred, pending review of the proposal by the Halifax Board of Police Commissioners.

Motion carried.

8:53 P.M. - Mayor Wallace retires from the meeting and Deputy Mayor Flynn assumes the Chair.

QUESTIONS

Question Alderman Hamshaw Re: Closure of Post Office Facilities - Lawton's Drug Store, Rockingham

Alderman Hamshaw reiterated his concerns regarding the removal of the above-mentioned facility, and expressed the wish that His Worship would consult with postal authorities to determine what is taking place.

Question Alderman Hamshaw Re: Truck Traffic - Kearney Lake Road

Alderman Hamshaw asked that the City's Traffic Authority be requested to make a recommendation concerning the extension of the present 24-hour truck route from the Bicentennial Highway to the City limits, following the Kearney Lake Road.

Question Alderman Hamshaw Re: Cresthaven Subdivision

Alderman Hamshaw noted that approval of the Cresthaven Subdivision in December, 1985 has caused concern by residents with regard to increased traffic and the safety of their children, particularly in the Grosvenor Road area.

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Alderman Hamshaw asked that a report concerning this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council scheduled for February 5, 1986.

Question Alderman Dewell Re: Halifax Natal Day - 1986

Alderman Dewell requested that a report from the Halifax Natal Day Committee be made available for the February 5 meeting of Committee of the Whole Council regarding a recommendation concerning the scheduling of the 1986 Halifax Natal Day.

Question Alderman Jeffrey Re: Truck Parking - Andrew Street

Alderman Jeffrey made reference to certain trucks which habitually park on Andrew Street across from the bottle exchange. He emphasized that these vehicles are rarely ticketed and are a source of annoyance to area residents because of the obstruction to traffic.

Alderman Jeffrey asked that the Halifax Police Department investigate this situation and submit a report.

Question Alderman Jeffrey Re: Lunchroom Facilities - City Hall Staff

Alderman Jeffrey asked that consideration be given to providing City Hall staff with a temporary lunchroom facility for use until renovation of the building's interior is complete.

Alderman Jeffrey suggested that a possible solution may be the use of the Aldermen's Lounge on the First Floor, between the hours of 11:30 a.m. and 2:30 p.m.

Question Alderman Walker Re: Ramp off St. Margaret's Bay Road

Alderman Walker requested that the Mayor's Office attempt to arrange a meeting with the Premier, the Minister of Transportation, and the Aldermen for Wards 7 and 8 to discuss the construction of a ramp off St. Margaret's Bay Road to accommodate some of the increased traffic generated by the area's new industrial park.

Question Alderman R. Grant Re: Acorn Road

Alderman R. Grant asked to be advised concerning the status of the land acquisition proposed for the ten foot right-of-way at the bottom of Acorn Road. He also suggested that a sandbox for the benefit of motorists be installed at the foot of this street.

Question Alderman R. Grant Re: Former Library Premises -
Mainland South

With reference to a question from Alderman R. Grant, the City Manager advised that the former library premises had not yet been declared surplus by the Library Board.

The Deputy Mayor offered to raise the matter during a Library Board meeting scheduled for the week of February 3.

Question Alderman R. Grant Re: Case #4738 - 334-338
Herring Cove Road

With reference to the contract development application approved by City Council earlier in the agenda, Alderman R. Grant asked for information from staff as to when the building currently on that site would be demolished.

Question Alderman R. Grant Re: Installation of Streetlight

Alderman R. Grant asked that a light be installed on the pole adjacent to the bus stop at the corner of Williams Lake Road.

Question Alderman Meagher Re: Utility Poles - Oxford Street
Area

Alderman Meagher asked that staff contact either Maritime Tel and Tel or the Nova Scotia Power Corporation regarding the dual utility poles prevalent in his ward, particularly in the Oxford Street area. The Alderman noted that he would be interested in knowing why these poles are installed in this manner, and whether this is intended as a permanent measure.

Question Alderman Meagher Re: Bus Stop - North Street

Alderman Meagher advised that a bus stop located near the intersection of Dublin and North Streets had recently been moved to the west side of Dublin where it causes considerable inconvenience to worshippers at St. Theresa's Church.

Alderman Meagher asked that staff at Metropolitan Transit be contacted regarding this matter.

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Question Alderman Walker Re: Extension of Bus Route

Alderman Walker asked that Metropolitan Transit be asked to comment on the feasibility of extending the route of the Number 6 bus so that it can stop at the Halifax Shopping Centre. The Alderman noted that this extension would be advantageous, particularly to residents of Kline Heights.

9:00 P.M. - Mayor Wallace entered the Council Chamber, Deputy Mayor Flynn assumed his normal seat in Council, and the meeting was adjourned for a brief recess.

9:10 P.M. - The meeting was reconvened with the same members being present.

ADDED ITEMS

Affordable Housing - Alderman Meagher

This item was added to the agenda by Alderman Meagher who presented petitions on behalf of various local religious groups calling for increases in the supply of affordable housing stock for lower- and middle-income residents as well as for senior citizens.

It was agreed that the matter would be tabled and that the material submitted would be referenced by Mayor Wallace during upcoming meetings on the housing situation.

Mayor Wallace noted that a report to members of Council would be submitted in the near future concerning his recent meeting with Mayor Savage of Dartmouth and the Chairman of the Central Mortgage and Housing Corporation.

Appointments

A memorandum, dated January 30, 1986, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Hamshaw, seconded by Alderman D. Grant that Mr. Harry I. Mathers be appointed to the Halifax-Dartmouth Port Development Commission for a term to expire on January 30, 1987.

Motion carried.

Athletic Commission

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

MOVED by Alderman Walker, seconded by Alderman Jeffrey that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for February 5, 1986.

Motion carried.

There being no further business to be discussed, the meeting was adjourned at 9:15 p.m.

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HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

sg*K

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
February 13, 1986
8:00 P.M.

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

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, Leiper and Hamshaw.

ALSO PRESENT: City Manager; City Solicitor; E. A. Kerr, Acting City Clerk, and other members of staff.

MINUTES

Minutes of the regular meeting of Halifax City Council held on January 30, 1986 were approved on a motion by Alderman Hamshaw, seconded by Deputy Mayor Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

At the request of Deputy Mayor Flynn, Council agreed to add:

20.1 Dog Control: City of Halifax

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

20.2 Letter from City Council to the Chairman of the Senate Committee on Social Services

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

20.3 Letter from Social Services: Michael Mulloy

At the request of Alderman R. Grant, Council agreed to add:

20.4 Contract: Snow Removal

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

20.5 Noise Ordinance

At the request of His Worship the Mayor, Council agreed to delete Item 17.2, "Financial Support Request - Metro Festivals Association," pending a presentation by that group to a meeting of the Committee of the Whole Council.

MOVED by Alderman Hamshaw, seconded by Alderman Walker that the agenda, as amended, be approved.

Motion carried.

DEFERRED ITEMS

Recommended Heritage Properties - 1268-72 Hollis Street
(Ginger's)

A public hearing to consider this matter was held on January 22, 1986.

A staff report, dated February 12, 1986, was submitted, together with correspondence, dated February 11, 1986, from Mr. R. J. Ross Stinson, representing the property owner in question.

MOVED by Alderman O'Malley, seconded by Alderman Downey that City Council reject the recommendation of the Heritage Advisory Committee, and that the property at 1268-72 Hollis Street (Ginger's) not be registered as an official heritage property.

Alderman Hamshaw addressed Council in opposition to the motion, and moved that the matter be deferred pending a further report from the Heritage Advisory Committee.

There was no seconder to the motion to defer.

The Acting City Clerk advised that Alderman Cromwell had not been present at the January 22 public hearing.

The original motion was put and passed with Alderman Hamshaw voting in opposition and Alderman Cromwell abstaining.

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MOTIONS OF RECONSIDERATION

Alderman Cromwell Re: Motion to Reconsider the January 16
City Council Agenda Item 10.1 - Cowie Hill Playground

Alderman Cromwell gave Notice of Motion of Reconsideration relating to this matter at the January 16, 1986 meeting of City Council.

A supplementary staff report, dated February 4, 1986 was submitted from the City Solicitor.

Alderman Cromwell addressed Council outlining his reasons for requesting reconsideration of a resolution approved by City Council on January 16, 1986.

It was moved by Alderman Cromwell, seconded by Alderman D. Grant that Council's January 16 resolution to acquire the Cowie Hill playground from the Cowie Hill Village Council be reconsidered.

The motion to reconsider was put and defeated.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting of February 5, 1986, as follows:

Hemlock Ravine - Nature Conservancy of Canada Contribution

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, City Council instruct the Director of Finance to accept the offered \$5,000 on behalf of the City, and to relieve the Nature Conservancy of Canada from further liability for contributions to the Hemlock Ravine Project.

Motion carried.

8:15 P.M. - His Worship the Mayor retires from the meeting, declaring a conflict of interest with regard to the next item on the agenda. Deputy Mayor Flynn assumes the Chair.

Sale - Portion of Former Seaview Avenue

MOVED by Alderman Jeffrey, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the land shown as Parcel B on Plan TT-30-26733, attached to the confidential staff report dated January 22, 1986, be sold to Highview Estates Limited, or whomever is the owner of the abutting land at the time of conveyance, for the sum of \$10,700.

Motion passed.

534 Bedford Highway - John D. Izzard and Frances Izzard

MOVED by Alderman Hamshaw, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City Solicitor be authorized to settle the claim against the City made on behalf of John D. and Frances Izzard in respect of salt contamination of their well situate on their property at 534 Bedford Highway by paying to the Izzards their costs of installing a new well to a maximum of \$4,900.00 plus legal costs of \$750.00, in exchange for a full release of all claims against the City in respect of this salt.

Motion passed.

8:20 P.M. - His Worship the Mayor returns to the meeting and Deputy Mayor Flynn assumes his normal seat in Council.

Resolution - Town of Vaughan, Ontario: Applications to the Railway Transport Committee

MOVED by Alderman Walker, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve the following resolution:

That the Corporation of the City of Halifax supports the petition of the Town of Vaughan (Ontario) that an immediate review of the Federal Railway Act be undertaken by The Honourable Minister of Transport with a view to eliminating the overriding provisions of the Act with respect to expropriation for railway purposes, and further, to make amendments to the necessary Act and Regulation to allow affected municipalities recognized status before the Canadian Transport Commission on any matters affecting their jurisdiction as local governments.

Motion carried.

Dockage - Halifax Waterfront

A supplementary staff report, dated February 10, 1986, was submitted.

Following is the recommendation from the February 5 Finance and Executive Committee:

It is recommended that:

- 1) the City call for proposals for the use of Site "B" (South Ferry Terminal Dock) for the 1986 season only, in accordance with Schedule "C" attached to the January 22, 1986 staff report;
- 2) sites "C" and "D" be signed and retained as public docks effective immediately; and
- 3) staff be authorized to call for proposals for the use of Site "A" (Mar II) under the Schedule "C" specifications in the event a contract is not deemed to exist.

MOVED by Alderman Dewell, seconded by Alderman Downey that Parts (1) and (3) of the recommendation from the Finance and Executive Committee be approved, and that Part (2) be deferred for further consideration to the next regular meeting of Committee of the Whole Council.

The motion was put and defeated.

After some discussion, it was moved by Alderman Cromwell, seconded by Deputy Mayor Flynn that the recommendation of the Finance and Executive Committee in its entirety be deferred to the next meeting of Committee of the Whole Council scheduled for February 19, 1986 for the purpose of further discussion.

Motion carried.

St. Paul's Cemetery - Heritage Registration

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the property known as "St. Paul's Cemetery," situated at the southwest corner of Spring Garden Road and Barrington Street be registered as a heritage site under the Heritage Property Act.

Motion passed.

City Float

MOVED by Alderman Cromwell, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, staff be instructed to proceed with the construction of the 1986 float on the theme "Halifax Likes Company," and the sum of \$17,000 be pre-approved in the 1986 Current Budget (Special Items) at this time.

Motion passed.

Halifax Civic Hospital Fiscal Year

MOVED by Alderman Meagher, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, City Council approve the amendment to Article V of the Bylaws of the Halifax Civic Hospital as unanimously adopted by the Board of Management of the Civic Hospital on December 23, 1985, changing the fiscal year of the Board to run from April 1st to March 31st.

Motion carried.

Tender #85-193: Eleven 1986 Pick-Up Trucks

Information Reports, dated January 30 and February 10, 1986, were submitted.

MOVED by Alderman Hamshaw, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee:

- 1) Tender #85-193 for eleven 1986 model pick-up trucks be awarded to A. E. Fowles Limited, 6055 Almon Street, Halifax, Nova Scotia for \$92,477.00;
- 2) funds to be made available from Account Number 126104.X1710.86009 (Vehicle Replace Account); and
- 3) in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s).

Motion passed.

Tender #85-194: Two 1986 Stake Dump Trucks

An Information Report, dated January 30, 1986, was submitted, together with a memorandum, dated February 11, 1986, from His Worship the Mayor.

The following resolution was put and lost at the Finance and Executive Committee:

"That Council award Tender 85-194 for two 1986 Stake Dump Trucks to McDonald Chev Olds, 3681 Kempt Road, Halifax, Nova Scotia for \$32,600.00."

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Flynn that Council award Tender #85-194 for two 1986 Stake Dump Trucks to McDonald Chev Olds, being the second lowest bidder.

Mayor Wallace, referring to his memorandum of February 11, emphasized that subsequent to discussions with Dartmouth Mayor John Savage, the tendering practice in that City has been revised to permit the circulation of Dartmouth tenders to outside bodies and, in particular, to suppliers situated in the City of Halifax. Consequently, His Worship suggested that by not awarding the tender in question to the lowest bidder, a Dartmouth firm, Halifax Council could be viewed in an unfavorable light by their Dartmouth counterparts.

A lengthy discussion ensued with the motion subsequently being put and lost.

MOVED by Alderman R. Grant, seconded by Alderman D. Grant that:

- 1) Tender #85-194 be awarded to Harbourview Plymouth Chrysler Limited, 463 Windmill Road, Dartmouth, Nova Scotia, for a total of \$32,279.90;
- 2) that funds be made available from Account Number 126104.X1710.86010 (Vehicle Replacement Account); and
- 3) in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s).

Motion passed.

Tender #85-177: One Combination Pneumatic and Sealed Drum Vibrator Roller - 7 Ton

An Information Report, dated January 30, 1986, was submitted.

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

- 1) Tender #85-177 for one combination pneumatic and steel drum vibratory roller (7 ton) be awarded to LaHave Equipment Limited, P. O. Box 240, Bridgewater, Nova Scotia for \$73,800.00;
- 2) funds to be made available from Account Number 126104.X1710.86001 (Vehicle Replacement Account); and
- 3) in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s).

Motion passed.

Tender #85-184: Two 1986 Model Four-Wheel Drive Chassis With
Plows - Crew Cabs

An Information Report, dated January 30, 1986, was submitted.

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

1. Tender #85-184 for two 1986 model four wheel drive vehicles with plows (crew cabs) be awarded to McDonald Chev Olds, 3681 Kempt Road, Halifax, NS for \$34,149.00;
2. funds are available from Account Number 1266104.X1710.86003; and
3. in authorizing this request to purchase, City Council also authorizes disposal by Public Offering of surplus item(s).

Motion passed.

9:05 P.M. - Mayor Wallace retires from the meeting, and Deputy Mayor Flynn assumes the Chair.

Tender #85-181: Five 1986 Model Truck Chassis with
Combination Salt & Dump Bodies and Plow

An Information Report, dated January 30, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee:

1. Tender #85-181 for five 1986 model truck chassis with combination salt and dump bodies and plows, 27,500 GVW to (I) Provincial Equipment Limited, 752 Bedford Highway, Halifax, Nova Scotia to supply and install salt and dump trucks for \$99,420.00, and to (II) A. E. Fowles Ltd., 6055 Almon Street, Halifax, Nova Scotia to supply five 1986 model truck chassis for \$194,545.00;
2. funds are available from Account Number 126104.X1710.86015; and
3. in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s).

Motion passed.

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9:15 p.m. - Mayor Wallace returns to the meeting to announce the death of Mr. Austin Hayes, a well-known Halifax resident. A moment of silence was observed in Mr. Hayes' memory. Deputy Mayor Flynn resumes his normal seat in Council.

Noise Legislation

MOVED by Alderman R. Grant, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, rather than staff proceeding with the drafting of new regulations at this time, staff continue liaison with the Federal/Provincial Committee, and when such Committee hands down its recommendation, that staff review the same and make recommendations to Council as to the appropriate regulations to consider.

Motion passed.

Alderman Cromwell noted various amendments, such as specification of the hours during which excessive noise cannot be made, which he would like to see recommended to the Federal/Provincial Committee for inclusion in the new regulations and asked that the City Solicitor advise him in this regard. In addition, Alderman Cromwell requested information from the City Solicitor as to whether indeed the first draft of those regulations are now available.

Alderman O'Malley stated that at present the City has no authority to deal with noise emanating from inside a building, and asked the City Solicitor to ascertain if this problem would be dealt with in the new regulations.

Rescheduling of Regular City Council Meeting from March 27 to March 26, 1986

MOVED by Alderman Cromwell, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the Thursday, March 27 meeting of City Council be rescheduled to Wednesday, March 26 at 8:00 p.m. in order avoid the Good Friday Holiday and to provide a work day prior to the holiday weekend.

Motion passed.

Monument in Honor of Papal Visit

A letter, dated February 13, 1986, was submitted by Alderman O'Malley from Mr. Luciano Bianchini, President of the Canadian-Italian Cultural Association.

MOVED by Alderman O'Malley, seconded by Alderman Walker that, as recommended by the Finance and Executive

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Committee, the City establish as soon as possible on the North Common, at a site found suitable and appropriate, a cairn to commemorate the visit in September of 1984 of Pope John Paul II, and that the City accept as part of this cairn the donation of a presently constructed bronze plaque from the Canadian Italian Association for mounting on the cairn; and that funds to construct a suitable concrete pad, which would probably be no more than \$200.00 for the cairn, be included in the 1986 Parks and Grounds budget.

Alderman Cromwell requested information as to the specifics of the wording inscribed on the plaque, emphasizing that, in his opinion, Council should be so advised before voting to accept the donation.

A discussion ensued with an amendment to the motion being moved by Deputy Mayor Flynn, seconded by Alderman D. Grant that Council approve the donation of the plaque by the Canadian Italian Association on condition that the Archdiocese of Halifax gives its endorsement to the plaque.

The amendment was put and lost.

After some further discussion, the original motion was put and passed.

Halifax Natal Day

MOVED by Alderman Dewell, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Monday, August 4, 1986 be set as Halifax Natal Day.

Motion carried.

In the interests of improved promotion and scheduling of events, it was further moved by Alderman Dewell, seconded by Alderman Hamshaw that, in future and until further notice, the first Monday in August will be set aside as the date for Halifax Natal Day.

Motion carried.

Halifax Junior Bengal Lancers - Bell Road Stables

MOVED by Alderman Downey, seconded by Alderman Heagher that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute a lease agreement for a ten-year term on behalf of the City in the form as attached to the January 24, 1986 staff report.

