

Council Chamber
City Hall
Halifax, Nova Scotia
October 22, 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 City Council joined the Acting City Clerk in the recitation of the Lord's Prayer.

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

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

ADDED ITEMS

Case No. 4945 - Contract Development: Brunswick and
Proctor Streets

The above matter was forwarded to this special meeting of City Council from a meeting of the City Planning Committee held earlier in the day.

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee:

- 1) the contract development agreement between Halifax Developments Limited and the City of Halifax for the development of 164 dwelling units in two buildings on Block C, Brunswick Street, be written as follows with respect to the number of parking spaces:
 - (c) The number and location of parking spaces may vary, but the total shall not be less than 111.
- 2) the deadline for execution of the agreement attached to the staff report dated October 15, 1986 be extended to November 15, 1986, as requested.

Motion passed.

Case No. 5866 - Rezoning: Bayne Street and Forrester Street

The above item was added to the agenda at the request of Alderman Dewell.

A public hearing on this matter was previously held on Wednesday, October 8, 1986; however, at the request of Alderman Dewell, Council's decision in this regard was deferred during the regular meeting of City Council held on October 15.

MOVED by Alderman Dewell, seconded by Deputy Mayor Flynn that the application to change Lot 2, Bayne Street and Forrester Street, and Lots 6 to 8 (lands of John W. Lindsay and Commercial Park Leasholds Limited) from C-5, Harbour-Related Industrial Zone, to C-3, Industrial Zone, be approved by City Council.

Motion passed with Alderman [Name] abstaining from the vote as she was not in attendance at the public hearing.

Case No. 5846 - Proposed Development: Claremont Street

The above matter was added to the agenda from a meeting of the City Planning Committee held earlier in the day.

MOVED by Alderman Dewell, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, a public hearing be scheduled to consider the following:

1. the closure of a portion of Claremont Street and Regent Road from Windsor Street to Maxwell Street, and the laying down of street lines on Windsor Street, Maxwell Street and Claremont Street; and
2. the rezoning of Lots 13 to 28 and portions of Claremont Street and Regent Road from R-2 and R-2A, as shown on Plan No. P200-15811, to permit construction of a 39-unit townhouse development as shown on Plan Nos. P200-15800-15802.

Motion passed.

The Acting City Clerk advised that the public hearing would be scheduled for WEDNESDAY, DECEMBER 3, 1986 at 7:30 p.m. in the Council Chamber.

7:35 p.m. - Aldermen [Name] and [Name] entered the meeting.

PUBLIC HEARING

Case No. 5050 - Contract Development: 961 South Bland Street

A public hearing on this matter (adjourned from Wednesday, September 17, 1986) was held on this date. It was agreed that Council would hear presentations from those members of the public who, owing to time constraints, had been unable to speak during the September 17 public hearing, as well as from any others wishing to address the issue.

A supplementary staff report, dated October 7, 1986, was submitted.

Mr. Felice Catalano, a resident of 917 Brussels Street, spoke in opposition to the application, suggesting that because the proposed development will consist primarily of bachelor and one-bedroom units, the "family-oriented" character of the surrounding neighbourhood will be negatively affected.

Miss Annette Aucoin, a 39-year resident of 846 McLean Street, expressed her concern regarding the possible "domino effect" of allowing a high-density development such as is being proposed for this site. She also referred to the negative implications of the increased traffic which could be generated by the apartment building, and indicated her support for the retention of the 35 foot height limit on this site.

Mr. Archibald Kaiser of 5543 Atlantic Street, representing a number of area residents (and speaking on behalf of Mr. David Miller who was unable to be present), spoke in opposition to the application, emphasizing that the proposed development is out of scale with surrounding buildings and suggesting that the developer has not clearly rationalized his reasons for wishing to exceed the 35 foot height limit to such an extent. Mr. Kaiser questioned the formula on which the density calculation for the proposed building was based, and suggested that Council was being asked to extend its discretionary powers (as they pertain to the requirements of the Land Use Bylaw and Municipal Planning Strategy) to their limits. In conclusion, Mr. Kaiser drew Council's attention to the objections voiced by many residents of the neighbourhood and asked that their concerns be given every consideration (in this regard, Mr. Kaiser submitted copies of correspondence between the residents and the developer for distribution to members of Council).