Motion passed.

Alderman Walker retired from the meeting.

Funeral Allowances for Indigent Persons

A supplementary staff report, dated February 11, 1986, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, the Social Planning Department policy change, as outlined in the January 21, 1986 staff report, be effective February 1, 1986.

Motion passed.

Tender #85-169: Eight 1986 Four-Door Sedans

A supplementary report, dated January 31, 1986, was submitted.

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

1. Tender #85-169 for eight 1986 model 4-door sedans be awarded to McDonald Chev Olds, 3681 Kempt Rod, Halifax, Nova Scotia for \$102,496.16;
2. funds are available from Account Number 126104.X1720.86100; and
3. in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s), and that the item be approved as if by Council.

Motion carried.

Tender #85-170 - One 1986 3/4 Ton Van

A supplementary report, dated January 31, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee:

1. Tender #85-170 for one 1986 3/4 ton van (long wheel base) be awarded to McDonald Chev Olds., 3681 Kempt Road, Halifax, Nova Scotia, for \$17,324.24;
2. funds are available from Account Number 126104.X1720.86102 Vehicle Replace Account; and

3. in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s), and that the item be approved as if by City Council.

Motion passed.

Tender #85-171: One 1986 Four-Wheel Drive

A supplementary report, dated January 31, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee:

1. Tender #85-171 for one 1986 four wheel drive suburban vehicle be awarded to McDonald Chev. Olds Limited, 3681 Kempt Road, Halifax, Nova Scotia for \$17,036.26;
2. funds are available from Account Number 126104.X1720.86101; and
3. in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s) and that the item be approved as if by City Council.

Motion passed.

Tender #86-41: Five Harley Davidson Motorcycles

A supplementary report, dated January 31, 1986, was submitted.

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee:

1. Tender 86-41 for five Harley Davidson Police motorcycles be awarded to Calvin L. Snyder Ltd., R.R.#1, Bridgewater, Nova Scotia, B4V 2V9 for 61,995.00;
2. funds are available from Account Number 126104.X1720.86103;
3. in authorizing this request to purchase, City Council also authorizes disposal by public offering or surplus item(s), and that the item be approved as if by Council.

Motion passed.

Alderman Walker returned to the meeting.

3. in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s), and that the item be approved as if by City Council.

Motion passed.

Tender #85-171: One 1986 Four-Wheel Drive

A supplementary report, dated January 31, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee:

1. Tender #85-171 for one 1986 four wheel drive suburban vehicle be awarded to McDonald Chev. Olds Limited, 3681 Kempt Road, Halifax, Nova Scotia for \$17,036.26;
2. funds are available from Account Number 126104.X1720.86101; and
3. in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s) and that the item be approved as if by City Council.

Motion passed.

Tender #86-41: Five Harley Davidson Motorcycles

A supplementary report, dated January 31, 1986, was submitted.

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee:

1. Tender 86-41 for five Harley Davidson Police motorcycles be awarded to Calvin L. Snyder Ltd., R.R.#1, Bridgewater, Nova Scotia, B4V 2V9 for 61,995.00;
2. funds are available from Account Number 126104.X1720.86103;
3. in authorizing this request to purchase, City Council also authorizes disposal by public offering or surplus item(s), and that the item be approved as if by Council.

Motion passed.

Alderman Walker returned to the meeting.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance Number 147, the Dog Ordinance - SECOND
READING

This matter was given first reading at the City Council meeting held on January 30, 1986.

MOVED by Alderman R. Grant, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the proposed amendments to Ordinance No. 147, the Dog Ordinance, as follows, be given SECOND READING:

BE IT ENACTED by the City Council of the City of Halifax under the authority of Sections 341 and 581 of the Halifax City Charter, 1963, that Ordinance Number 147, the Dog Ordinance, be amended as follows:

1. Section 5 of said Ordinance Number 147 is amended by adding immediately after subsection (2) thereof the following subsection:

(2a) If the license fee prescribed by Subsection (2) is paid within 60 days of the last date on which the dog is required to be licensed, the license fees shall be:

(i) if a spayed female dog or a neutered male dog \$15.00

(ii) if an unspayed female dog or an unneutered male dog \$25.00

Motion passed.

Amendment to Ordinance Number 145, the Tax Collection Ordinance
- SECOND READING

This matter was given First Reading at the City Council meeting held on December 12, 1986.

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, City Council give Second Reading to Ordinance Number 145, the Tax Collection Ordinance, as follows:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 145, the Tax Collection Ordinance, as enacted by City Council on the 29th day of December, 1977 and approved by the Minister of Municipal Affairs on the 1st day of March, 1978, and as subsequently amended, as follows:

1. Subsection (1) of Section 4 of said Ordinance Number 145 is amended by deleting the word "first" from the second line thereof and substituting therefor the word "last."

2. Section 5 of said Ordinance Number 145 is amended by deleting the word "first" from the second line thereof and substituting therefor the word "last."

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on February 5, 1986 as follows:

Case No. 4736 - Contract Development - 1265-69 and 1273-77
Barrington Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman R. Grant that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the development of a beverage room at 1265-69 Barrington Street and an accessory parking lot at 1273-77 Barrington Street to serve the beverage room and further that the matter be referred to the Heritage Advisory Committee for a report to be submitted prior to the date of the public hearing.

Motion passed.

The Acting City Clerk advised that the date for the hearing was Wednesday, April 9, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Municipal Planning Strategy Amendment - 5561-65 Morris Street

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, this matter be referred to the Planning Advisory Committee for a further report and a public meeting.

Motion passed.

Case No. 4832 - Cost Sharing - Cresthaven Estates Subdivision

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the City Planning Committee, City Council confirm to share in the construction of the oversize storm sewer, in connection with the Cresthaven Estates Subdivision, in the amount of \$45,000.00, subject to final billings based on the quantities and unit price of the tender.

Motion passed.

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Case No. 4341 - Contract Development - Rockingham Ridge
- Shopping Centre Phase

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the City Planning Committee, the contract development agreement approved by City Council on June 14, 1984, and registered on August 14, 1984 in Book 3887 at Page 1088 at the Registry of Deeds, be amended to add words to Clause 10 following the word "Lands" in the second line so that it reads: "The Developer shall provide a 50 ft. buffer of natural vegetation on the south side of the lands except for the 308.14 feet of the south boundary of Lot K-11, approved by the Development Officer of the City of Halifax on July 18, 1984."

Motion passed.

MISCELLANEOUS BUSINESS

Application John Ross & Sons Ltd. re: Junk Dealer License

A staff report dated February 13, 1986 was submitted.

MOVED by Alderman Walker, seconded by Alderman Jeffrey that a license be granted to John Ross and Sons Limited as a Junk Dealer under the provisions of Ordinance No. 17, the Junk Dealers Ordinance.

Motion passed.

Financial Support Request - Metro Festival Association

This matter was deleted from the agenda during the setting of the agenda.

Appointments

A report from His Worship Mayor Ron Wallace dated February 12, 1986 was submitted.

Deputy Mayor Flynn addressed the matter indicating that since he had last discussed this matter with the Mayor certain changes had been made to the appointments. Deputy Mayor Flynn noted that due to certain of those changes he would like to have consideration of the Library Board and Planning Advisory Committee appointments deferred until such time as he might have an opportunity to discuss the reasons for the changes with His Worship.

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Alderman R. Grant rose on a Point of Order referring to the December 12, 1985 resolution of City Council which states that Council sit in January to review the letters submitted with regard to remuneration for persons sitting on Boards, Committees and Commissions, discuss suggestions from members of Council on the subject, and to review the outstanding recommendations of the Commission on City Government and suggested that consideration of these appointments was out of order until such time as this meeting has been held.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that the appointments be deferred until such as a follow up on the December 12, 1985 resolution can be accomplished.

His Worship indicated that he could not accept this motion of deferral as it was made when standing for a Point of Order.

MOVED by Deputy Mayor Flynn, seconded by Alderman Cromwell that all expiring appointments to the Boards and Commissions referred to in the report from His Worship the Mayor dated February 12, 1986 be extended for an additional one month period.

His Worship advised that he would arrange for a special private session to consider the matter.

Motion passed.

10:00 p.m. The meeting adjourned for a short recess.

10:10 p.m. The meeting reconvened with all the same members being present and Deputy Mayor A. Flynn chairing the meeting.

QUESTIONS

Question Alderman R. Grant re: Letter to Halifax Herald

Alderman Grant referred to a request made at the December 12, 1985 meeting of City Council that His Worship forward a letter to the Halifax Herald expressing Council's disappointment at the decision to move their operation out of the City. Alderman Grant noted that he had not received a copy of such a letter to date and asked if the letter had been sent.

Question Alderman R. Grant re: Report - Forum Commission - Individual Liability

Alderman Grant referred to the information report received from staff with regard to the Forum Commission noting that the last paragraph addressed the possibility of each of the members of the Commission being individually liable.

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Alderman R. Grant asked for a report from the City Solicitor on the implications this could have to all other persons serving on a Board, Committee, or Commission within the City. Alderman R. Grant asked if this implied that all persons serving on a Board, Committee, or Commission are financially liable for their decisions.

Alderman R. Grant requested that staff report with regard to this matter and further indicated that he would like this report previous to the meeting to be held within the next two weeks in regard to appointments.

Question Alderman R. Grant re: Roach's Pond Retaining Tank

Alderman R. Grant referred to the tender call for the Roach's Pond Retaining tank and asked how long before the bids would be submitted, the time period involved between submission of the bids and the matter coming before Council and when construction could be expected to begin.

The City Manager indicated that it was usual to allow 3-4 weeks for bids with a project of this magnitude. He further noted that another two weeks would be spent by staff reviewing the bids before a recommendation would be made to Council. The City Manager further noted that in any case construction would not begin before the frost is out of the ground.

Question Alderman Downey re: Snow Clearing Sunrise and Northwood Manors

Alderman Downey referred to the snow clearing which has been carried out within the City and requested that staff clear the snow in front of the Sunrise and Northwood Manors.

The City Manager indicated that he would look into the matter.

Question Alderman Jeffrey re: Policy - Burnt Out Street Lights

Alderman Jeffrey referred to a number of reported burnt out street lights throughout the City and asked what the policy was with regard to burnt out street lights. Alderman Jeffrey asked if the city had a night crew who checked on street lights and if so, how often they went out and how often were streetlights replaced.

Question Alderman Jeffrey re: Snow Accumulation - Rotary

Alderman Jeffrey referred to complaints he had received regarding the snow banks at the Armdale Rotary noting that these snow banks reduced visibility. Alderman Jeffrey requested that staff ensure that the snow is removed in this area.

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Question Alderman Jeffrey re: No Right Hand Turn - Dunbrack Street

Alderman Jeffrey referred to a request he had made previously with regard to the establishment of a No Right Hand Turn being established going north on Dunbrack Street at Main Avenue and noted that he was receiving complaints that residents of Main Avenue could not exit their driveways due to the traffic turning right on both the red and green lights.

Alderman Jeffrey requested that staff look into the possibility of having a 'No Right Hand Turn' established at this location.

Question Alderman Meagher re: Report - City Solicitor - Discretionary Powers - Garbage Removal and Landscaping

Alderman Meagher referred to the February 6, 1986 report from the City Solicitor which refers to Council's lack of discretionary powers in matters related to land use, such as garbage removal and landscaping, and noted that at present the Detailed Area Planning Committee for Quinpool Road was attempting to include these discretionary powers within the Detailed Area Plan for Quinpool Road.

Alderman Meagher requested that the legal department look into the possibility of developing a policy to allow for such discretionary power for the entire city and the possibility of this policy being retroactive to buildings being redeveloped in 1985 and receiving development permits in 1985.

Question Alderman Walker re: Ward Location - Bayers Lake and Ragged Lake

Alderman Walker asked if any decision had been made with regard to what Ward Bayers Lake and Ragged Lake were to be located and asked that he be advised if this decision has been made.

Question Alderman Walker re: Dog Control

Alderman Walker referred to complaints he received regarding owners letting dogs defecate on the ice at Frog Pond and the Punch Bowl and asked what steps can be taken to prevent owners from allowing their animals to defecate in such places.

Question Alderman Walker re: Liability - Herring Cove Road Light Change

Alderman Walker referred to a memo from Mr. B. Kennedy to the City Solicitor regarding the liability to the City with respect to pedestrians should a light on the Herring Cove Road be changed from a flashing red to a green and asked that a report be forthcoming on the matter.

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His Worship joins the meeting and Deputy Mayor Flynn returns to his seat in Council.

Question Alderman Dewell re: Rationalization of Transit Routes

Alderman Dewell referred to studies carried out to establish the transit routes noting that some of these had been implemented in 1955. Alderman Dewell asked when Metro Transit was going to rationalize the entire route structure within the metro area and redesign the routes to better serve the metro area.

Question Alderman O'Malley re: Snow Removal and Parking on Narrow Streets

Alderman O'Malley referred to a number of alarmingly narrow streets in his area which have parking on both sides of the street and noted that a combination of accumulation of snow and the parking prevents traffic, particularly emergency vehicles, from travelling these streets.

Alderman O'Malley referred particularly to Hennessey Street from Robie to Agricola and Fern Street and requested that the snow be removed from these streets and that during the winter months parking be permitted on one side of the street only.

Question Alderman O'Malley re: Snow - Agricola Street

Alderman O'Malley referred to the removal of snow from the west side of Agricola street up to North Street and noted that the business and commercial area between North and May had not been included in this removal. Alderman O'Malley asked if it was intended that this removal be extended to include the business area between North and May.

The City Manager indicated that it had not been intended, however, staff would look into the matter.

Question Alderman O'Malley re: Snow Plowing - Young Street Boulevard

Alderman O'Malley referred to the snow plowing carried out on Young Street noting that snow had been cleared to the boulevard except in front of the businesses on Young Street. Alderman O'Malley noted that snow clearing here had located the snow in front of the business rather than towards the boulevard.

Alderman O'Malley requested that staff clear the snow towards the boulevard in front of these businesses.

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Question Alderman D. Grant re: Provincial Funding for Housing Units

Alderman D. Grant referred to the increased Provincial funds for housing and to meetings held by His Worship with other municipalities, and requested that a report be forthcoming with regard to the efforts made by the City to obtain some of this funding, the areas indicated for additional housing and the type of housing which is being considered.

Alderman Jeffrey indicated that a report from Cathy Mellett, Non Profit Housing, would be informative in this regard.

His Worship indicated that a complete report existed on the matter and that a copy would be supplied to members of Council.

Question Deputy Mayor Flynn re: Corner Snow Plowing Policy

Deputy Mayor Flynn referred to the policy of the City in relation to corner snow clearing and noted that corner clearing performed during the night resulted in hard packed snow which abutting property owners found almost impossible to remove.

Deputy Mayor Flynn requested that a review of the policy for snow clearing at corners be carried out and possibly a change in the technique of clearing corners be made.

Question Deputy Mayor Flynn re: Bus Stop Snow Clearing

Deputy Mayor Flynn referred to the clearing of snow at bus stops and indicated that he felt this was not being carried out quickly enough after a storm. Deputy Mayor Flynn noted that users of the bus had to climb over large snow banks which was a great inconvenience and further expressed concern that this would result in a tragic accident.

Deputy Mayor Flynn requested that staff review the policy for clearing of bus stops in an attempt to find a quicker way to carry out this snow removal.

NOTICE OF MOTIONS

Notice of Motion of Reconsideration - Deputy Mayor Flynn re:
City Council resolution of February 13, 1986 regarding
Agenda Item 10.10 Tender #85-194 - Two 1986 Stake Dump
Trucks

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on February 27, 1986 he intends to introduce a motion of Reconsideration with regard to the City Council resolution of February 13, 1985 regarding agenda item 10.10 Tender #85-194 - Two 1986 Stake Dump Trucks.

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MOVED by Deputy Mayor Flynn, seconded by Alderman Hamshaw that City Council declare a stay of proceedings on the February 13, 1986 agenda item 10.10 Tender #85-194 - Two 1986 Stake Dump Trucks.

The motion was put and lost.

Deputy Mayor Flynn withdrew his Notice of Motion to reconsider regarding City Council's resolution of February 13, 1986 with regard to agenda item 10.10 Tender #85-194 - Two 1986 Stake Dump Trucks.

Notice of Motion - Deputy Mayor Flynn re: Re-establishment of the Tendering Committee

Deputy Mayor Flynn gave notice of motion that at the next regular meeting of Halifax City Council to be held on February 27, 1986 he intends to introduce a motion that the Tendering Committee be re-established to review the possibility of local preference in the tendering process and report same to Council.

Notice of Motion - Alderman R. Grant re: Amendment to Ordinance 121, The Retail Shop Closing Ordinance

Alderman R. Grant gave notice of motion that at the next regular meeting of Halifax City Council to be held on February 27, 1986 he intends to introduce amendments to Ordinance 121, the Retail Shop Closing Ordinance.

The purpose of the amendments is to extend the store closing hours on Monday, Tuesday, and Saturday to 10:00 p.m.

ADDED ITEMS

Dog Control - City of Halifax - Deputy Mayor Flynn

This matter was added to the agenda at the request of Deputy Mayor Flynn.

Deputy Mayor Flynn addressed the matter referring to Alderman Walker's previous comments on the matter and noting an article in a recent newspaper regarding the problem of dogs defecation at Point Pleasant Park. Deputy Mayor Flynn indicated that he had received similar complaints with regard to Flynn Park.

Deputy Mayor Flynn then quoted from the newspaper article noting that only one charge had been laid in 1985, however, the dog control authority had indicated a number of tickets had been issued. Deputy Mayor Flynn asked who was responsible for ticketing owners who allow their dogs to defecate in public areas. Deputy Mayor Flynn further noted that Dartmouth appeared to have a better system and indicated that they enforced their regulations and advertised the existence of the regulations.

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Deputy Mayor Flynn indicated that he felt dog owners should be made aware they have a responsibility to clean up after their dog.

Letter from City Council to the Chairman of the Senate Committee
On Social Services - Alderman Leiper

Alderman Leiper addressed the matter referring to Bill No. C-70 regarding the de-indexing of Family Allowance benefits and noting that she was greatly concerned with the proposed move by the government.

Alderman Leiper proposed a motion that a letter be sent to the government objecting to the de-indexing of the Family Allowance and that a copy be forwarded to the Senate Committee for Social Affairs.

His Worship addressed the matter indicating that a group opposing this de-indexing had contacted his office and would be forwarding detailed information on this matter within the next week. His Worship suggested that this matter be tabled pending consideration at the next meeting of the Committee of the Whole Council, to which Council agreed.

Letter from Social Services - Michael Malloy - Alderman Jeffrey

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

Alderman Jeffrey addressed the matter indicating that he had received a phone call this evening from Mrs. Malloy of Frederick Avenue regarding a letter she received from the Community Care division of the Social Planning Department.

Alderman Jeffrey noted that it appeared that Mrs. Malloy's son, Michael, who was receiving special care due to paralysis, had received a sum of money as a result of the death of his father. Alderman Jeffrey noted that the letter forwarded to Mrs. Malloy was in connection with the money received.

Alderman Jeffrey indicated that he would like Mr. Crowell to get involved and to contact Mrs. Malloy in an attempt to resolve the matter. Alderman Jeffrey advised that he would provide Mr. Crowell with a copy of a letter regarding the subject.

Contract - Snow Removal - Alderman R. Grant

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

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Alderman R. Grant addressed the matter indicating that this matter was in respect to private individuals who have a contract with the City in relation to snow removal. Alderman R. Grant indicated that he had received a number of calls from individuals who have been contracted by the City to remove snow but to date have not been called.

Alderman R. Grant indicated that in most cases the contracted individual does not take other work for fear that the City will call them in and they will be unable to answer the call thereby breaking the contract. Alderman R. Grant indicated that he did not feel this was fair treatment and asked what could be done about this situation. Alderman R. Grant further noted that these individuals perhaps should have been given an indication of whether or not they would be called in.

Alderman R. Grant suggested that these individuals be permitted to address the next Committee of the Whole Council with regard to their concerns.

The City Manager addressed the matter indicating that all individuals contracted for snow removal were payed a contract retainer and in actuality were being paid to remain on call.

Alderman R. Grant addressed the matter indicating that he would like to hear from these individuals or alternately have the City Auditor General review the policy for contracting snow removal for the city.

A further short discussion ensued with Alderman R. Grant indicating that he felt this city should strive to be fair to the individuals contracted and inform them at the time they tender as to the chances of being called in for snow removal.

A discussion ensued and Alderman R. Grant proposed that those involved be permitted to appear at the next meeting of the Committee of the Whole Council. The Chairman put the question which resulted in the proposal being lost.

His Worship advised that if Council wished, the City Manager would meet with those individuals contracted for snow removal to discuss the situation and attempt to come to a resolution.

Noise Ordinance - Alderman Meagher

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

Alderman Meagher referred to complaints he has been receiving over the past three weeks with regard to deliveries being made to the Sobey's on Windsor Street at 3:00 a.m. three times a week and indicated that the Building Inspection Department had visited the store in this regard on a number of occasions. Alderman Meagher indicated that these visits seemed to have no effect.

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Alderman Meagher further noted that it appeared that the police would not respond to complaints from the area residents. Alderman Meagher asked what action might be taken to resolved this matter.

The City Solicitor indicated that he would report on this matter as soon as possible.

11:00 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. FLYNN

MR. E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

*K/sg

SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
February 19, 1986
7:30 P. M.

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

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

PRESENT: Deputy Mayor A. Flynn, Chairman; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, and Leiper.

ALSO PRESENT: Mary Ellen Donovan, Acting City Solicitor; E. A. Kerr, Acting City Clerk; and other members of City staff.

Street Closure - Proctor Street, from Brunswick Street to
Barrington Street

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

Ms. Carol Bradley, Acting Supervisor, Real Estate Division, presented a brief overview of the proposed street closure, indicating its relationship to the application submitted by Halifax Developments Limited (HDL) for completion of Stage X of its original development agreement. Ms. Bradley noted that the street is no longer essential as an access route to the Trade Mart building at the corner of Barrington and Cogswell Streets, adding that a ramp located on HDL lands is now being used for that purpose.

Mr. David Hyndman, representing Halifax Developments Limited, indicated that he would respond to any questions regarding the matter.

There were no persons present wishing to address the matter, and no correspondence had been received.

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

Motion carried.

Case No. 4308 - Amendments to the Land Use Bylaw Concerning
the Subdivision of Land

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

Using various maps and diagrams, Mr. E. Boyd Algee gave a brief overview of the proposed amendments to the Land Use Bylaw which, if adopted, will provide the Development Officer with the authority to relax the various requirements for subdivision in cases of unusual circumstances, such as two or more existing buildings on one lot, or where buildings straddle lot lines.

7:40 p.m. - His Worship Mayor Wallace enters the meeting, and Deputy Mayor Flynn resumes his normal seat in Council.

Responding to a question from Alderman Meagher, Mr. Algee indicated that approvals of such subdivision applications will be undertaken by his Department and will not be required to be submitted to Council for ratification.

There were no persons present wishing to address Council on this matter.

Correspondence, dated February 11, 1986, in support of the proposed amendments was received from Messrs. Faisal Forhart and Christopher Hopgood.

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

Motion passed.

Case No. 3697 - Rezoning of Civic Nos. 2872, 2878 and 2894
Barrington Street from R-2 (General Residential Zone) to
R-1 (Single-Family Dwelling Zone)

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

Using maps and diagrams, Mr. E. Boyd Algee, Development Officer, summarized the December 30, 1985 staff report concerning the proposed rezoning, noting that, in staff's opinion, retention of the R-2 zoning would be in conformance with the objectives of the Municipal Planning Strategy and with those of the proposed Peninsula North Secondary Planning Strategy, particularly with regard to infill housing on the Peninsula.

Responding to a question from Alderman O'Malley, Mr. Algee noted that while traffic counts were not specifically made of the vehicles using the dockyard gate across Barrington Street from the properties in question, peak hour traffic volumes (which would include traffic to/from the dockyard facility) had been measured. Mr. Algee added that this measurement had been taken between the hours of 4:20-6:20 p.m. at a point just south of the Russell/Barrington Street intersection and that the results showed an average of 600 vehicles/hour using this thoroughfare during that period of time.

Responding to a further question from Alderman O'Malley, Mr. Algee indicated that while the approved plans for the Barrington Street realignment had been taken into consideration, any unofficial long-range plans for the extension of Barrington Street north to the Bedford Basin had not been reviewed.

Mr. A. G. Alberts, a resident of 2872 Barrington Street, spoke in support of the proposed rezoning to R-1, noting that because of the lots' proximity to Barrington Street and the dockyard facility, the current traffic problems could only be exacerbated by permitting a higher density development on the property, particularly in terms of entry/exits from the site onto Barrington Street.

8:00 p.m. - Alderman Hamshaw enters the meeting.

Ms. Donna Lapierre, the owner of property at 5236 Russell Street, addressed Council members in support of the proposed rezoning, emphasizing that, in her opinion, the R-1 character of the neighbourhood should be maintained.

Mr. Graham Hicks, 5335 Young Street, addressed Council regarding the matter, noting that as a resident of the area, he had no objection to the proposed rezoning.

There were no additional persons wishing to speak on the matter.

The following submissions were received:

Correspondence, dated February 19, 1986, from Ms. Betty A. Levick, 2926 Somerset Drive, Halifax;

Correspondence, dated February 20, 1986, from Miss Mary G. Murphy, 5275 Russell Street, Halifax.

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

Motion passed.

Case No. 4440 - Rezoning: Proposed Lots DO-1, DO-2, and
Parcel COH-1 Donaldson Avenue/Dunbrack Street (from R-2
and P to R-1)

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

Mr. E. Boyd Algee, Development Officer, using area maps, described the proposal to rezone Lots DO-1, DO-2 and Parcel COH-1 on Donaldson Avenue/Dunbrack Street from R-2 and P to R-1.

Mr. Dennis Connolly, an associate of Active Working Group Limited (owners of a property abutting one of the parcels in question), addressed members of Council in opposition to the proposed rezoning. Mr. Connolly noted that a rezoning of Parcel DO-1 to R-1 might have a negative impact on his company's plans for their adjoining property, and also expressed concerns regarding access. He alluded to staff's previous advice concerning the Active Working Group's holdings in this area, noting that at that time his company had been advised to develop the land in a manner similar to the Shaunslieve development. Mr. Connolly stated that, if staff's former advice is still considered to be valid in terms of his company's holdings, the City should undertake to acquire Parcel DO-1 to combine with Parcel CO-1 as a continuous green belt along Dunbrack Street, thereby retaining the existing Park and Institutional zoning.

Responding to a question from Mr. Thomas W. Orman, 22 Donaldson Avenue, whose property abuts Parcel DO-1, Mr. Algee advised that, to his knowledge, only one single-family dwelling is being proposed for each of Parcels DO-1 and DO-2.

Responding to a further question from Mr. Orman, Mr. Algee indicated that Parcel DO-1 could conceivably be subdivided into two or possibly three lots, depending on the site's topography.

With reference to a question from Alderman Cromwell, Mr. Algee advised that the proposal to rezone the City-owned Parcel COH-1 from Park and Institutional to R-1 originated with a resolution passed during the June 13, 1985 meeting of City Council. Alderman Cromwell asked that background information pertaining to that resolution be made available to members prior to the next regular meeting of Council.

Mr. Hugh Smith, representing Rockingham Development Limited, owner of Parcel DO-1, advised that a rezoning to R-1 was being sought for this site chiefly because the developers wish to sell it as a single-family dwelling site and also because of the R-1 characteristics of the surrounding neighbourhood.

There were no further persons wishing to address Council, and no correspondence was received regarding the rezoning proposal.

It was moved by Alderman Hamshaw, seconded by Deputy Mayor Flynn that the matter be forwarded to the next regular meeting of Halifax City Council without recommendation.

Motion passed.

Case No. 4912 - Application for Contract Development:
2707-11 Clifton Street, to Permit Conversion of Existing
Four Units with Office to Eight Units with Office

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

Mr. E. Boyd Algee, Development Officer, with the use of maps and diagrams, gave a brief overview of the application to convert the existing four-unit building at 2707-11 Clifton Street to eight units with office.

Responding to a question from Alderman Dewell, Mr. Algee noted that there are presently eight units plus an office in the building. With reference to a further question from Alderman Dewell, Mr. Algee advised that the original building permit for this site called for four dwelling units and an office.

Responding to a question from Alderman Dewell, the Acting City Solicitor advised that charges of illegal occupancy have been laid against the property owner in question, although she emphasized that any decision made by Council on the application presently before it will have no direct bearing on the impending court proceedings.

Mr. Daniel J. Clarke, solicitor for the property owner, referred to the April 15, 1985 staff report and emphasized that, in his opinion, the deficiencies identified by staff are minor and should therefore be disregarded as a rationale for refusing this application.

Mr. Clarke noted that the proposed conversion would not dramatically alter the character of the surrounding neighbourhood, and, in fact, would provide additional dwelling units at a time when they are badly needed by the community.

Alderman R. Grant referred to a previous presentation to Council on this conversion application, noting that at that time 12 electrical meters were positioned in the building. Alderman Grant asked to be advised if all 12 meters are still on the site and, if so, the purpose for which the extra meters are intended.

Responding to a question from Alderman Meagher, Mr. Algee advised that, according to a report previously submitted to Council by the Building Inspector, the building presently contains seven units occupied as apartments, one office and one vacant unit for a total of nine.

There were no further persons wishing to address Council on this matter.

Correspondence, dated January 16, 1986, from Mr. Daniel J. Clarke, solicitor for the applicant, was submitted enclosing signed statements from area residents regarding the proposal.

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

Motion passed.

There being no further business to be discussed, the meeting was adjourned at 8:55 p.m.

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HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____
*R

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
February 27, 1986
8:00 p.m.

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

His Worship indicated that the Reverend John Newton, new rector of St. Paul's Church, his wife Karen and children Matthew, Simon and Alexa were present at Council this evening. His Worship requested that Reverend Newton lead Council in the Lord's Prayer noting that Reverend Newton might also address Council briefly.

Reverend Newton briefly addressed Council indicating his pleasure at being here this evening and with serving the community of St. Paul's and the greater community of the City of Halifax. Reverend Newton indicated that he and his family were coming to appreciate the beauty and historic nature of this city. Reverend Newton indicated that he was pleased with the welcome he and his family had received and looked forward to a blessed time here in this city.

Reverend John Newton then led Council in the recitation of Lord's Prayer and offered a prayer for City Council and the City of Halifax.

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

Also Present: City Manager, Mr. W. Anstey, Q.C., Acting City Solicitor, Acting City Clerk and other members of city staff.

Council observed a moment of silence in memory of a former City employee, James Thompson.

MINUTES

Minutes of the regular meeting of City Council held on February 13, 1986 and of Special Council held on February 19, 1986 were approved on a motion by Alderman Cromwell, seconded by Alderman Walker.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

20.1 Appointments

20.2 Local #143 - Collective Agreement

At the request of Alderman Jeffrey Council agreed to add:

20.3 Letter Re: Capital Stores

20.4 Sidewalk & Snow Removal

At the request of Alderman R. Grant Council agreed to add:

20.5 Individual Liability - Boards & Commissions

At the request of Alderman O'Malley Council agreed to add:

20.6 Sewage Connection to County Sewage System

At the request of Alderman Downey Council agreed to add:

20.7 Federal Site

At the request of Alderman Meagher Council agreed to add:

20.8 Snow Removal in Area

MOVED by Alderman Downey, seconded by Alderman Meagher that the agenda, as amended, be accepted.

Motion passed with Alderman Dewell voting against the motion.

DEFERRED ITEMS

Street Closure - Proctor Street, from Brunswick Street to Barrington Street

A public hearing into the above matter was held on February 19, 1986.

MOVED by Alderman Downey, seconded by Alderman D. Grant that City Council approve the closure of Proctor Street from Brunswick Street to Barrington Street, as shown on City of Halifax Plan Number TT-20-21400, attached as Appendix "A" to the December 30, 1985 staff report.

The Acting City Clerk advised that Alderman Jeffrey and Hamshaw were not present at the meeting.

20.1 Appointments

20.2 Local #143 - Collective Agreement

add: At the request of Alderman Jeffrey Council agreed to

20.3 Letter Re: Capital Stores

20.4 Sidewalk & Snow Removal

add: At the request of Alderman R. Grant Council agreed to

20.5 Individual Liability - Boards & Commissions

add: At the request of Alderman O'Malley Council agreed to

20.6 Sewage Connection to County Sewage System

At the request of Alderman Downey Council agreed to add:

20.7 Federal Site

add: At the request of Alderman Meagher Council agreed to

20.8 Snow Removal in Area

MOVED by Alderman Downey, seconded by Alderman Meagher
that the agenda, as amended, be accepted.

Motion passed with Alderman Dewell voting against the
motion.

DEFERRED ITEMS

Street Closure - Proctor Street, from Brunswick Street to
Barrington Street

A public hearing into the above matter was held on
February 19, 1986.

MOVED by Alderman Downey, seconded by Alderman D. Grant
that City Council approve the closure of Proctor Street from
Brunswick Street to Barrington Street, as shown on City of
Halifax Plan Number TT-37-28510, attached as Appendix "A" to the
December 30, 1985 staff report.

The Acting City Clerk advised that Alderman Jeffrey and
Hamshaw were not present at the meeting.

Council
February 27, 1986

~~The motion was put and passed with Alderman Jeffrey and Hamshaw abstaining.~~

Case No. 4308 - Amendments to the Land Use Bylaw concerning the Subdivision of Land

A public hearing into the above matter was held on February 19, 1986.

~~MOVED by Alderman Meagher, seconded by Alderman Cromwell that City Council approve amendments to the Land Use Bylaw as follows:~~

(1). Add Sections 16G and 14I of the Land Use Bylaw, Peninsula and Mainland Areas respectively:

PENINSULA AREA BYLAW

Notwithstanding anything in this Bylaw; except Section 16A:

(a) Where two or more buildings existed on one lot prior to March 25, 1982, a subdivision may be approved to place each building on its own lot, notwithstanding that the resultant lot(s) and/or building(s) will not meet the Land Use Bylaw requirements. Each lot, however, must have a minimum of 10 ft. frontage on a street.

(b) Where a building existing at the time of the adoption of this section of the Bylaw encroaches on a lot line, a subdivision may be approved to place the building on its own lot notwithstanding that the resultant lot(s) and/or existing buildings(s) will not meet the Land Use Bylaw requirements, provided each lot has at least a 10 ft. frontage on a street.

MAINLAND AREA BYLAW

Notwithstanding anything in this Bylaw; except Section 14A:

(a) Where two or more buildings existed on one lot prior to March 25, 1982, a subdivision may be approved to place each building on its own lot, notwithstanding that the resultant lots and/or buildings will not meet the Land Use Bylaw requirements. Each lot, however, must have a minimum of 10 ft. frontage on a street

(b) Where a building exists at the time of the adoption of this section of the Bylaw encroaches on a lot line, a subdivision may be approved to place the building on its own lot, notwithstanding that the resultant lot(s) and/or existing building(s) will not meet the Land Use Bylaw requirements, provided each lot has at least a 10. ft. frontage on a street.

The motion was put and passed with Alderman Jeffrey and Hamshaw abstaining.

Case No. 4308 - Amendments to the Land Use Bylaw concerning the
Subdivision of Land

A public hearing into the above matter was held on February 19, 1986.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that City Council approve amendments to the Land Use Bylaw as follows:

(1). Add Sections 16G and 14J of the Land Use Bylaw, Peninsula and Mainland Areas respectively:

PENINSULA AREA BYLAW

Notwithstanding anything in this Bylaw; except Section 16A:

(a) Where two or more buildings existed on one lot prior to March 25, 1982, a subdivision may be approved to place each building on its own lot, notwithstanding that the resultant lot(s) and/or building(s) will not meet the Land Use Bylaw requirements. Each lot, however, must have a minimum of 10 ft. frontage on a street.

(b) Where a building existing at the time of the adoption of this section of the Bylaw encroaches on a lot line, a subdivision may be approved to place the building on its own lot notwithstanding that the resultant lot(s) and/or existing buildings(s) will not meet the Land Use Bylaw requirements, provided each lot has at least a 10 ft. frontage on a street.

MAINLAND AREA BYLAW

Notwithstanding anything in this Bylaw; except Section 14A:

(a) Where two or more buildings existed on one lot prior to March 25, 1982, a subdivision may be approved to place each building on its own lot, notwithstanding that the resultant lots and/or buildings will not meet the Land Use Bylaw requirements. Each lot, however, must have a minimum of 10 ft. frontage on a street

(b) Where a building exists at the time of the adoption of this section of the Bylaw encroaches on a lot line, a subdivision may be approved to place the building on its own lot, notwithstanding that the resultant lot(s) and/or existing building(s) will not meet the Land Use Bylaw requirements, provided each lot has at least a 10. ft. frontage on a street.

Council
February 27, 1986

(2). Amend Section 1(qq) of the Land Use Bylaw, Peninsula Area, and Section 2(bbb) of the Mainland area to read as follows:

"Street" means any public street, road, highway or travelled way, or portion thereof.

A short questioning of staff ensued with regard to the amendments.

The Acting City Clerk advised that Aldermen Jeffrey and Hamshaw were not present at the Public hearing.

The motion was put and passed with Alderman Jeffrey and Hamshaw abstaining.

Case Nos. 4285 and 3697 - Rezoning of Civic Nos. 2872, 2878, 2894 Barrington Street from R-2 (General Residential Zone) to R-1 (Single Family Dwelling Zone)

A public hearing into the above matter was held on February 19, 1986.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that City Council approve the rezoning of Civic Nos 2872, 2878 and 2894 Barrington Street from R-2 (General Residential Zone) to R-1 (Single Family Dwelling Zone).