Mr. Edward Backman, submitted correspondence on behalf of Mr. Matthew J. Cairney, a resident of 5468 Inglis Street, noting Mr. Cairney's objections to the proposal in terms of its scale and emphasizing that, according to Mr. Cairney's calculations, there are no buildings in the immediate vicinity which exceed four storeys, with the exception of the grain elevators.

Mr. Backman submitted correspondence from Ms. Gaye Drescher of 5476 Inglis Street, noting Ms. Drescher's objections to the proposal in terms of shadow effects on adjacent properties.

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Mr. Dan Goodspeed, project designer, addressed Council, noting that various meetings had been held with area residents during the project's planning stage. He emphasized that, while residents had recommended a "stepped" design for the building, this would be inadvisable in terms of structural and financial considerations.

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Responding to a question from Alderman D. Grant, Mr. Goodspeed acknowledged that the structural problems to which he had previously referred could be overcome, but emphasized that, in order to do so, the unit construction cost would have to be increased by a considerable margin.

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Mr. David Cunningham, a resident of Apartment #3, 985 South Bland Street, indicated his concerns regarding the disruptive influence the proposed development could have on the quality of life in the immediate neighbourhood, and asked Council to give every consideration to maintaining the existing character of the South Bland Street area.

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Ms. Sally Hill, owner of Condominium #2, 985 South Bland Street, noted that, should the proposal receive approval, it will physically overshadow her premises, thereby depreciating the resale value of the property.

Mr. Frank Mason, a resident of 5515 Atlantic Street, spoke in opposition to the proposal, emphasizing the disruptive effect an apartment building of this size and nature could have on the existing neighbourhood.

There being no further persons wishing to address Council this matter, it was moved by Alderman D. Grant, seconded by Alderman Crowell that the matter be referred without recommendation to the next regular meeting of City Council scheduled for October 30, 1986.

Motion passed.

The following correspondence was received subsequent to that portion of the public hearing held on September 17:

- Correspondence, dated September 16, 1986, from L. A. Lethbridge, 5466 Inglis Street, Apartment #4, Halifax, N. S., B3H 2J7;
- Correspondence, dated September 16, 1986, from B. Lethbridge, Apartment #4, 5466 Inglis Street, Halifax, N. S., B3H 2J7;
- Correspondence, dated September 29, 1986, from Miss Annette Aucoin, 846 McLean Street, Halifax, N. S., B3H 2T8;

- Correspondence, dated October 17, 1986, from Mr. Matthew J. Cairney, Apartment #2, 5468 Inglis Street, Halifax, Nova Scotia; and

- Correspondence from Ms. Gaye Drescher, 5476 Inglis Street, Halifax, Nova Scotia;

Correspondence, dated March 19 and April 11, 1986, from areas residents to Mr. Simon Spatz, 5264 Morris Street, Halifax, Nova Scotia, B3J 1B5.

There being no further business to be discussed, the meeting was adjourned at 8:35 p.m.

HEADLINES

Case No. 4945 - Contract Development: Brunswick and Proctor Streets	686
Case No. 5866 - Rezoning: Bayne Street and Forrester Street	687
Case No. 5846 - Proposed Development: Claremont Street	687
Case No. 5858 - Contract Development: 961 South Bland Street	688

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E. A. KERR, ACTING CITY CLERK

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**HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
City Hall
Halifax, Nova Scotia
October 30, 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 members of Council 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, Crowell, Downey, Meagher, O'Malley, Dewell, Walker, Jeffrey, Leiper, and Hamshaw.

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

Oath of Office - Police Recruit Graduates

On behalf of Halifax City Council, Mayor Wallace congratulated the following eight police recruits recently graduated from Holland College:

Mark D. Hartlen
Mark S. Hobeck
Paul F. Kiley
Robert V. Oostveen

Anthony J. Reeves
Stephen W. Smith
Barbara D. Wallace
Charles D. Waterfield

Following the administration of the Oath of Office by Sergeant Gerald D. Linck, the newly-created constables were congratulated by Chief Blair Jackson and by members of Council.

Moment of Silence - Dr. Phyllis Blakeley

A moment of silence was observed in memory of former provincial archivist and long-time Halifax resident, Dr. Phyllis Blakeley, who passed away on October 25, 1986.

Board of Trade Beautification Award

Alderman Dewell brought to Council's attention that the City of Halifax has recently won the Board of Trade Beautification Award in recognition of the improvements made to Ardmore Park.