The Acting City Clerk advised that Aldermen Jeffrey and Hamshaw were not present at the public hearing.

The motion was put and passed with Alderman Jeffrey and Hamshaw abstaining.

Case No. 4440 - Rezoning Proposed Lots DO-1, DO-2 and Parcel COH-1 Donaldson Avenue/Dunbrack Street - (R-2 & P. to R-1)

A public hearing into the above matter was held on February 19, 1986.

A supplementary staff report dated February 25, 1986 was submitted.

Alderman Hamshaw advised that he has received new information on the matter and MOVED, seconded by Deputy Mayor Flynn that the item be deferred to the next regular meeting of Halifax City Council.

The motion to defer was put and passed with Alderman Jeffrey abstaining due to non attendance at the public hearing.

Council
February 27, 1986

Alderman Dewell leaves the meeting.

Case No. 4912 - Application for Contract Development - 2707-11
Clifton Street

A public hearing into the above matter was held on February 19, 1986.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the application for contract development, lands of Moncef Askri, 2707-2711 Street to permit conversion of the existing 4-unit building to 8 units, be refused by City Council.

Alderman Meagher addressed the matter and outlined his reasons for refusal of this application. Alderman Meagher indicated that the property in question was located in a C-2 zone in Schedule C. Alderman Meagher further noted that the Peninsula North Secondary Planning Strategy recommended that this area be retained as C-2A, Commercial/Industrial, exclusively and noted that the PNSPS would be brought to Council for consideration in the near future.

Alderman Meagher went on to note that this matter had been before Council on a previous occasion and had been refused as an R-3 property. Alderman Meagher noted the deficiencies of the property in lot frontage, lot coverage, density, open space, and parking under the R-3 zone. Alderman Meagher further went on to note that under the PNSPS there was no R-2A zone.

Alderman Meagher indicated that as the PNSPS recommended this area to remain exclusively commercial/industrial and there were so few areas left on the Peninsula which would allow commercial/industrial development, it would be an infringement of this area if Council permitted housing units to be established at this location.

A short discussion ensued with regard to the matter.

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

The motion was put and resulted in a tie vote, with Alderman Jeffrey abstaining. The Chairman cast his vote in favor of the motion and declared the motion to be passed.

Alderman Dewell returns to the meeting.

Proposed Amendments - Municipal Planning Strategy (Part II, Sections II, III, IV, V and VI) Concerning Heritage Policy Sets - Heritage Policy (DEFERRED FROM THE NOVEMBER 28, 1985 CITY COUNCIL MEETING)

A public hearing into the above matter was held on November 6, 1985. This matter was last discussed at the December 4, 1985 meeting of City Council at which time it was referred to the Heritage Advisory Committee for a further report.

AMENDED PAGE
Council
February 27, 1986

Alderman Dewell leaves the meeting.

Case No. 4912 - Application for Contract Development - 2707-11
Clifton Street

A public hearing into the above matter was held on February 19, 1986.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the application for contract development, lands of Moncef Askri, 2707-2711 Clifton Street to permit conversion of the existing 4-unit building to 8 units, be refused by City Council.

Alderman Meagher addressed the matter and outlined his reasons for refusal of this application. Alderman Meagher indicated that the property in question was located in a C-2 zone in Schedule C. Alderman Meagher further noted that the Peninsula North Secondary Planning Strategy recommended that this area be retained as C-2A, Commercial/Industrial, exclusively and noted that the PNSPS would be brought to Council for consideration in the near future.

Alderman Meagher went on to note that this matter had been before Council on a previous occasion and had been refused as an R-3 property. Alderman Meagher noted the deficiencies of the property in lot frontage, lot coverage, density, open space, and parking under the R-3 zone. Alderman Meagher further went on to note that under the PNSPS there was no R-2A zone.

Alderman Meagher indicated that as the PNSPS recommended this area to remain exclusively commercial/industrial and there were so few areas left on the Peninsula which would allow commercial/industrial development, it would be an infringement of this area if Council permitted housing units to be established at this location.

A short discussion ensued with regard to the matter.

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

The motion was put and resulted in a tie vote, with Alderman Jeffrey abstaining. The Chairman cast his vote in favor of the motion and declared the motion to be passed.

Alderman Dewell returns to the meeting.

Proposed Amendments - Municipal Planning Strategy (Part II, Sections II, III, IV, V and VI) Concerning Heritage Policy Sets - Heritage Policy (DEFERRED FROM THE NOVEMBER 28, 1985 CITY COUNCIL MEETING)

A public hearing into the above matter was held on November 6, 1985. This matter was last discussed at the December 4, 1985 meeting of City Council at which time it was referred to the Heritage Advisory Committee for a further report.

Council
February 27, 1986

A report from A.C. McMillin, Chairman, Heritage Advisory Committee dated January 29, 1986 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that the amendments to the Heritage Policies of the Municipal Planning Strategy which were the subject of a Public Hearing on November 6, 1985 and attached as Appendix I to the August 12, 1985 staff report, be approved by City Council and that the matter of further amendments be referred to staff, the Planning Advisory Committee and the Heritage Advisory Committee for study and recommendation to Council preferably within six months.

A question arose with regard to whom was eligible to vote on this matter and it was agreed that the matter be deferred momentarily to allow staff an opportunity to review the matter.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal at 29 Rufus Avenue (11 Birch Street)

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

Mr. W. Campbell, Development Control, with the aid of maps and sketches outlined the application for a variance of the lot requirements at 29 Rufus Avenue (11 Birch Street) as found in the staff report dated February 18, 1986.

Mr. Campbell indicated that the variance had been refused as the variance was not considered to be minor and that the near completed state of the basement units indicated a disregard for the requirements of the Land Use Bylaw.

Alderman Jeffrey addressed the matter indicating that this property had recently been purchased by the applicant and advised that the present owner had been unaware of the difficulties involved with permits.

Mr. I. Kadray, applicant, addressed Council indicating that he had been before Council with regard to this matter on a previous occasion requesting an amendment to the existing contract development on the property.

Mr. Kadray indicated that at present a late night pizza outlet occupied the building along with a small grocery store and residential units. Mr. Kadray indicated that he wished to remove the pizza outlet and replace it with a residential unit thereby making the property compatible with the neighbourhood.

Mr. Kadray further noted that the approval of this variance would remove the existing contract development from the property and provide badly needed housing units within the city.

Council
February 27, 1986

There were no further persons wishing to address Council in this regard. No correspondence had been received relating to this matter.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that the decision of the Development Officer be overturned and the appeal be upheld.

Motion passed.

Proposed Amendments - Municipal Planning Strategy (Part II, Sections II, III, IV, V and VI) Concerning Heritage Policy Sets - Heritage Policy (DEFERRED FROM THE NOVEMBER 28, 1985 CITY COUNCIL MEETING)

This matter was deferred to this time previously in the meeting.

In response to the question regarding eligibility to vote the Acting City Solicitor indicated that since the amendment had general application all members of Council would be eligible to vote.

The motion was put and passed.

PETITIONS

Alderman Walker Petition re: Bus Service from Cowie Hill & Kline Heights to Major Stevens Jr. High School

Alderman Walker submitted a petition from the residents of Cowie Hill and Kline Height requesting that the bus service from Cowie Hill and Kline Heights to Major Stevens Jr. High School be continued.

His Worship indicated that the City Clerk would direct this matter appropriately.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on February 19, 1986 as follows:

Civic Nos. 3860 and 3868 Dutch Village Road

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the Antiochian Maronite Catholic Church be given first option to purchase the property at the appraised value of the property.

Motion passed.

Resolutions - FCM - 1986 Conference

This matter was forwarded to City Council for the purpose of receiving resolutions to be forwarded to the FCM Annual Conference.

Alderman Cromwell addressed the matter indicating that four resolutions had been received for forwarding to the FCM conference noting that he would like to defer the resolution regarding the de-indexing of Family Allowance in light of the recent Federal budget to the next Committee of the Whole Council pending further review of the matter, to which Council agreed.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that the following resolution be forwarded to the Federation of Canadian Municipalities Annual Conference:

RE: REQUIREMENT FOR A PROGRAM OF POLLUTION ABATEMENT

In that the Federal Government has substantially withdrawn from the area of pollution abatement financing; and

In that there is still much to be done in terms of improvement of pollution control in Canada; and

In that the City of Halifax has need for support in implementing a program of pollution control and treatment:

BE IT RESOLVED that the Council of the City of Halifax calls upon the Federation of Canadian Municipalities to support it in a request to the Federal Government for a much improved and accelerated program of pollution control and sewage abatement, the long term effects of which would be beneficial to all Canadians, while the short term effects would result in much needed jobs and stimulation to the construction industry.

RE: HOUSING

1. The City of Halifax hereby expresses its extreme concern regarding the shortage of affordable housing for its citizens and wishes to call upon the membership of the Federation of Canadian Municipalities to support it in a request to be placed before the Federal Government that immediate action be taken to make available significant additional Federal funds for housing.

2. The City of Halifax recognizes the constraint which is now being forced upon all governments, but at the same time, wishes to point out that creation of housing is, in fact, beneficial from a number of points of view. It creates employment, both in the construction trades and in the supplier trades, and it must recognize that the housing industry represents an extremely high Canadian content and thereby has a relatively great benefit, in terms of stimulating the economy and keeping funds within Canada, while at the same time, an aggressive program of housing provides much needed upgrading of the Canadian housing stock.

RE: LIABILITY INSURANCE

Recognizing that premium increases have vastly exceeded underwriting losses in the 1985 year, and are likely to even more exceed underwriting losses in the 1986 year, it is stressed that the present difficulties experienced by insurance companies world-wide are not as a result of bad experience in the Canadian market and specifically not as a result of bad experience in the Canadian municipal market; and

Recognizing that the Federation of Canadian Municipalities has already called upon the Minister of State for Finance to move forward a Federal/Provincial enquiry into this issue, this resolution is intended to further strengthen the FCM position in this matter and to urge the FCM to put the extreme concern of municipalities before the Honourable Minister of State, yet again;

BE IT RESOLVED that the City of Halifax hereby calls upon the Federation of Canadian Municipalities to, in turn, put before the Federal Government, the concerns of Canadian Municipalities regarding the dramatically escalating costs of liability insurance coverage.

A short discussion ensued and the Motion was put and passed.

Acquisition of Parcel K-1A, 56 Old Sambro Road

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Parcel K-1A as shown on Plan TT-36-28320 be acquired from Dr. K. S. Hogue for \$4,820 with funds being available in Account No. CJ069 (Old Sambro Road Traffic Improvement - Northwest Arm Drive to Dentith Road).

Motion passed.

Closure and Sale - Portion of Williams Lake Road, (Lots WL-1 and WL-2) SET DATE FOR PUBLIC HEARING

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee:

1. the land shown on the sketch attached to the February 7, 1986 confidential staff report as Lot WL-1 be sold to Steven W. Bryden and Donna Bryden, and Lot WL-2 to George B. Bryden and Mabel Bryden, at a rate of \$1.90 per sq. ft., subject to the Minister of Municipal Affairs' approval of the street closure; and
2. in accordance with Section 350 of the City Charter, Council set a date for a Public Hearing to close the subject areas.

Motion passed.

The Acting City Clerk advised the date for the hearing was set as WEDNESDAY, APRIL 23, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Task Force on Ageing - Recommendations - Development of Extended Care Beds

Alderman O'Malley addressed the matter indicating that he had an addition to the resolution approved at Committee of the Whole and MOVED, seconded by Alderman Meagher that:

1. That space at the Halifax Civic Hospital be made available to create 30 additional beds for the provision of Type III, or extended care, for the aged population, and further;
2. Negotiations be undertaken immediately with the Minister of Health to have the cost of care for these beds to be included under the Nova Scotia Hospital Insurance Act, and further;
3. A committee of His Worship the Mayor, Alderman D. Grant, the Chairman of the Task Force on Concerns of Ageing and the Chairman of the Civic Hospital Board be appointed to carry out these negotiations.

Alderman Dewell addressed the matter indicating that this matter had been discussed at a recent meeting of the Board of the Civic Hospital and noted that the resolution had been given unanimous support from the Board with two reservations.

Alderman Dewell noted that the Board would rather that the number of beds not be held to a strict 30 but be more flexible and that the Administrator of the Civic Hospital be included in the negotiations with the Province.

MOVED in amendment by Alderman Dewell, seconded by Alderman Walker that the motion be amended by replacing the phrase '30 beds' with 'approximately 30 beds' and by the addition of the Administrator of the Civic Hospital as member of the Committee to carry out negotiations with the Province.

A short discussion ensued and the motion to amend was put and lost.

The original motion was put and passed.

Grosvenor Road and Area - Traffic and Safety: Cresthaven Estates

Following is the recommendation of the Finance and Executive Committee:

"That staff be instructed to review this matter based on the concerns raised during the February 19, 1986 meeting of the Finance and Executive Committee, and to submit a report to members of Council."

Alderman Hamshaw addressed the matter indicating that the requested report had not been received as yet and MOVED, seconded by Alderman Leiper that this matter be deferred pending the receipt of the requested report. Motion passed.

Halifax Development Limited - Stage X Lands and Proctor Street

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

1. the preliminary plans as contained in Appendix "B" attached to the February 18, 1986 confidential staff report be approved for further development;
2. that Proctor Street, upon finalization of the street closure, be sold to Halifax Developments Limited for \$20.00 per sq. ft. for the encumbered land, and \$15.00 per sq. ft. for the portion subject to easement, with the final price to be subject to determination by survey and the laying down of street lines; and
3. that pending the determination of said Proctor Street lands, Halifax Developments Limited be permitted to enter upon the lands for purposes of construction, provided that the subject development agreement has been executed.

Motion passed.

Purchase of PSC Lands

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Parcel #1, the Fairmount parcel, be purchased for housing purposes from the Public Service Commission for \$17,500 per acre, or \$350,000, subject to final determination by survey, and that the Windsor Street Pump House (Parcel #3) be purchased

A short discussion ensued and the motion to amend was put and lost.

The original motion was put and passed.

Grosvenor Road and Area - Traffic and Safety: Cresthaven Estates

Following is the recommendation of the Finance and Executive Committee:

"That staff be instructed to review this matter based on the concerns raised during the February 19, 1986 meeting of the Finance and Executive Committee, and to submit a report to members of Council."

Alderman Hamshaw addressed the matter indicating that the requested report had not been received as yet and MOVED, seconded by Alderman Leiper that this matter be deferred pending the receipt of the requested report. Motion passed.

Halifax Development Limited - Stage X Lands and Proctor Street

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

1. the preliminary plans as contained in Appendix "B" attached to the February 18, 1986 confidential staff report be approved for further development;
2. that Proctor Street, upon finalization of the street closure, be sold to Halifax Developments Limited for \$20.00 per sq. ft. for the unencumbered land, and \$15.00 per sq. ft. for the portion subject to easement, with the final price to be subject to determination by survey and the laying down of street lines; and
3. that pending the determination of said Proctor Street lands, Halifax Developments Limited be permitted to enter upon the lands for purposes of construction, provided that the subject development agreement has been executed.

Motion passed.

Purchase of PSC Lands

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Parcel #1, the Fairmount parcel, be purchased for housing purposes from the Public Service Commission for \$17,500 per acre, or \$350,000, subject to final determination by survey, and that the Windsor Street Pump House (Parcel #3) be purchased

for public purposes from the Public Service Commission for \$77,500. Subject to approval of the Minister of Municipal Affairs, these lands may be purchased using the Sale of Land Account.

Motion passed.

Closure of Tower Road (University Avenue to South Street) SET
DATE FOR PUBLIC HEARING

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee:

- 1) the portion of Tower Road shown on Plan TT-33-27554 (Schedule "BB"), attached to the staff report dated February 5, 1986, be declared surplus to the City's street system;
- 2) a date be set for a public hearing for the closure of Tower Road between University and South Street; and
- 3) staff be authorized to negotiate with the Province of Nova Scotia towards purchase of the resulting lands to be a part of the Victoria General Hospital Complex.

Motion passed.

The Acting City Clerk advised the date for the hearing was set as WEDNESDAY, APRIL 23, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

His Worship leaves the meeting and the Deputy Mayor Flynn takes the Chair.

Sale of Cheapside

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

- 1) negotiations be authorized with the Province of Nova Scotia towards purchase of former Cheapside;
- 2) the "Bird of Spring" statue be removed to safe storage, and reuseable specimen plantings be salvaged by the City;
- 3) the Province of Nova Scotia be given early possession of the site in order to permit its investigation and excavation as deemed appropriate under the Special Places Protection Act, and to accommodate the construction schedule of the Art Gallery of Nova Scotia. Motion passed.

Interest Rate on Past Due Taxes

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that, as recommended by the Finance and Executive, City Council consider increasing the rate charged on unpaid tax accounts to an amount of 2 percent above prime, consistent with previous City policy, for a revised rate of 14 1/4 percent to become effective on March 1, 1986.

A short discussion ensued and the motion was put and passed with Alderman Meagher and Downey against.

Request for Deferral of Heritage Hearings - Spring Garden Road and Summer Street

MOVED by Alderman Cromwell, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the heritage hearings originally scheduled for March 5, respecting 5853, 5857-63 and 5871 Spring Garden Road and 1544 Summer Street, be rescheduled to April 23, 1986.

Motion passed.

Recommended Heritage Property - 1029 South Park Street

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that the land and building located at 1029 South Park Street not be registered in the Halifax Registry of Heritage Properties at this time.

Alderman D. Grant addressed the matter indicating that she had received information regarding this property with respect to an illegal occupation. Alderman D. Grant noted that she felt it would be unwise to register this property at the present time and noted that the matter was presently being dealt with in the courts.

A short discussion ensued and the motion was put and passed.

Tender No. 85-178: One 1986 Four-Wheel Sweeper

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

- 1) Tender #85-178 for one 1986 Model Four-Wheel Sweeper be awarded to Standard Machinery & Equipment Limited, P. O. Box 306, Saint John, New Brunswick, E2L 3Y2 for \$113,805.49;

2) funds to be made available from Account Number 126104.X1710.86019;

3) in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s).

Motion passed.

Settlement of Claim - Estate of Robert Bruce Craig

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute a Release of all claims in respect of present and future care of Mayor Lynn in the amount of \$40,000.00 against her father's estate.

Motion passed.

REPORT - COMMITTEE ON WORKS

Award of Tender No. 86-21 - Alma Crescent Storm Sewer, and New Curb and Gutter.

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

- 1) Tender #86-21 for project, materials and services listed for the unit prices quoted be awarded to Woodlawn Construction Limited for a total project cost of \$119,000; and.
- 2) funds be made available from Account Number DB007.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from a meeting held on February 19, 1986, as follows:

Case No. 4945 - Contract Development: Brunswick Street/Barrington Street/Proctor Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee:

- a) a date be set for a public hearing to consider the application for contract development under Schedule "C", Brunswick Street/Barrington Street, lands of Halifax Developments Limited, and Proctor Street, lands of the City of Halifax, to permit a 44-unit low-rise apartment building and an 18-storey high-rise apartment building;

2) funds to be made available from Account Number 126104.X1710.86019;

3) in authorizing this request to purchase, City Council also authorizes disposal by public offering of surplus item(s).