In his remarks, Alderman Dewell expressed appreciation to staff members of the Recreation Department and the Parks and Grounds Division for their efforts in this regard.

MINUTES

The Chairman noted that, during the October 22 meeting of the Finance and Executive Committee, it had been agreed that minutes from the regular meeting of City Council held on October 16 (relating to the Grace Maternity Hospital request) be amended to reflect that at that time Council approved Recommendation No. 1 of the September 30, 1986 staff report.

Minutes of the regular meeting of Halifax City Council held on October 16, 1986 (as amended above) and of a Special Council meeting held on October 22, 1986 were approved on a motion by Deputy Mayor Flynn, seconded by Alderman Hamshaw.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

5.2 Municipal Development Plan Review - Proposed Amendments to Municipal Development Plan and Land Use Bylaw

20.1 Award of Tender: Mural at 2330 Gottingen Street

20.2 Appointments

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

20.3 Moving of Government Offices to Dartmouth

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

20.4 2032 Creighton Street

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

Motion passed.

In his remarks, Alderman Dewell expressed appreciation to staff members of the Recreation Department and the Parks and Grounds Division for their efforts in this regard.

MINUTES

The Chairman noted that, during the October 22 meeting of the Finance and Executive Committee, it had been agreed that minutes from the regular meeting of City Council held on October 16 (relating to the Grace Maternity Hospital request) be amended to reflect that at that time Council approved Recommendation No. 1 of the September 30, 1986 staff report.

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

20.4 2032 Creighton Street

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

Motion passed.

DEFERRED ITEMS

Case No. 5050 - Contract Development: 961 South Bland Street

This matter was considered at a public hearing held on September 17 and at an adjournment of that public hearing held on October 22, 1986.

An Information Report, dated October 29, 1986, was submitted.

Correspondence, dated October 27, 1986, was also received from Mr. Peter J. E. McDonough, McInnes, Cooper and Robertson.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that the contract development application for 961 South Bland Street (Case No. 5050) be approved, subject to the following amendments:

- (a) all the roof on the building be of a mansard style;
- (b) the exterior brick veneer be of a light sandstone color;
- (c) the proposed row of trees adjacent to the podium where it faces Inglis Street be coniferous;
- (d) a six-foot fence be erected from the entrance of the garage up to the lot line at 985, 981 South Bland Street, similar to the one now erected at 985 South Bland Street;
- (e) a podium be erected between four feet and a maximum of five feet as drawn now on the architect's plans submitted to the Planning and Development Department;
- (f) the terraces be open;
- (g) the height of the building shall be limited to four storeys on the extreme northern and western facades. The maximum height may go up to six storeys, provided that the fifth and sixth storeys are set back from the extensive northern and western facades by a distance equal to one-third and two-thirds of the overall depth of the building respectively.

In proposing this motion, Alderman D. Grant emphasized that the conditions attached thereto represent a compromise on the part of area residents for what they feel would be an appropriate development on the site in question, particularly

in terms of height and compatibility with the rest of the neighbourhood.

A discussion ensued, ~~and it was agreed that~~ the conditions attached to the motion would be dealt with separately as follows:

- (a) That all the roof on the building be of a mansard style. (LOST)
- (b) That the exterior brick veneer be of a light sandstone colour. (LOST)
- (c) That the proposed row of trees adjacent to the podium where it faces Inglis Street be coniferous. (PASSED)
- (d) That a six-foot fence be erected from the entrance of the garage up to the lot line at 985, 981 South Bland Street, similar to the one now erected at 985 South Bland Street. (PASSED)
- (e) That a podium be erected between four feet and a maximum of five feet as drawn now on the architect's plans submitted to the Planning and Development Department. (LOST)
- (f) That the terraces be open. (LOST)
- (g) That the height of the building shall be limited to four storeys on the extreme northern and western facades. The maximum height may go up to six storeys, provided that the fifth and sixth storeys are set back from the extensive northern and western facades by a distance equal to one-third and two-thirds of the overall depth of the building, respectively. (LOST)

The following motion, as amended by the foregoing action of Council, was put and passed with Alderman D. Grant voting in opposition:

THAT the contract development application for 961 South Bland Street (Case No. 5050) be approved, subject to the following amendments:

- (1) the proposed row of trees adjacent to the podium where it faces Inglis Street be coniferous; and
- (2) a six-foot fence be erected from the entrance of the garage up to the lot line at 985, 981 South Bland Street, similar to the one now erected at 985 South Bland Street.

8:55 p.m. - His Worship Mayor Wallace retires from the meeting with Deputy Mayor Flynn assuming the Chair.

Municipal Development Plan Review - Proposed Amendments to
Municipal Development Plan and Land Use Bylaw

This matter had been deferred from a regular meeting of City Council held on October 16, 1986, and added to the agenda at the request of the Acting City Clerk.

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

Noting that he wished an opportunity to peruse the October 30 Information Report, it was moved by Alderman Cromwell, seconded by Alderman D. Grant that the matter be referred to the next regular meeting of Committee of the Whole Council scheduled for November 5, 1986.

Motion passed.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal at 2545 Poplar Street

A staff report, dated October 15, 1986, was submitted.

Mr. E. Boyd Algee, Development Officer, using a sketch of the property in question, gave a brief overview of his decision to refuse the request for a variance of the side yard requirement with regard to the construction of a rear porch at 2545 Poplar Street.

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

Noting that he had spoken with the abutting property owners who had no objection to the construction of the porch in question, it was moved by Alderman Meagher, seconded by Alderman Jeffrey that the application for the construction of an 8 foot by 24 foot rear porch, which would be 2 feet from the north property line, be granted, and that the decision of the Development Officer be overturned.

Motion passed.

Appeal of Variance Refusal at 6065 Cherry Street

A staff report, dated October 15, 1986, was submitted.

Mr. E. Boyd Algee, Development Officer, using a sketch of the property in question, gave a brief overview of his rationale in refusing the requested side yard variance at 6065 Cherry Street, emphasizing that the proposed patio deck will extend to nine inches of the lot line, therefore constituting an 81 percent variance of the Land Use Bylaw requirement.

Dr. F. R. Doane, owner of the property in question, addressed Council, emphasizing that his construction project consisted of repairs to an existing deck which had fallen into a state of disrepair. He also noted that he had advised abutting property owners of his intentions and that no objections had been voiced.

Referring to comments made by Mr. Algee that he had ignored a stop-work order in order to complete construction, Dr. Doane emphasized that he had merely proceeded to install a protective railing around the deck as a security precaution.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that the decision of the Development Officer be overturned, and that the request for a variance at 6865 Cherry Street be granted.

Motion passed.

9:15 p.m. - Mayor Wallace returns to the meeting, with Deputy Mayor Flynn assuming his usual seat in Council.

Appeal of Minor Variance Approval - 3115 Ralston Avenue

A staff report, dated October 17, 1986, was submitted.

Mr. E. Boyd Algee, Development Officer, using a sketch of the property in question, reviewed the request by Mr. Joseph Yazbeck for lot area and south side yard variances to permit a day nursery for 35 children at Civic Number 3115 Ralston Avenue. In his remarks, Mr. Algee noted that, in his opinion, the variances requested by Mr. Yazbeck, were indeed minor under the requirements of the Land Use Bylaw, but that letters of objection had been received from two property owners in the area.

Responding to a question from Deputy Mayor Flynn, Mr. Algee noted that a petition had also been submitted, signed by approximately 47 residents of the Ralston Avenue area, in favor of the establishment of a day nursery on this site.

Mr. Joseph Yazbek, owner of the property in question, addressed Council in support of his request for a minor variance to permit the operation of a day nursery on this site.

After some further questioning of staff, it was moved by Deputy Mayor Flynn, seconded by Alderman Walker that the decision of the Development Officer be upheld, and that the appeal against the approval of the minor variance approval at 3115 Ralston Avenue be denied.

Motion passed.

9:25 p.m. - Alderman R. Grant enters the meeting.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

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

Award of Tender #86-94: Replacement of Foam Pumper -
Halifax Fire Department

MOVED by Alderman Hamshaw, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council approve the purchase of a foam pumper for use by the Halifax Fire Department from Phoenix Fire Truck at a cost of \$129,900.00, subject to verification of the vendor's ability to perform and provision of a Performance Bond as outlined in the telex attached to the October 16, 1986 staff report.

Motion passed.

Grace Maternity Hospital Request

The above-mentioned matter was deferred to this meeting of Halifax City Council from a meeting of the Finance and Executive Committee held on October 22, 1986, pending a meeting between the City Manager, the Traffic Engineer and representatives of the Civic Hospital and the Grace Maternity Hospital to address the concerns expressed at the October 22, 1986 meeting.