Motion passed.

Settlement of Claim - Estate of Robert Bruce Craig

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute a Release of all claims in respect of present and future care of Mary Lynn in the amount of \$40,000.00 against her father's estate.

Motion passed.

REPORT - COMMITTEE ON WORKS

Award of Tender No. 86-21 - Alma Crescent Storm Sewer, and New Curb and Gutter

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

- 1) Tender #86-21 for project, materials and services listed for the unit prices quoted be awarded to Woodlawn Construction Limited for a total project cost of \$119,000; and
- 2) funds be made available from Account Number DB007.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from a meeting held on February 19, 1986, as follows:

Case No. 4945 - Contract Development: Brunswick Street/
Barrington Street/Proctor Street - SET DATE FOR PUBLIC
HEARING

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee:

- a) a date be set for a public hearing to consider the application for contract development under Schedule "C", Brunswick Street/Barrington Street, lands of Halifax Developments Limited, and Proctor Street, lands of the City of Halifax, to permit a 44-unit low-rise apartment building and an 18-storey high-rise apartment building;

- b) approval of this application not be given until the closure of Proctor Street and sale to Halifax Developments Limited are finalized;
- c) the Heritage Advisory Committee be requested to review the proposal and report on it to Council prior to the public hearing.

Motion passed.

The Acting City Clerk advised that the public hearing would be scheduled for WEDNESDAY, APRIL 23, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 4888 - Rezoning: 6130-42 Lady Hammond Road

This matter was forwarded to City Council without recommendation from the meeting of the City Planning Committee held on February 19, 1986.

MOVED by Alderman Dewell, seconded by Alderman Cromwell that:

- a) a date for a public hearing be set to consider the rezoning of the properties at 6130-6142 Lady Hammond Road from General Residential (R-2~~0~~) Zone to Multiple Dwelling (R-3) Zone to allow the development of an 18-unit apartment building on the site;
- b) the issue of changing development patterns in the Lady Hammond Road area be referred to the PAC for a report which will examine the need for amendments to the MPS;
- c) the Building Line Plan of the Land Use Bylaw, Peninsula Area, be amended to remove the 25 foot building line from the south side of Lady Hammond Road where it crosses Civic No. 6110 to 6190 inclusive, and Block B, Lady Hammond Road.

Motion passed.

The Acting City Clerk advised that the public hearing would be scheduled for WEDNESDAY, APRIL 23, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

9:40 p.m. - Mayor Wallace returns to the meeting, and Deputy Mayor Flynn resumes his normal seat in Council.

MOTIONS

Motion Deputy Mayor Flynn Re: Reestablishment of the
Tendering Committee

Deputy Mayor Flynn gave Notice of Motion at the City Council meeting held on February 13, 1986 concerning the reestablishment of the Tendering Committee.

MOVED by Deputy Mayor Flynn, seconded by Alderman O'Malley that the Tendering Committee be reestablished to review the possibility of local preference in the tendering process, and report same to Council.

Speaking on the motion, Alderman O'Malley asked that, in bringing forward its recommendations, the Tendering Committee develop a clear-cut policy statement which can be followed in the future with no exceptions. The Alderman added that, if the Committee found it necessary to include exceptions to the approved tendering practice, these areas be clearly categorized in the policy statement.

Alderman R. Grant suggested that the committee undertake a review of recommendations made to the former Tendering Committee to ascertain if those suggestions have been acted upon. The Alderman further recommended the appointment of Alderman D. Grant to the newly-formed committee.

The City Manager suggested that, as an alternative, Council might wish to instruct staff to prepare a discussion paper analyzing the current tendering policy and including references to the tendering practices in other areas. Mr. Calda added that the discussion paper, when completed, could be submitted directly to Committee of the Whole Council.

Alderman R. Grant recommended that, if this strategy were adopted, staff be asked to meet with the current members of the Tendering Committee on an ongoing basis.

The Deputy Mayor indicated that he had no difficulty with the approach put forward by the City Manager.

The motion was put and passed.

Motion Alderman R. Grant Re: Amendment to Ordinance Number 121,
The Retail Shop Closing Ordinance - FIRST READING

Alderman R. Grant gave Notice of Motion at the meeting of City Council held on February 13, 1986 concerning proposed amendments to Ordinance 121, the Retail Shop Closing Ordinance.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that the proposed amendments to Ordinance Number 121, the Retail Shop Closing Ordinance, as follows, be given FIRST READING:

BE IT ENACTED by the City Council of the City of Halifax that Ordinance Number 121, the Retail Shop Closing Ordinance, as enacted by City Council on the 31st day of July, 1967 and approved by the Minister of Municipal Affairs on the 23rd day of August, 1967, as amended, is further amended as follows:

1. Section 3 of said Ordinance 121 is repealed and the following substituted therefor:

"3 All shops and all classes of shops within the City shall, during the whole of each year, close on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday of each week at ten o'clock in the afternoon of each of such days and shall remain closed until five o'clock in the forenoon of the day next following each of such days."

2. Section 3A is repealed.

Motion passed.

9:55 p.m. - The meeting was adjourned for a brief recess.

10:10 p.m. - The meeting was reconvened with the same members being present.

QUESTIONS

Question Alderman Jeffrey Re: Funeral Allowance for Indigent Persons

Alderman Jeffrey requested that an item regarding funeral allowances for indigent persons be added to the agenda of the next meeting of Committee of the Whole Council scheduled for Wednesday, March 5, 1986.

Question Alderman Jeffrey Re: Halifax Housing Authority

Responding to a question from Alderman Jeffrey, the Chairman advised that a report from the City Solicitor concerning the policy regarding the appointment of City Council members to the Board of the Halifax Housing Authority would be forthcoming.

Question Alderman Jeffrey Re: Refuse Containers

Alderman Jeffrey referred to a previous request for a staff report on the regulations concerning commercial refuse containers, and added that he would like this item to be placed on the agenda of the March 5 Committee of the Whole Council meeting.

Question Alderman Jeffrey Re: Snow Removal Regulations

Alderman Jeffrey requested information from staff as to the number of tickets issued to property owners for inadequate snow removal and, in addition, comments as to whether the City's existing regulations regarding this matter should be strengthened and/or enforcement increased.

Alderman Jeffrey advised that he would like to receive this report by Wednesday, March 5 if possible.

Question Alderman Walker Re: Parking - Grand Parade

With reference to a question from Alderman Walker, the Chairman advised that a meeting would be held shortly with members of staff concerning a policy for parking in the Grand Parade area, and that members of Council would be advised of any subsequent decisions.

Alderman Walker also requested that efforts be made to widen the driving area around the center of the Grand Parade, noting that with the present accumulation of snow, it is extremely difficult to maneuver a vehicle through this area.

Question Alderman Walker Re: Halifax District School Board

Alderman Walker made reference to various buses hired by the Halifax District School Board to supplement its own supply of vehicles. The Alderman asked for information regarding the number of such vehicles hired annually, their ridership, and the manner in which those buses are staffed, with particular emphasis on the age and training of those individuals hired as bus monitors.

Question Deputy Mayor Flynn Re: Appointments - World Trade and Convention Centre Limited Board

Deputy Mayor Flynn referred to the recommendations made in November, 1985 by members of Council concerning the City's representatives on the Board of the World Trade and Convention Centre. The Deputy Mayor, noting that, to date, no response has been received from the Province, requested that a second letter be sent to the Premier regarding this matter.

Question Alderman Leiper Re: Taxi Stand - Willett Street

Alderman Leiper referred to a taxi stand established on a temporary basis on Willett Street. The Alderman noted that she has received numerous complaints concerning this stand and asked for confirmation from staff that it would be removed by March 1.

Question Alderman R. Grant Re: Lakes and Waterways
Advisory Subcommittee

Alderman R. Grant asked for a staff report concerning the feasibility of amending the mandate of the Lakes and Waterways Advisory Subcommittee so that its recommendations could be made directly to Council, rather than through the Planning Advisory Committee as is presently the case.

Question Alderman R. Grant Re: 1986 Federal Budget

Alderman R. Grant noted that the recent 1986 Federal Budget calls for only a two percent increase in discretionary funding. On that basis, the Alderman requested information from staff as to how this minimal increase will affect funding of certain school programs, such as the French immersion program and its expansion into the high school level.

Question Alderman Dewell Re: Snow Removal

Alderman Dewell referred to the considerable accumulations of snow on corner lots and at intersections, and asked for a report as to the feasibility and cost of the City's contracting this portion of its snow removal effort to private individuals.

Question Alderman Cromwell Re: Blasting Permits

Alderman Cromwell requested that the Information Report, dated August 14, 1985 and entitled "Blasting Permits," be redistributed to members of Council, and that the matter be placed on the agenda of the March 5 meeting of Committee of the Whole Council.

Question Alderman Cromwell Re: Sidewalk Clearing

Alderman Cromwell referred to the many complaints he has received concerning property owners who have made no effort to clear the snow and ice from their sidewalks. The Alderman expressed the opinion that the City has given sufficient warnings to these individuals, and requested that immediate action be taken to increase the number of tickets given for such violations.

NOTICE OF MOTIONS

Notice of Motion - Alderman Cromwell Re: Amendment to Ordinance 130, the Electrical Code Ordinance

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, March 13, 1986, he intends to introduce an amendment to Ordinance 130, the Electrical Code Ordinance, the purpose of which is to adopt the 1986 Canadian Electrical Code.

ADDED ITEMS

Appointments

This item was added to the agenda at the request of the Acting City Clerk.

A memorandum, dated February 27, 1986, was submitted from His Worship the Mayor.

MOVED by Alderman Meacher, seconded by Alderman Dewell that the following appointments, as set out in the memorandum dated February 27, 1986, be made:

Board of Health

P. Tibbo-Cameron
Dr. Mary Morley
Terms to expire February 28, 1987

Tourism Halifax

Bernice Sullivan
Peter Andrews
Peter Johnstone
Barbara Fry
Anna Fried
Elaine Sibson
Paul Murray
N. E. Clare Baxter
Terms to expire February 28, 1987

Point Pleasant Park

George Mitchell
Peter Herschorn
Judith Tulloch

Terms to expire February 28, 1987

Library Board

Rein Liiva
Mary Cooley
Leah O'Neil
John Arneaud
Margaret Willison

Terms to expire February 28, 1987

Halifax Court House Commission

Leonard Kitz
Dr. William Gorman
Donald Urquhart

Terms to expire February 28, 1987

Natal Day Committee

Darrell Wentzell
Doug Mitchell
David Proudfoot
John Bully
Sally Hill
Donna McCready
Bill McCann
Peter Zwicker
Irene Swindells

Terms to expire February 28, 1987

Committee on Concerns of Ageing

Mrs. Vera Neily - Ward 2
Ms. Joy Keeler - Ward 5
Mrs. Margaret Neaves - Ward 6
Mrs. Margaret Cochrane - Ward 7
Mr. Stanley Raine - Ward 8
Mr. Roy Hanson - Ward 9
Mrs. Marian Smith - Ward 10
Mr. Elliott Robertson - Ward 12

Terms to expire February 28, 1987

Heritage Committee

Tim Margolian
Barbara Watt
Jean Malay

Council
February 27, 1986

Commodore A. C. McMillin
George Rogers
John Perkins
Bernard Inglis
Donald Lohnes
Ian McDermaid
Susan Torrens
Terms to expire February 28, 1989

Taxi Commission

John Wells
Shaun McCormick
Kim Turner
John Hayter
Neil Landry
Philip Herritt
Terms to expire February 28, 1987

Non-Profit Housing Society

Nancy Wooden
Robert Russell
Sylvia Hamilton
Terms to expire February 28, 1987

Planning Advisory Committee

Walter Nolan
Frank Palermo
Terms to expires February 28, 1987

Halifax Civic Hospital Board

Patrick Shaw
Donald Peverill
George Findlay
Terms to expire February 28, 1987

Election Procedures Committee

Dan Clarke
Don Curren
Mary Moffatt
Joan Fraser
Terms to expire February 28, 1987

Transit Advisory Committee

Alderman Alfred Hamshaw, Chairman
Term: Until successor is appointed

Lakes and Waterways Advisory Subcommittee

Technical Representatives

Dr. P. Ogden
Dr. D. Waller
John Murtagh
R. Petersman
John Spencer
Dr. Richard Addison
Terms to expire February 28, 1987

Concerned Citizen Representatives

Heather Bagnell
Gerry Blom
Mary Beth Cassidy
Terms to expire February 28, 1987

Motion passed.

Local No. 143 - Collective Agreement

This item was added to the agenda at the request of the Acting City Clerk.

A private and confidential report, dated February 24, 1986, was submitted.

MOVED by Alderman Downey, seconded by Alderman Walker that Halifax City Council authorize the Mayor and City Clerk to affix their signatures to a Collective Agreement dated January 1, 1986 to December 31, 1986, between the Halifax Civic Employees Federal Union, No. 143, C.U.P.E., and the City of Halifax.

Motion passed.

Letter Re: Capitol Stores - Alderman Jeffrey

This matter was added to the agenda at the request of Alderman Jeffrey, who made reference to a letter from the President of Capitol Stores Limited, recently circulated to members of Council.

Alderman Jeffrey asked for a report from the City Solicitor concerning the scope of the City's current bylaw regarding Sunday openings, any recourse the City now has against store owners who open on Sunday, and the status of the former Lord's Day Act.

It was agreed that the item would be placed on the agenda of the next regular meeting of Committee of the Whole Council, pending receipt of the requested report.

Sidewalk and Snow Removal - Alderman Jeffrey

This matter was added to the agenda at the request of Alderman Jeffrey who brought to Council's attention that a number of residents have suggested a user-pay scheme for removal of snow from their sidewalks by City vehicles. The Alderman asked that staff investigate this matter and submit a report regarding its feasibility.

Individual Liability - Boards and Commissions:
Alderman R. Grant

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

It was agreed that the City Solicitor be requested to prepare an information report on the personal liability of members of boards and commissions, and to distribute that report to the members of board and commission; and further, that people who volunteer to serve on such boards and commissions be appraised of the potential for personal liability before they are appointed.

Sewage Connection to County Sewage System - Alderman O'Malley

This item was added to the agenda at the request of Alderman O'Malley who inquired as to the status of the situation regarding the City's request for sewer hook-up of the Halifax Industrial Park to the Lakeside Treatment Plant.

His Worship advised that a letter had recently been forwarded to the Ministers of Municipal Affairs and Environment, encouraging them to invite members of the County Council to discuss the matter with them in a private meeting.

Alderman O'Malley noted that, in his opinion, the situation has gone unresolved long enough, and recommended that the two Provincial Ministers be requested to reconsider their positions of non-interference in the issue.

The Chairman noted that many of the points raised by Alderman O'Malley had been raised in the letter forwarded to the Ministers.

Alderman R. Grant suggested that City Council recommend to the Metropolitan Authority that the Regional Pollution Control Advisory Committee be asked to review the situation vis a vis the proposed sewage connection and to submit its comments on the matter.

Federal Site - Alderman Downey

This matter was added to the agenda at the request of Alderman Downey who made reference to the recent decision by the Federal Government to sell the Gottingen Street property initially intended as the site of a Federal Government office building.

Alderman Downey expressed the concern that no action regarding this site has been taken for over 18 months, and urged that the Federal and Provincial Governments be urged to work in conjunction with the City of Halifax regarding a suitable development for this property and the necessary funding.

Snow Removal in Area - Alderman Meagher

Alderman Meagher made reference to Davison, Sarah, John, West and Moran Streets and asked to have them included in a program similar to that use for streets on the other side of Agricola, noting that all were narrow roadways with very limited sidewalks.

11:00 p.m. - The meeting was adjourned.

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HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR A. FLYNN
CHAIRMEN

E. A. KERR, ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

Sy* K

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
March 13, 1986
8:00 P.M.

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, Leiper and Hamshaw.

ALSO PRESENT: City Manager; B. Allen, Acting City Solicitor; E. A. Kerr, Acting City Clerk; and other members of City staff.

At the request of Alderman Meagher and in recognition of St. Patrick's Day soon to be observed, members of Council acknowledged the considerable contribution of those of Irish descent to the political and economic life, both of the City of Halifax and to the Dominion.

In recognition of Alderman Meagher's own ethnic background, Alderman D. Grant, on behalf of all members of Council, presented the Alderman with a potted shamrock.

MINUTES

Minutes of the regular meeting of City Council held on February 27, 1986 were approved on a motion by Alderman Walker, seconded by Alderman Hamshaw.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

The Acting City Clerk proposed to add Item 20.1 - School Buses; however, at Alderman Walker's request, it was agreed that the item be deleted.

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

- 20.2 Mainland South Detailed Area Plan
- 20.3 Pipe Crossing License - Bayers Lake

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MOVE, by Alderman Cronwell, seconded by Alderman Jeffrey that the agenda, as amended, be accepted.

Motion passed.

DEFERRED ITEMS

Case No. 444B - Rezoning: Proposed Lots DO-1, DO-2 and Parcel COH-1 Donaldson Avenue/Dunbrack Street

A public hearing on this matter was held on February 19, 1986.

Supplementary staff reports, dated February 25 and March 12, 1986, were submitted.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Flynn that the matter be deferred to allow sufficient opportunity to review the implications of the March 12 supplementary staff report.

Motion carried.

PUBLIC HEARINGS, HEARINGS, ETC.

Case No. 4974 - Variance Appeal; 19 Frederick Avenue

A staff report, dated March 3, 1986, was submitted.

Mr. W. D. Campbell of the Development Control Division, using a diagram of the property in question, outlined the rationale for staff's refusal of the variance appeal and noted that the requested variance consists of a 75 percent reduction to the 8 foot side yard requirement which, in staff's opinion, does not constitute a minor adjustment.

Mr. Michael Longaphy, owner of the property in question, addressed Council concerning his appeal, noting that the requested variance was necessary to provide additional sleeping accommodation for his family. He added that the design of the proposed addition had been chosen for the room size it will afford and because it is the only configuration which will not obstruct entry to the house from the front.

Alderman Jeffrey advised that other variances of this nature had been granted by Council in the immediate neighbourhood, and emphasized that no objections to the proposed addition had been submitted by abutting property owners.

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MOVE by Alderman Jeffrey, seconded by Alderman Dewell that the decision of the Development Officer be overturned, and the appeal granted.

Motion passed.

Case No. 4972 - Variance Appeal: 33 Melody Drive

A staff report, dated February 26, 1986, was submitted.

Mr. W. D. Campbell, Development Control Division, using a diagram of the property in question, emphasized that the owner's application for a minor variance had been granted primarily in light of the very minimal (8 1/2 inches) reduction requested to the 50 foot lot frontage requirement.

Mr. Peter Allen, 33 1/2 Melody Drive, speaking on behalf of other area residents, addressed Council in opposition to the variance approval, noting that, if allowed to proceed, the owner of the property in question intends to use the structure as a duplex dwelling. Mr. Allen objected to this proposal, emphasizing that there is already a shortage of on-street parking as well as considerable traffic on Melody Drive.

Mr. John Salah, owner of the property at 33 Melody Drive, stated that he had purchased the site having been advised that it was zoned R-2 and therefore suitable for use as a duplex dwelling.

After some discussion, it was moved by Alderman Hamshaw, seconded by Alderman Jeffrey that the appeal be denied, and that the decision by the Development Officer to grant the minor variance be upheld.

Motion passed.

Case No. 4983 - Variance Appeal: 1816 Robie Street

A staff report, dated March 4, 1986 was submitted, together with a letter, dated March 13, 1986 from Mr. Kevin Coady, solicitor for the property owner in question.

Using diagrams, Mr. W. D. Campbell of the Development Control Division advised that the requested set of exit stairs violates the intent of the Land Use Bylaw, particularly with respect to the side yard requirements, and that, in staff's opinion, the owner in question had consciously ignored a stop work order issued by the City on the basis that no building permit had been issued.

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Mr. Kevin Coady (Gillis, Coady and Filliter), solicitor for Mr. V. F. Joudrey, the owner of the property in question, addressed Council concerning his client's request for approval of a minor variance. Referring to his March 13 letter previously submitted, Mr. Coady emphasized that his client wishes only to renovate the top floor of the building to create a bedsitting room for his personal use during six months of the year. He noted that exterior stairs of this nature are common to the area, and that, when petitioned, 15 of Mr. Joudrey's neighbors raised no objection to the proposed construction.

After some discussion and questioning of Mr. Coady, it was moved by Alderman Cromwell, seconded by Alderman D. Grant that the decision of the Development Officer be upheld and that the appeal be denied.

Motion carried.

PETITIONS

Alderman Leiper Petition Re: Application to Rezone a Portion of Property on Stoneybrook Court From R-4 to R-2AM

Alderman Leiper submitted a petition, dated February 26, 1986, on behalf of the Halifax County Condominium Corporation #27 concerning an application to rezone an area of land at the end of Stoneybrook Court from R-4 to R-2AM.

His Worship indicated that the Acting City Clerk would direct this matter to the appropriate staff members.

Alderman Downey Petition Re: Traffic Conditions on Northwood Terrace and Black Street

Alderman Downey submitted a petition, dated March 11, 1986, on behalf of the Northwood Resident Society concerning the hazardous condition of Northwood Terrace between Black and North Streets, and on Black Street between Gottingen Street and Northwood Terrace.

His Worship indicated that the Acting City Clerk would direct this matter to appropriate staff members.

Alderman Downey Petition Re: Bauer Street Residents/ Homeowners Concerning Expansion of Firefighters Club, North Park and Bauer Streets

Alderman Downey submitted a petition, dated March 12, 1986 and signed by approximately 40 individuals, in opposition to the proposed expansion of the Firefighters Club between North Park and Bauer Streets.

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His Worship indicated that the Acting City Clerk would direct this matter to appropriate members of staff.

Petition Alderman Meagher Re: Oxford School P.T.A.

Alderman Meagher submitted a petition, dated March 10, 1986, on behalf of the Oxford School Parents Teachers Association concerning the revised location of the Metro Transit bus stop on Dublin Street.

His Worship indicated that the Acting City Clerk would direct this matter to appropriate members of staff.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on March 5, 1986 as follows:

Art Gallery of Nova Scotia - Financial Request

MOVED by Alderman O'Malley, seconded by Alderman Hamshaw that the request from the Art Gallery of Nova Scotia for a commitment of financial assistance of between \$200,000 and \$300,000 be deferred pending consideration by Council of the 1986 Operating Budget.

Motion passed.

His Worship advised that deliberations concerning the 1986 Operating Budget had been scheduled for Wednesday, April 2 and Thursday, April 3, 1986.

Halifax-Dartmouth Industries Limited Re: Tax Relief

MOVED by Alderman O'Malley, seconded by Alderman Dewell that the request from Halifax-Dartmouth Industries Limited regarding tax relief be forwarded to City staff for a comprehensive report; and further that, in the compilation of this report staff be instructed to meet with the principals of Halifax-Dartmouth Industries Limited for the purpose of obtaining all possible information related to financial and employment details; and further, that staff solicit a meeting or meetings with the appropriate persons from the Council and staff of the City of Dartmouth for the purpose of soliciting all possible information as to that City's intention in regard to a similar or twin request made to that City; and further, that the comprehensive staff report contain all relevant legal implications associated with this request as well as all available options.

Motion carried.

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Investment Advisory Committee Report

MOVED by Alderman Jeffrey, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, City Council accept the recommendations contained in the report, dated February 27, 1986, from the members of the Investment Policy Advisory Committee, and that Council endorse the continuation of the Investment Advisory Committee.

Motion passed.

His Worship, on behalf of other members of City Council, expressed his gratitude to members of the Investment Policy Advisory Committee for their assistance and advice, all of which are provided the City on a voluntary basis.

Amendments to the Metropolitan Authority Act

Following is the March 5 recommendation of the Finance and Executive Committee:

"That City Council reject the recommendations as submitted by the Metropolitan Authority, and that Council request staff to bring back a position paper to Council for return to the Metropolitan Authority which will outline an alternate proposal for the operation of Metropolitan Transit and the refuse collection system, and in that proposal the Chief Administrative Officers, along with an elected representative of each municipality, would form an Advisory Board to the Transit Authority and similarly to the refuse collection authority, without the staff of the Metropolitan Authority."

MOVED by Deputy Mayor Flynn, seconded by Alderman O'Malley that City Council request the Chief Executive Officers of the participating municipalities to compile a report outlining the following:

- 1) the cost efficiency and effectiveness, if any, in making transit on line as well as a cost comparison with the former Halifax Transit;
- 2) the cost effectiveness and possibility of making landfill and garbage collection independent of the Metropolitan Authority;
- 3) the cost savings relevant to a revamped Metropolitan Authority; and

- 4) alternatives to the Metropolitan Authority with cost savings associated if transit and landfill were independent.

Motion carried.

Street Closure and Sale - Warners Court and Adjacent Lots

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

- 1) Lot D, Lot C and the southern portion of Warners Court (Lot E) outlined in dashed lines on Plan SS-6-14959 be sold to Kidston Glass Co. Ltd. for the sum of \$15,700, subject to final approval of the closure of Warners Court;
- 2) the northern portion of Warners Court, shown outlined in dotted lines on Plan SS-6-14959, be sold to Claire Christie for the sum of \$2,100, subject to final approval of the closure of Warners Court;
- 3) in accordance with Section 350 of the City Charter, Council set a date for a public hearing to close Warners Court.

Motion passed.

The Acting City Clerk advised that the public hearing regarding this matter would be scheduled for WEDNESDAY, APRIL 23, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Dockage - Halifax Waterfront

A letter, dated March 11, 1986, from Mr. Robert P. Dexter, President, Halifax Water Tours, was submitted.

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

- 1) the City call for proposals for use of Site "B" (south Ferry Terminal Dock) for the 1986 season only, in accordance with Schedule "C", as per the staff report of January 22, 1986;
- 2) Site "D" (Salter Street) be signed and retained as a public dock;
- 3) the Mayor and City Clerk be authorized to execute a two-year lease, substantially similar to that

attached as Schedule "C", with Murphy Water Tours for dockage of Mar II and its new paddle-boat at the City's Site "A" dock, this lease to be reviewed at the end of its first year as to the acceptability of the proposal's performance to the City in the first year, and further, that a clause be included in that lease that no meals be served at dockside.

Motion passed.

Responding to a question from Alderman D. Grant, Ms. Carol Bradley, Acting Supervisor of Real Estate, advised that higher dockage fees are charged for facilities adjacent to those owned by the City primarily because a wider variety of services (e.g., access to utilities, winter dockage accommodation, and a longer leasing period) are provided. However, Ms. Bradley noted that, in her opinion, the fee of \$100/linear foot charged by the City for the lease of its facilities is competitive.

Heritage Conservation Incentives

MOVED by Alderman Leiper, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, Council direct staff to investigate in detail the implementation of a package of heritage conservation incentives appropriate to the circumstances of the City of Halifax as a priority of the City's heritage program, and that Council authorize discussion with appropriate agencies of the Provincial Government with a view to bringing about proclamation of Section 20 of the Heritage Property Act.

Motion carried.

Sunday Store Openings

The recommendation of the March 5 Finance and Executive Committee was as follows:

"That this matter be forwarded to the next regular meeting of Halifax City Council without recommendation and, in the interim, that His Worship contact the Chief Magistrates of the three metro municipalities with regard to the possibility of coming to some mutual agreement in relation to Sunday openings."

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that the issue of Sunday retail store hours be referred

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to the Office of the Attorney General of the Province of Nova Scotia with a request that the Province consider and adopt legislation which would have the effect of instituting uniform rules respecting Sunday openings in the Halifax-Dartmouth metropolitan area.

Alderman O'Malley proposed an amendment to the motion that the application of Bill 70, the Holidays Act, be provincially unilateral, and not solely applicable to the Halifax-Dartmouth metropolitan area.

A discussion ensued during which Alderman Cromwell suggested that Council should provide specific direction to the Province as to the kinds of retail outlets it would prefer to remain open on Sundays. He also suggested that this matter be forwarded to the Union of Nova Scotia Municipalities for discussion and recommendation at its annual meeting scheduled for September, 1986.

His Worship, referring to his recent meeting with the Chief Magistrates of the neighboring municipalities, advised that at that time the consensus had been that any action to be taken by those municipalities should be deferred until a decision on the matter has been reached by the courts.

Responding to a question from Alderman Dewell, the City Manager suggested that the City Solicitor's Department could research a possible solution to the problem, but emphasized that Council must direct staff as to the categories of stores it feels the City should have the option of allowing to remain open on Sundays and on holidays.

Alderman Dewell pointed out that there is a necessity for clarification as to the definitions of "variety stores," "corner stores," and "grocery stores". He added that "bingo halls" are not included in the list of stores that would be allowed to open on Sundays and asked for a report from the Legal Department on the implications of this.

Alderman Jeffrey withdrew his motion.

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that Council make a recommendation to the Provincial Government to make immediate amendments to Bill 70, the Retail Business Uniform Closing Day Act, which will make the Act a truly Provincial act, and to include the absolute assurance of unilateral Provincial application and enforcement of the terms and intent of the Act, and to have these amendments introduced as soon as possible.

Motion carried.

10:00 p.m. - The meeting adjourned for a brief recess.

10:10 p.m. - The meeting reconvened with the same members being present.

Tender #85-180: One 1986 Four-Wheel Drive Articulated
Municipal Tractor

This matter was forwarded to City Council without recommendation from the March 5 meeting of the Finance and Executive Committee.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Flynn that authority be granted by City Council to purchase the items identified in the February 27, 1986 staff report from D & R Sutherland and from Halifax Seed Company for a total purchase price of \$48,800.00.

Motion passed.

Former Grosvenor School Property

This matter was forwarded to City Council without recommendation from the March 5 meeting of the Finance and Executive Committee.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that the matter be deferred to allow staff an opportunity to meet with the developer as quickly as possible concerning the points raised in the February 27, 1986 staff report.

Motion passed.

Underground Wiring - Brunswick at Prince Street Tender Award

This matter was forwarded to Council without recommendation from the March 5 meeting of the Finance and Executive Committee.

MOVED by Alderman Downey, seconded by Alderman Meagher that:

- 1) the tender be awarded to the lowest bidder, P. A. Wournell Contracting, for the unit prices quoted and a total project cost of \$95,000;
- 2) Council approve cost-sharing with Maritime Tel and Tel on a 50/50 basis; and

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- 3) funding to be made available in Account #CK026 -
Underground Wiring, Central Business District.

Motion passed.

Funeral Allowance Policy - Indigent Persons

This matter was forwarded without recommendation to City Council from the March 5 meeting of the Finance and Executive Committee.

At Alderman Jeffrey's request, it was agreed that a staff report be prepared, to be made available for the April 9 meeting of Committee of the Whole Council, concerning the feasibility of allowing private individuals to make supplemental contributions towards the funeral expenses of indigent persons over and above the standard payments made by the City in such instances.

Resolution - FCM: De-Indexing of Family Allowance

This matter was forwarded from the March 5 meeting of the Finance and Executive Committee meeting to City Council without recommendation.

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

WHEREAS the Federal Government has announced plans to partially de-index family allowances;

AND WHEREAS a significant number of family allowance recipients in Canada receive social assistance benefits from Canadian municipalities;

AND WHEREAS the reduction in family allowance payments to recipients receiving such social assistance from Canadian municipalities will have an adverse financial effect on Canadian municipal budgets;

AND WHEREAS Canadian municipalities are experiencing the same financial problems as other levels of government;

BE IT RESOLVED that a letter be sent on behalf of the City Council of the City of Halifax to the Senate Committee on Social Affairs urging them to reject

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Bill C-70 because of its consequential adverse budgetary effects on Canadian municipalities, and to index family allowances.

Motion passed.

At His Worship's suggestion, it was further agreed that a copy of this resolution be forwarded to the Federation of Canadian Municipalities.

Proposed User Fee For Solid Waste Disposal

This matter was forwarded from the March 5 meeting of the Finance and Executive Committee without recommendation.

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

- 1) a \$5.00 per ton capital reserve charge on garbage taken to the transfer station not be introduced; and
- 2) reserves not be built up within the Metropolitan Authority.

Motion passed.

1986 Budget

With reference to a question from Alderman O'Malley, His Worship reiterated that meetings have been scheduled for April 2 and 3, 1986 to consider the proposed 1986 Operating Budget.

MOVED by Alderman Flynn, seconded by Alderman Walker that the Minister of Municipal Affairs be requested to seek, on behalf of the City of Halifax, an Order-in-Council for an extension of the time within which the City of Halifax may establish a tax rate for the year 1986 to a date not later than April 30, 1986.

Motion passed.

Alderman Cromwell referred to the reductions in the Provincial education grants recommended by the Province and asked that a staff report be prepared for consideration during the operating budget review pertaining to the implications of these reductions on the Halifax School Board's 1986 proposals.

Kingfisher Mascot

This matter was forwarded without recommendation from the March 5 meeting of the Finance and Executive Committee.

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MOVED by Alderman R. Grant, seconded by Alderman O'Malley that staff, particularly of Tourism Halifax, be requested to review the feasibility of establishing the Kingfisher as an official mascot for the City of Halifax to be used for promotional and educational purposes, and that information be included in that report as to the nature of incentive grants from other agencies which may be available for initiating this project.

Motion passed.

Responding to a question from Deputy Mayor Flynn, Alderman R. Grant emphasized that it was not his intention at this point to commit Council to this project, but merely to obtain information from staff as to its feasibility.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance Number 121, the Retail Shop Closing Ordinance - SECOND READING

This matter was given First Reading at the City Council meeting held on February 27, 1986 and was forwarded to City Council without recommendation.

Alderman F. Grant addressed the matter indicating that he understood the desire of Council had been that this matter be discussed at the Committee of the Whole Council, and noted that as some of the Aldermen would not be present at the next meeting of Committee of the Whole that this matter should be deferred to the April 9, 1986 meeting.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that this matter be deferred to the Committee of the Whole Council meeting to be held on April 9, 1986.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on March 5, 1986, as follows:

Case Nos. 4519 and 4797 - General Industrial (I-3) Zone
Amendments

MOVED by Alderman O'Malley, seconded by Deputy Mayor Flynn that, as recommended by the City Planning Committee, the application to amend the Land Use Bylaw (Mainland Area) to add Section 7(d) to permit more than one principal building on a lot in the I-3 Zone, add Section 50A(1)(b) to include public

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MOVED by Alderman R. Grant, seconded by Alderman O'Malley that staff, particularly of Tourism Halifax, be requested to review the feasibility of establishing the Kingfisher as an official mascot for the City of Halifax to be used for promotional and educational purposes, and that information be included in that report as to the nature of incentive grants from other agencies which may be available for initiating this project.

Motion passed.

Responding to a question from Deputy Mayor Flynn, Alderman R. Grant emphasized that it was not his intention at this point to commit Council to this project, but merely to obtain information from staff as to its feasibility.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance Number 121, the Retail Shop Closing Ordinance - SECOND READING

This matter was given First Reading at the City Council meeting held on February 27, 1986 and was forwarded to City Council without recommendation.

Alderman P. Grant addressed the matter indicating that he understood the desire of Council had been that this matter be discussed at the Committee of the Whole Council, and noted that as some of the Aldermen would not be present at the next meeting of Committee of the Whole that this matter should be deferred to the April 9, 1986 meeting.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that this matter be deferred to the Committee of the Whole Council meeting to be held on April 9, 1986.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on March 5, 1986, as follows:

Case Nos. 4519 and 4797 - General Industrial (I-3) Zone Amendments

MOVED by Alderman O'Malley, seconded by Deputy Mayor Flynn that, as recommended by the City Planning Committee, the application to amend the Land Use Bylaw (Mainland Area) to add Section 7(d) to permit more than one principal building on a lot in the I-3 Zone, add Section 50A(1)(b) to include public

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park as a permitted use in the I-3 Zone, and add Section 50A(6) to allow accessory buildings over 14 feet in height in the I-3 Zone (as noted in Appendix I of the February 19, 1986 staff report) be referred to the Planning Advisory Committee for review and recommendation.

Motion passed.

Case No. 4947 - Rezoning from R-2 to R-1, Cresthaven Estates
- Phase One - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone a portion of the Cresthaven Estates - Phase One Subdivision, as shown on Plan No. P200/14624 of Case No. 4947, from R-2 (Two-Family Dwelling Zone) to R-1 (Single-Family Dwelling Zone).

Motion passed.

The Acting City Clerk advised that the date for the hearing has been set as WEDNESDAY, MAY 21, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 4961 - Contract Development and Lot Consolidation -
2388-2392 Gottingen Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a public hearing date be set to consider a development application for 24 dwelling units, as shown on Plan Nos. P200/14781-14789 inclusive, at 2388-92 Gottingen Street under Section 83 (Schedule "C") of the Land Use Bylaw.

Motion passed.

The Acting City Clerk advised that the date for the hearing has been set as WEDNESDAY, MAY 7, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

Development around Public Gardens - Reports from Planning
Advisory Committee and Staff

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, the study proposed by the Planning Advisory Committee in its report dated February 21, 1986 not be undertaken, and further, that the matter be referred to the Planning Department for a further report advising Council what is in place now as far as protection for the Public Gardens and what need staff sees for the future to further enhance and protect the Public Gardens,

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and if staff feels a study should be carried out in some degree, when the study should take place and how long it will take.

Alderman Leiper addressed the matter referring to the concern expressed by staff in regard to cost, and requested that staff look at that area of the Public Gardens, which is shown on the shaded area of the map, in terms of possibly carrying out a study on that area only.

The motion was put and passed.

Case No. 4847 - Contract Development: 2029 North Park Street -
SET DATE FOR PUBLIC HEARING

A supplementary staff report dated March 6, 1986 was submitted.

Alderman Downey addressed the matter referring to the supplementary report and noted that this report recommended that this matter be referred to the Heritage Advisory Committee due to the fact that there are three registered Heritage Properties immediately opposite to this site.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, a date for a public hearing be set to consider a contract development application to permit construction of a new Fire Fighters Club building at 2029 North Park Street; and further, that City Council refer the contract development application to permit a Fire Fighters Club building at 2029 North Park Street to the Heritage Advisory Committee for a report pursuant to Policy 5.3 of the Municipal Planning Strategy prior to the public hearing for the application.

Motion passed.

The Acting City Clerk advised that the date for the public hearing was set as WEDNESDAY, MAY 21, 1986 at 7:30 p.m. in the Council Chamber, City Hall.

MOTIONS

Motion Alderman Cromwell re: Amendment to Ordinance Number 130,
The Electrical Code Ordinance - FIRST READING

Alderman Cromwell gave Notice of Motion of his intention to introduce an amendment to Ordinance No. 130, The Electrical Code Ordinance at the City Council meeting held on February 27, 1986.

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MOVED by Alderman Cronwell, seconded by Alderman Leiper that the amendment to Ordinance 130, The Electrical Code Ordinance, the purpose of which is to adopt the 1986 Canadian Electrical Code, be Read and Passed a FIRST TIME.

Motion passed.

MISCELLANEOUS BUSINESS

Appointments

A report from His Worship the Mayor dated March 11, 1986 was submitted.

MOVED by Deputy Mayor Flynn, seconded by Alderman Walker that City Council approve the following appointments:

Metropolitan Transit Commission

J.R. Dexter Kaulbach Term to expire March 13, 1987

Halifax Court House Commission

Jeffrey Morris Term to expire March 13, 1987

Recreation Committee

Marilyn Muleski Term to expire January 16, 1989

Tourism Halifax

Ross Stinson Term to expire March 13, 1987

The motion was put and passed.

QUESTIONS

Question Alderman Jeffrey re: Construction - Burton Ettinger School

Alderman Jeffrey referred to a number of concerns he had received regarding the contractor working on the Burton Ettinger School leaving ladders and scaffolding in place after construction work had finished for the day. Alderman Jeffrey noted that children are playing on these ladders and scaffolding and further indicated that he was afraid that some child would be hurt.

Alderman Jeffrey noted that he had made a number of calls in this regard and had received no response. Alderman Jeffrey requested that staff look into this matter and ensure that the contractor does not continue to leave ladders and scaffolding in place after working hours.

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Question Alderman Jeffrey re: Intersection of Central Avenue
and Alex Street

Alderman Jeffrey referred to the intersection of Central Avenue and Alex Street and noted that he had brought this matter before Council on a number of occasions. Alderman Jeffrey indicated that in the past he had attempted to have a four way stop located at this intersection without success.

Alderman Jeffrey noted that this was a dangerous intersection due to the speed of the cars coming down Central Avenue. Alderman Jeffrey indicated that there were a number of children and seniors having to cross the street in this location.

Alderman Jeffrey indicated that he would like a report from the Traffic Authority with regard to this intersection and noted that he was looking for a positive recommendation with regard to what can be done to alleviate the danger at this intersection.

Question Alderman Meagher re: Condition of Trees on the Commons

Alderman Meagher referred to a concern he had received from a resident of the MacDonald Apartments with regard to the condition of the trees on the Commons and asked if the trees in the area of the Commons were suffering from Dutch Elm Disease and if so, are they to be removed.

Alderman Meagher indicated that he would like a written report on the condition of the trees in the area of the Commons.

Question Alderman Meagher re: Traffic - Willow Street

Alderman Meagher referred to the increased traffic congestion on Willow Street due to motorists using this approach to the bridge. Alderman Meagher indicated that the greatest problem appeared to be between Agricola and Clifton Streets and suggested that parking be permitted on only one side of the road until such time as the snow has melted.

Question Alderman Meagher re: Vehicle Damage - Prince and
George Streets

Alderman Meagher referred two of his friends who had received damage to their vehicles in the Prince and George Street area as a result of the construction in that area. Alderman Meagher indicated that it was his understanding that the cut to the street made by the contractors working on the Prince George Hotel had been done without a permit.

Alderman Meagher further noted that these individuals had received correspondence from the City's insurance adjustors advising that they would have to seek compensation from the independent contractor involved. Alderman Meagher indicated that he felt this was an unfair burden, and noted that if the independent contractor refused to pay compensation, the individual would be without recourse.

Alderman Meagher indicated that, in his opinion, if a street is opened without the necessary permits, the City should be responsible for demanding compensation from the contractor.

Alderman Meagher requested that staff prepare a report with regard to this matter.

Question Alderman R. Grant re: Reception - Present and Past Aldermen

Alderman R. Grant referred to the Halifax Likes Company program and Natal Day celebrations, and suggested that the City hold a reception for present and past Aldermen in conjunction with these celebrations.

Question Alderman R. Grant re: Halifax Foundation

Alderman R. Grant referred to the Halifax Foundation and requested that a report be submitted to Council indicating the number of meetings the Halifax Foundation has held, the activities they are involved in, the ways and means the Foundation has established to raise funds, and how and where donations may be made to the Foundation.

Question Alderman R. Grant re: Purchase of IBM Computers

Alderman R. Grant referred to the recent purchase of IBM computers by the City and noted that only last year a number of Wang computers had been purchased. Alderman R. Grant asked if the City Auditor General was aware of the purchase of these computers and if he was in agreement with the purchase.

Question Alderman R. Grant re: Status - Acorn Road Turn-About

Alderman R. Grant referred to the Acorn Road turn-about and asked the present status of this turn-about. Alderman R. Grant asked if the right-of-way ownership had been determined and if Recreation had any further objection to the sale of the land providing there is an access to Williams Lake.

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Question Alderman R. Grant re: Status - Letter to Halifax
Chronicle Herald

Alderman R. Grant referred to the request by Council that a letter be sent to the Halifax Chronicle Herald protesting their move out of the City and asked if this letter had indeed been forwarded to the Chronicle Herald.

Question Alderman R. Grant re: Tourism Canada - Omission of
Halifax from Promotional Material

Alderman R. Grant indicated that it was his understanding that Tourism Canada had omitted Halifax from its promotional material for Canadian cities. Alderman R. Grant asked what was proposed to be done about this and if the matter was to be left to Tourism Halifax to deal with.

Question Alderman Cromwell re: Affordable Housing

Alderman Cromwell referred to affordable housing within the City and noted that the Chief Magistrates of the four metro municipalities had met with regard to this matter. Alderman Cromwell indicated that he felt it was time that a committee of the individual Magistrates and one or two members of each metro Council was established to discuss this matter.

Alderman Cromwell indicated that this Committee should bring forth concrete recommendations on behalf of the four municipalities with regard to housing for submission to the Province. Alderman Cromwell requested that His Worship look into this possibility and advise Council of the outcome.

Question Alderman Hamshaw re: Sidewalk - Dillon Avenue

Alderman Hamshaw referred to the City requirement that the developer of lots in the area of Dillon Avenue construct sidewalks on Dillon Avenue between Norman and Douglas streets to a dead end and asked if there was any way this requirement could be dropped.

Alderman Hamshaw indicated that there were no sidewalks in the area and it seemed unreasonable to request the developer to install sidewalks to a dead end street. Alderman Hamshaw further noted that if these sidewalks were installed there would be a only one short segment of sidewalk in this area.

Question Alderman Hamshaw re: Snow Removal - Kearney Lake Road

Alderman Hamshaw referred to snow removal on Kearney Lake Road and noted that this was a four lane highway.

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Alderman Hamshaw indicated that the problem was that as a result of snow removal, five to six feet of snow was being plowed onto the sidewalk making it impossible for area residents to clear the sidewalk. Alderman Hamshaw indicated that area residents were receiving notices of tickets and requested that staff look into this matter.

Question Alderman Walker re: Assistance to Persons with Utility Bills

Alderman Walker referred to a single parent family in his area which was having difficulty paying their power bill and noted that it was his understanding that they had been unable to obtain assistance from the City's Social Planning Department. Alderman Walker asked what avenue of assistance was open to these persons.

His Worship indicated that these persons should be referred to the Social Planning Department for any assistance which might be available.

Alderman Walker Question re: Perpetual Light on Cenotaph

Alderman Walker referred to the location of City Hall and St. Paul's Church within the same courtyard and noted the location of the cenotaph between the two. Alderman Walker indicated that at one time there was a perpetual light on the cenotaph and asked if there was any reason this light could not be replaced.

Alderman Walker further noted that he had received complaints with regard to the parking of vehicles in front of the cenotaph, particularly a number of trucks.

The City Manager addressed the matter noting that the parking arrangements were temporary and noted that these trucks would not be parked at that location once the chute used in relation to the demolition of the third floor has been dismantled.

Question Alderman Walker re: Dust Protection from Chute - City Hall

Alderman Walker referred to the dust blowing across the front of City Hall as a result of materials being disposed of through the demolition chute from the third floor and asked if some protection could be erected to ensure this dust is not blowing across City Hall.

Alderman Walker noted that the dust blowing across in front of City Hall was not pleasant, particularly to visitors to City Hall.

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His Worship indicated that some measure of protection would be taken immediately.

Question Alderman Dewell re: Use of Old Tibbets Paint Building

Alderman Dewell referred to concerns expressed with regard to the proposed use of the Old Tibbets Paint Building as a community hall and noted that a bingo was to be held seven days a week from 2:00 p.m. to 5:00 p.m. Alderman Dewell further noted that upon investigation he had determined that an application had been made to have an evening bingo as well.

Alderman Dewell noted that this application would be going before the Lottery Amusements Board before this extension is granted. Alderman Dewell asked if the residents in the area had any recourse to the Amusements Board and if so, what the appropriate steps would be to lay a protest before this Board.

Alderman Dewell further referred to the definition of the term 'community use' and asked that staff review this to determine the actual definition. Alderman Dewell further referred to the lack of information he had with regard to this matter until only recently and requested that staff inform the Alderman for the area should an application be made for a potentially controversial development in his ward.

The City Manager addressed the matter indicating that no permit has been issued with regard to this proposed development and further noted that indeed the residents did have a recourse to the Amusements Board.

Question Alderman O'Malley re: Truck Traffic - Isleville Street

Alderman O'Malley referred to the continuing problem of heavy truck traffic on Isleville Street towards the bridge and noted that this street was not a truck route. Alderman O'Malley noted the danger of this situation and requested additional police surveillance and ticketing of these trucks.

Question Alderman O'Malley re: Crosswalk - Dartmouth Avenue and Novalea Drive

Alderman O'Malley referred to the opening of the Senior Citizens resident and Day care in the Dartmouth Avenue/Novalea Drive area and noted that the increased pedestrian traffic in this area could result in a dangerous situation. Alderman O'Malley requested that a painted, cross hatched, crosswalk be located at Dartmouth Avenue to Novalea Drive.

Question Alderman O'Malley re: Icy Condition - Novalea Drive

Alderman O'Malley referred to the river like cascade of water running off Fort Needham onto Novalea Drive and indicated that at present approximately four inches of ice has accumulated on Novalea Drive as a result of this water. Alderman O'Malley indicated that this was an extremely dangerous situation and requested that staff investigate the matter with a view to diverting this water from Novalea Drive.

Question Alderman O'Malley re: Snow Plowing on Boulevards

Alderman O'Malley referred to snow clearing on boulevard streets indicating that on many of these streets snow was being pushed towards the sidewalk rather than the boulevard. Alderman O'Malley requested that staff look into this matter with a view to ensuring that the snow plow operators push snow towards the boulevard rather than the sidewalks.

Question Alderman Downey re: Housing Development - Gerrish and Maynard Streets

Alderman Downey referred to the approval of four units of housing on the corner of Gerrish and Maynard Streets and asked when the Nova Scotia Department of Housing intended on beginning construction. Alderman Downey requested that staff look into this matter.

Question Alderman Downey re: User Fees for Commons

Alderman Downey referred to concerns he had received with regard to the possibility of a user fee being charged for use of the Commons for ball games and requested that the Recreation Department report as to whether there is to be a user fee.

Alderman Jeffrey addressed the matter noting that the possibility of user fees for use of the Commons had been discussed at the Recreation Committee, however, no decision had been made and in any case this program could not be implemented until 1987.

Alderman Downey indicated that if this were the case, he felt the sponsors of the various ball teams should be notified that there are to be no user fees.

NOTICE OF MOTIONS

Alderman D. Grant Notice of Motion of Reconsideration re:
March 13, 1986 City Council Agenda Item 10.6 re Dockage
Halifax Waterfront

Alderman D. Grant gave Notice of Motion that at a meeting of Halifax City Council to be held on the 17th day of April, 1986 she proposes to introduce a Motion of Reconsideration pertaining to Item 10.6 of the March 13, 1986 City Council agenda Dockage Halifax Waterfront as it applies to Recommendation #3 of the staff report dated February 25, 1986.

MOVED by Alderman D. Grant, seconded by Alderman R. Cromwell that Council approve a stay of activity on the March 13, 1986 City Council agenda item 10.6 re Dockage Halifax Waterfront.

The motion was put and lost.

ADDED ITEMS

School Buses - Alderman Walker

This matter was deleted during the setting of the agenda.

Mainland South Detailed Area Plan

This matter was last discussed at the City Council meeting held on January 30, 1986. A supplementary staff report dated March 13, 1986 was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Jeffrey that in addition to the changes to the area plan adopted by Council on January 30, 1986, that:

- (1) Guideline 5 of Schedule 1 be deleted and replaced by:

"A density of twenty-two persons per gross acre shall be permitted. Proposals in excess of twenty-two persons may be considered provided that no development shall exceed the capacity of existing or proposed sewers. In calculating the permissible density of any project, the capacities available to the drainage area shall be considered."

"No more than 15 percent of any area covered by a development agreement may be developed for apartment uses including the building(s), ancillary parking, open space, and landscaping."

"The design and layout of the portion of new residential developments abutting existing residential areas shall endeavor to protect the character and scale of these areas by attention to such matters as use of open space, landscaping and ensuring adequate transition between areas of differing building forms and densities."

- (2) The definition of the Mainland South Area be changed to read as follows:

DEFINITION OF AREA

For the purpose of this Municipal Development Plan, the Mainland South Secondary Planning Strategy includes all those lands identified on Map 2, generally as described as: all lands generally bounded by the North West Arm, to the Armdale Rotary, thence northwesterly along St. Margaret's Bay Road to Keating Road, along Keating Road and the prolongation of Keating Road to the intersection of Samuel Terrace and Brook Street. Thence following a line being 600 feet distant from the northern right-of-way of the CNR right-of-way to the property line of the Fairmount Subdivision. Thence westerly to the property lines of the lands owned by the Public Service Commission. Thence southerly along the eastern property line of the Public Service Commission to the northern right-of-way of the CNR. Thence northwesterly along said right-of-way to the eastern boundary of Northwest Arm Drive; thence along the Northwest Arm Drive southward to the Old Sambro Road; the Old Sambro Road due west to the City Limits; the City Limits on the southwest and south progressing eastward to the Northwest Arm shoreline.

- (3) Map 2 (Area Boundaries) of the Mainland South SPS be amended as shown on Map A attached to the March 13, 1986 staff report.
- (4) The land between the Old Sambro Road and Leiblin Drive now proposed to be designated Residential Development District and Holding Zone be changed to be considered as Major Community Open Space and Park and Institutional.

Motion passed.

Pipe Crossing License - Bayers Lake

A staff report dated March 11, 1986, was submitted.

MOVE by Alderman O'Malley, seconded by Alderman Jeffrey that authority be granted for the Mayor and City Clerk to execute the pipeline license agreement on behalf of the City of Halifax.

Motion passed.

11:35 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E. A. KERR, ACTING CITY CLERK

DATE APPROVED BY CITY COUNCIL:

*K/sg

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
March 26, 1986
8:00 P. M.

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

The meeting was called to order with His Worship Mayor Wallace introducing the Rt. Reverend Russell Hatton, Suffragan Bishop, Anglican Diocese of Nova Scotia, who led those in attendance in the recitation of the Lord's Prayer.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor A. Flynn; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Jeffrey, Leiper and Hamshaw.

ALSO PRESENT: City Manager, City Solicitor, E. A. Kerr, Acting City Clerk; and other members of City staff.

MINUTES

Minutes of the regular meeting of Halifax City Council held on March 13, 1986 were approved on a motion by Alderman Hamshaw, seconded by Deputy Mayor Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

20.1 Tabling of Proposed 1986 Operating Budget

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

20.2 Letter From Amusement Regulation Board Re: Bingo Hall, Cork and Oxford Streets

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

20.3 Halifax District School Board Report Re: Transportation of Students from Major Stevens Junior High School to Cowie Hill

MOVED by Alderman Hamshaw, seconded by Alderman Leiper
that the agenda, as amended, be approved.

Motion carried.

DEFERRED ITEMS

Case No. 4440 - Rezoning: Proposed Lots DO-1, DO-2 and Parcel
COH-1 Donaldson Avenue/Dunbrack Street

This matter was deferred from the regular meeting of
City Council held on March 13, 1986.

Alderman Hamshaw indicated that he had not been able
to ascertain whether the property in question is landlocked or
could potentially be accessed via the old quarry road. The
Alderman stated that, in his opinion, if the property is indeed
landlocked, consideration should be given to the City's
purchase of the site for use as a park.

It was subsequently moved by Alderman Hamshaw,
seconded by Deputy Mayor Flynn that the matter be deferred to
the next regular meeting of Committee of the Whole Council
scheduled for April 9, 1986, and that staff submit a report on
the question raised by Alderman Hamshaw at that time.

Motion passed.

PETITIONS AND DELEGATIONS

Alderman Downey Petition Re: Brothers Meat Delicatessen

Alderman Downey submitted a petition, containing the
signatures of approximately 27 residents of Belle Aire Terrace
and Agricola Street, concerning the emission of smoke from the
Brothers Meat Delicatessen located at 2665 Agricola Street.

His Worship indicated that the Acting City Clerk would
direct this matter to the appropriate staff members.

Alderman Dewell Petition Re: Proposed Amusement Hall, Corner
of Oxford and Cork Streets

Alderman Dewell submitted a petition bearing the
signatures of approximately 350 residents of Ward 6 regarding
the proposed location of an amusement centre/bingo hall/social
club at the northwest corner of Cork and Oxford Streets.

His Worship indicated that the matter would be
directed to the appropriate members of City staff.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on March 19, 1986 as follows:

Tender #86-46: Duct Cleaning - Halifax Police Department

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Tender #86-46 for duct cleaning at the Halifax Police Department be awarded to Power Vac Services, 99 Rocky Lake Drive, Site 4, Bedford, Nova Scotia, B4A 2T3, for a total project cost of \$52,000.00 (funds to be made available from Account Number 142629).

Motion passed.

Barrington Street Reconstruction

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, City Council approve the revisions in the total project cost for the Barrington Street Reconstruction Project from \$525,328.80 to \$684,847.00 (net funding for the City's share of this total is \$363,150.00, and is available in Account Number CJ085, as approved by City Council on September 12, 1985).

Motion passed.

Street Vendors and Newspaper Boxes

An Information Report, dated March 20, 1986, was submitted from Barry S. Allen, Acting City Solicitor.

Deputy Mayor Flynn indicated that he had previously questioned whether it would be possible to extend the renewal date for licenses by a month, noting that a report had been received from the Legal Department indicating that such action would not be appropriate.

The City Solicitor suggested the City might limit the numbers of licenses, as recommended by the Council Committee on Street Vendors, until the legislation is obtained, and indicated that if the official responsible felt that was Council's desire, it would be taken into consideration during the upcoming licensing period.

On that basis Deputy Mayor Flynn suggested it would consequently be in order to present a motion to the effect that

no more than the recommended licenses be issued until the matter has been dealt with by Council.

It was subsequently moved by Deputy Mayor Flynn, seconded by Alderman Leiper that, with regard to the issuance of licenses, staff be asked to consider that they be restricted to the recommendations of the Committee on Street Vendors until such time as Council has the proper authority to execute the proposed amendments as an ordinance of the City, and that, in the interim, staff proceed with the introduction of the amendments to the City Charter (as contained in Appendix "A" of the staff report, dated February 24, 1986) before the Nova Scotia Legislature.

Motion passed.

8:15 p.m. - Alderman Meagher enters the meeting.

Overexpenditure - Herring Cove Road - Phase II

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee:

- 1) City Council authorize the expenditure of 1986 funds in the amount of \$50,000 net from Account Number CJ102; and
- 2) City Council amend the Total Project Cost authorization for Herring Cove Road, Phase II, to \$2,017,000 gross.

Motion passed.

Tender #86-47: Public Gardens Canteen Concession

This matter was referred without recommendation from the March 19 meeting of the Finance and Executive Committee.

An Information Report, dated March 24, 1986, was submitted from the City Solicitor.

Deputy Mayor Flynn and Aldermen Jeffrey, citing possible conflicts of interest, retired from the Council Chamber.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Tender #86-47 pertaining to the Public Gardens Canteen Concession be awarded to the Halifax Blues Senior Hockey Club on the basis of their tender in the amount of \$10,200.00 per year, and that the City Manager be authorized to execute this contract for a three-year period as tendered.

Motion passed.

Deputy Mayor Flynn and Alderman Jeffrey returned to the meeting.

Tender #86-48 - One Aerial Ladder

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Council grant authority for the purchase of one only Warwick #TTS-20-4-FBSUC aerial ladder from King Equipment Manufacturing Corporation, in accordance with tender specifications, at a price of \$15,762.00 (funds to be made available from Account No. 126104.X1710).

Motion carried.

Acquisition - Canadian National Railway Lands; Bedford Highway

MOVED by Alderman Leiper, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee:

- 1) the amount approved by Council on January 17, 1980 for payment to Canadian National Railways for Parcels C and D be increased to \$131,675.00 to reflect the additional land required;
- 2) the transaction be carried out via an option to purchase lands on behalf of Canadian National Railways, to the amount of \$131,675.00 from Industrial Estates Limited; and
- 3) permission be granted to Canadian National Railways for aerial occupation of their cross arms and wires.

Motion passed.

Gottingen Street Marketing Strategy Study

MOVED by Alderman Downey, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, the Gottingen Area Market Strategy Study be tabled and referred to staff for review, pending a presentation of its conclusions.

Motion carried.

It was further agreed that this matter would be added to the agenda for the May 7 meeting of Committee of the Whole Council.

Noting that a meeting will be held by members of Council with the Honorable Stewart McInnes, Federal Minister of

Supply and Services, on Tuesday, April 1, Alderman Downey recommended that a similar but separate meeting be arranged with the Honorable Arthur Donohoe and the Honorable Edmund Morris at their earliest convenience.

His Worship advised that Mr. McInnes would receive his copy of the Marketing Strategy and a covering letter on Council's behalf tomorrow with identical packages being forwarded to the Provincial Ministers as quickly as possible.

1986 Legislation

MOVED by Alderman Cromwell, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, City Council authorize the forwarding to the Nova Scotia Legislature of the proposed Bill, pertaining to Charter amendments, as appended to the March 13, 1986 staff report.

Motion passed.

Responding to a question from Alderman Jeffrey, the City Solicitor advised that the intent of the above motion is merely to give Council the authority to establish, as part of the Ordinance, a formula for setting a rate of interest to be paid on overdue taxes.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on March 19, 1986 as follows:

User Fees For Commons

During the March 19 meeting of the Committee on Works, Alderman Meagher requested that this matter be added to the agenda of this evening's Council meeting.

An Information Report, dated March 20, 1986, was submitted.

Alderman Walker referred to numerous complaints received from his constituents concerning the City's intention to impose fees for the use of the Commons in conjunction with special events. He noted that, in his opinion, this action was ill-advised, particularly in light of the fact that such tournaments and other special events attract many out-of-town players and spectators to the City each year, thus contributing to its economic well-being.

Alderman Jeffrey, referring to the March 20 Information Report, stated that, in this instance, he is supportive of the proposed user fees, emphasizing that in

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several instances, groups have reserved a playing field for a special event and then cancelled without warning, with the result that the facility is left vacant. He added that, by imposing user fees for tournaments and other special events, groups would be less likely to cancel and the playing fields would be put to a more efficient use.

Responding to a question from Deputy Mayor Flynn, Mr. J. MacLean, Superintendent of Programs for the City's Recreation Department, confirmed that no user fees will be required of teams whose members are under the age of 19.

Alderman Meagher emphasized that many of these sports tournaments donate their proceeds to charitable causes, and noted that, in his opinion, user fees should not be demanded from such groups.

After some further discussion, it was moved by Alderman Dewell, seconded by Alderman R. Grant that the matter be placed on the agenda of the April 9 meeting of Committee of the Whole Council and that, in the interim, staff be requested to review and comment on the various letters of complaint received on this issue.

It was moved in amendment by Deputy Mayor Flynn, seconded by Alderman Dewell that the matter be referred to that portion of the 1986 operating budget discussions dealing with the Recreation Department.

The amended motion was put and passed.

REPORT COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendment to Ordinance Number 130 - Electrical Code: SECOND READING

This matter was given First Reading at a meeting of Council held on March 13, 1986, and was considered at the March 19 meeting of the Finance and Executive Committee.

MOVED by Deputy Mayor Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the following amendment to Ordinance 130, the Electrical Code Ordinance, the purpose of which is to adopt the 1986 Canadian Electrical Code, be read and passed a SECOND TIME:

1. Clause (b) of Section 1.2.1 is repealed and the following substituted therefor:

(b) "Canadian Electrical Code" means the 15th Edition of C.S.A. C22.1-1986, the Canadian Electrical Code, Part I,

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published January, 1986 by the Canadian Standards Association, and any amendments thereto;

Motion passed.

REPORT - CITY PLANNING COMMITTEE

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

Case No. 4973 - Discharge of Contract Agreement: 29 Rufus Avenue (11 Birch Street)

This matter was forwarded to City Council without recommendation from the March 19 meeting of the City Planning Committee.

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that the agreement of May 14, 1981 and the amending agreements of November 26, 1981 and February 17, 1983 to allow a grocery store, one apartment unit and a take-out, be discharged and at an end.

Motion passed.

Case No. 4662 - Regatta Point Residential Development

This matter was forwarded without recommendation to City Council from the March 19 meeting of the City Planning Committee.

An Information Report, dated March 25, 1986, from the City Manager and a staff report, dated March 26, 1986, from the City Solicitor were submitted. The following correspondence was also received:

- Letter, dated March 24, 1986, from the Melville and Winchester Avenue Residents' Groups
- Letter, dated March 25, 1986, from Mr. Graham Read, President, Northwest Arm Heritage Association
- Letter from Messrs. Graham Read and Paul B. Huber, received on March 26, 1986

The Acting City Clerk advised that Aldermen D. Grant, R. Grant, Walker, Jeffrey and Leiper had not been in attendance at the public hearing held regarding this matter on July 3, 1985. Those members (with the exception of Alderman D. Grant who was absent from tonight's meeting) then retired from the Council Chamber.

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MOVED by Deputy Mayor Flynn, seconded by Alderman O'Malley that City Council confirm that the agreement, attached to the March 12, 1986 staff report, accurately reflects the intention of City Council's approval of the Regatta Point residential development.

Motion passed with Alderman Meagher voting in opposition.

Aldermen Jeffrey, Walker, R. Grant and Leiper returned to the Council Chamber.

MISCELLANEOUS BUSINESS

Petition - Mumford Road

This matter had been deferred from the March 5, 1986 meeting of Committee of the Whole Council.

Referring to his previous remarks on this subject, Deputy Mayor Flynn emphasized that because of the use of this portion of Mumford Road as an access route to two shopping centres and other commercial uses, residents are of the opinion that Mumford Road should be designated as a main artery of the City and that they should not be required to pay local improvement charges for its reconstruction.

It was subsequently moved by Deputy Mayor Flynn that, because of the nature of the traffic on this portion of Mumford Road, the local improvement charges be waived in this instance, and that staff be directed to proceed with the calling of the necessary tenders.

It was suggested by the Chairman that this recommendation would constitute a precedent in view of the City's usual policy in such cases.

Moved by Deputy Mayor Flynn, seconded by Alderman O'Malley that the matter be placed on the agenda of the April 9 meeting of Committee of the Whole Council, and that staff submit information as to whether the waiving of local improvement charges in this instance would constitute a precedent.

Motion passed.

QUESTIONS

Question Alderman Jeffrey Re: Street Signage - Dunbrack and Main Avenue

Referring to previous requests to staff on this matter, Alderman Jeffrey asked that a sign be erected as soon

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as possible at the intersection of Dunbrack Street and Main Avenue advising that there be no right turn on a red light from Dunbrack Street.

Question Alderman Jeffrey Re: Council Representation -
Halifax Housing Authority

With reference to a question from Alderman Jeffrey, the City Solicitor advised that a report on the feasibility of aldermanic representation on the board of the Halifax Housing Authority would be submitted within the next several days.

Question Alderman Hamshaw Re: Pioneer Avenue

Alderman Hamshaw referred to the unacceptable condition of the road surface on the lower portion of Pioneer Avenue in the vicinity of several newly-constructed duplex dwellings, and requested information from staff as to when improvements could be undertaken.

Question Deputy Mayor Flynn Re: Appointments to the Board of
the World Trade and Convention Centre

Deputy Mayor Flynn referred to the new appointments made by Council in November, 1985 to the WTCC Board, and requested that the Mayor's Office undertake to contact the Province as quickly as possible to have these appointments confirmed.

Question Alderman Walker Re: Formation of a Canine Unit -
Halifax Police Department

Alderman Walker referred to a report, dated May 22, 1985, submitted to the Chief of Police by one of his officers concerning the formation of a canine unit.

Alderman Walker requested a report from Chief Jackson concerning his recommendations on the matter.

Question Alderman Walker Re: Nova Parachutes

Alderman Walker, referring to a request approved by Council in December, 1985 from Nova Parachutes, asked for information as to whether the intended jump took place on New Year's Eve and, if so, whether any problems had arisen as a result.

Question Alderman Walker Re: St. Margaret's Bay Road Ramp

Referring to a previous discussion on the matter, Alderman Walker requested that a meeting be arranged with the Provincial Minister of Transportation and the Premier concerning the feasibility of a ramp from Northwest Arm Drive to the St. Margaret's Bay Road. In addition, the Alderman noted that in recent weeks the St. Margaret's Bay Road has been extremely icy and suggested that, as this is a cost-shared highway, the matter might be brought to the Minister's attention during the proposed meeting.

Question Alderman R. Grant Re: Aldermanic Parking Passes

Alderman R. Grant referred to the parking passes previously distributed to Aldermen enabling them to park on City-owned property, and asked that the City Manager ensure that such passes have been issued to the newly-elected members of Council.

Question Alderman R. Grant Re: Voter Eligibility - Planning Matters

Alderman R. Grant referred to Council's earlier deliberations on the Regatta Point application, and suggested that when deliberations on a planning matter of this magnitude are interrupted by a municipal election, there is a possibility that an appropriate number of Council members will not be returned to office and therefore will not be eligible to vote on the issue.

Alderman Grant requested a report from the City Solicitor on the procedure to be followed, in terms of voting when there may not be a quorum of members eligible to vote to ratify a contract. Alderman Grant advised that he would like information as to why a further public hearing may be required.

Question Alderman R. Grant Re: Letter to Halifax Herald

Referring to Council's deliberations at its meeting of December 12, 1985, Alderman R. Grant asked if a letter had been forwarded to the publisher of the Halifax Herald concerning its proposed relocation outside the City.

His Worship the Mayor advised that contact would be made with the Halifax Industrial Commission, who have also expressed concerns regarding this matter, and that Alderman Grant would be informed of any action taken.

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Question Alderman Dewell Re: C-2A Zone Requirements

Alderman Dewell referred to the present provisions under the Land Use Bylaw for C-2A Zones, noting that the inclusion of "community facilities" as a permitted use requires further consideration, particularly in terms of developing a more specific definition of the term.

At the suggestion of the City Manager and with reference to an Information Report, dated March 21, 1986, from Barry S. Allen of the City Solicitor's Department, Alderman Dewell requested that this matter be added to the agenda of the April 9 Committee of the Whole Council.

Question Alderman Dewell Re: Programs for Home Repairs

Alderman Dewell noted that the extreme weather conditions experienced by the City during the past winter have caused considerable damage to residential dwellings. He added that many senior citizens will consequently be faced with substantial repairs, and asked for a staff report as to available programs (whether municipal, provincial or federal) which can offer assistance in this regard.

Question Alderman O'Malley Re: Crosswalk on Barrington Street

Alderman O'Malley referred to a previous request regarding the installation of a crosswalk on Barrington Street north of Richmond, noting that he had been advised by the Traffic Authority that the number of pedestrians using this proposed crosswalk site would be minimal and therefore recommending against its installation.

Alderman O'Malley emphasized that, in his opinion, the potential number of pedestrian users was not the only significant factor to be considered in this instance, adding that this portion of Barrington Street is characterized by particularly heavy vehicular traffic which would seem to indicate that a crosswalk installation would represent increased safety for the pedestrian.

Alderman O'Malley requested that staff reexamine the matter from the perspective of the interplay between vehicular and pedestrian traffic and submit a recommendation. The Alderman further asked to be advised of the minimum criteria for the provision of crosswalks on City streets.

Question Alderman Downey Re: Patching - Street Surfaces

Alderman Downey referred to road improvements undertaken in 1985 on Brunswick, Gottingen and Cornwallis

Streets, noting that in some patched areas, the road surface has dropped approximately eight inches.

Alderman Downey asked that this matter be brought to staff's attention, requesting their comments as to whether the situation indicates that poor workmanship has been employed and if a warranty of some sort exists under which repairs could be effected.

Question Alderman Downey Re: Four Units on West and Maynard Streets

Alderman Downey requested that a staff presentation be made at the next regular meeting of Committee of the Whole Council regarding the final design of the development proposed for West and Maynard Streets.

Question Alderman Meagher Re: Car Lot - North and Gladstone Streets

Alderman Meagher referred to the property situated at the corner of North and Gladstone Streets (previously the site of Yellow Cab Limited), which is now being utilized as a used car lot.

Noting that, under the proposed Peninsula North Secondary Planning Strategy, the area is to be zoned R-2, Alderman Meagher requested information from staff as to whether such a use would be permitted in this location.

Question Alderman Meagher Re: Tax Relief for Senior Citizens

Alderman Meagher asked for a report from the Director of Finance concerning the City's current tax relief programs for senior citizens together with a recommendation regarding the feasibility of improving the eligibility criteria.

The Alderman further requested that this matter be added to the agenda of the April 9 meeting of Committee of the Whole Council.

Question Alderman Cromwell Re: User Fees for Commons

With reference to remarks made by Alderman Jeffrey on this matter earlier in the meeting, Alderman Cromwell requested information from staff as to the number of times tournaments or other special events had found it necessary to cancel their plans on short notice, and, as well, an estimate of the number of individuals who, although not scheduled to participate in such tournaments, had been denied the opportunity to use the playing fields because of the sudden cancellation.

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Question Alderman Cromwell Re: Letter from the Honorable
David Nantes - Sewer Connection

Referring to a letter dated March 24, 1986 from the Honorable David Nantes, Minister of Municipal Affairs, Alderman Cromwell asked for a staff report specifying the amount to be saved should this project be cost-shared, and, conversely, the expenditures involved if the City is forced to undertake the work independently.

Question Alderman Cromwell Re: Housing Proposal - Halifax
Industrial Commission

Alderman Cromwell asked to be advised by the Halifax Industrial Commission as to any short- or long-term plans for that component of the annexed lands proposed for residential lots.

NOTICE OF MOTIONS

Notice of Motion Alderman Jeffrey Re: Amendment to Ordinance
Number 116, the Taxi Ordinance

Alderman Jeffrey gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on April 17 he intends to propose First Reading of an amendment to Ordinance Number 116, the Taxi Ordinance, the purpose of which is to provide for a driver education course as a requirement for all new applicants for a taxi license in the City of Halifax.

ADDED ITEMS

Tabling of the Proposed 1986 Operating Budget

This item was added to the agenda at the request of the Acting City Clerk.

A staff report, dated March 26, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper
that the proposed 1986 Operating Budget for the City of Halifax be tabled.

Motion passed.

Letter from Amusement Regulation Board Re: Bingo Hall, Cork
and Oxford Streets

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

A letter, dated March 26, 1986, was submitted from Mr. Dennis J. Smith, Chief Inspector and Administrative Officer, Department of Consumer Affairs.

Alderman Dewell emphasized that while he and the residents of Ward 6 are greatly concerned about the location of a community facility at 3008 Oxford Street, it was his understanding that the Board could not withhold the requested license if the applicant has met all the criteria under the City's bylaws. The City Solicitor advised that although he was not familiar with the March 26 letter, he suspected its purpose was to determine whether the applicant had in fact met the City's requirements.

Alderman Dewell advised that he had received a petition from a large number of residents requesting him to explore the possibility that such might not be the case. He asked if he could leave the matter with the City Solicitor to act on appropriately, and, if an avenue for further discussion is found, the item be brought back to Council. The City Solicitor advised that he would have a response on the matter at the next meeting of Committee of the Whole Council.

Halifax District School Board Report Re: Transportation
of Students from Major Stevens Junior High School to
Cowie Hill

This item was added to the agenda at the request of Alderman Jeffrey who asked that the matter be added to the agenda of the April 9 Committee of the Whole Council and that the petition previously submitted by Alderman Walker in this regard be distributed to members of Council.

There being no further business to be discussed, the meeting adjourned at 9:30 p.m.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E. A. KERR
ACTING CITY CLERK

DATE APPROVED BY COUNCIL: _____

*K