A staff report, dated October 27, 1986, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that the City of Halifax grant to the Grace Maternity Hospital a right-of-way from Lot S-1 to University Avenue over all, or a portion of, Lot "O," the granting of this right-of-way to provide joint access to the Grace and Civic Hospitals and to be subject to termination upon one year's notice if Lot "O" is required for expansion of, or construction of a new Civic Hospital, or for other uses by the City of Halifax, and that the City of Halifax or Civic Hospital agree to provide an alternate right-of-way to the Grace Hospital in the event of termination, such right-of-way to be relocated by mutual agreement between the parties and to be determined by arbitration should agreement not be reached within six months from the date of notice of termination.

Motion passed.

MOVED by Alderman Meagher, seconded by Alderman Hamshaw that no rights of first refusal on lands belonging to the City on University Avenue be granted at this time.

With reference to the motion on the floor, Alderman Cromwell expressed the view that Council had already dealt with this matter through a resolution passed on October 2, 1984 which stated, in part:

That . . . staff be directed to negotiate a right of first refusal to the Grace Maternity and Izaak Walton Killam Hospitals jointly to acquire Lots "O", "R-1," and "T," in the event these lands are not required for Halifax Civic Hospital purposes; all matters of negotiation to be subject to the approval of City Council.

Referring to Alderman Cromwell's remarks, the City Manager suggested that the 1984 resolution authorized staff to negotiate the matters stipulated therein.

At Alderman Cromwell's request, Council agreed to hear comments from Mr. W. Hardman, representing the Grace Maternity Hospital.

Mr. Hardman addressed Council in support of the resolution adopted in 1984 and indicated that, in the interests of long-range planning, the Grace and the Killam Hospitals would prefer to retain the right of first refusal to these lands.

A discussion ensued with Alderman O'Malley expressing the opinion that, taking the best interests of the City into consideration, the present Council should not attempt to specify the use of this property, thereby limiting the action of future Councils.

Alderman Dewell advised of a possible conflict of interest and withdrew from the meeting.

After some further discussion, the motion was put and passed with seven members of Council voting in support and four in opposition, as follows:

FOR: Aldermen Meagher, O'Malley, R. Grant, Walker, Jeffrey, and Hamshaw; and Deputy Mayor Flynn (7)

AGAINST: Aldermen D. Grant, Cromwell, Downey and Leiper (4)

Alderman Dewell returns to the Council Chamber.

10:10 p.m. - The meeting was adjourned for a brief recess.

10:20 p.m. - The meeting was reconvened with the same members being present with the exception of Alderman Jeffrey.

Proposed Reactivation of Athletic Commission (Safety at
Halifax Forum During Wrestling Matches)

MOVED by Alderman Walker, seconded by Alderman Meagher that City Council reaffirm its motion reactivating the Athletic Commission; that two Aldermen and three citizens-at-large be appointed to that Commission; and that such appointments be made in November when all appointments for City committees, boards and commission are reviewed and approved.

The motion was put and passed.

With reference to comments made by the Chairman, the City Solicitor suggested, and it was so agreed, that the newly-appointed Athletic Commission be directed to review the provisions of the proposed regulations pertinent to its terms of reference (as are attached to the report from the City Solicitor, dated October 7, 1986) and to make recommendation on those regulations to City Council as quickly as possible, preferably prior to the commencement of the next wrestling season.

Deputy Mayor Flynn also recommended that the Athletic Commission work in concert with the Forum Commission to ensure that appropriate safety standards are developed.

Acquisition - Land at Barrington and Blowers Street

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

- (1) the land of Philip S. Levangie, shown as Parcel "X" on the sketch attached to the confidential staff report, dated October 7, 1986, and located at the southwest corner of Barrington Street and Blowers Street, be purchased for the sum of \$3,185.00, subject to the payment being made by November 15, 1986; and
- (2) a request be made to the Minister of Municipal Affairs for the withdrawal of the required funds from the Sale of Land Account. As an interim measure, funds can be made available from Account Number 226111 20320 CE001 (Blowers Street). This account

may then be reimbursed from the Sale of Land Account following the approval for the withdrawal by the Minister.

Motion passed.

Handover Agreement - Main Avenue Seniors Public Housing

MOVED by Alderman Leiper, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to sign the agreement, attached to the staff report dated October 3, 1986, on behalf of the City of Halifax.

Motion passed.

Review of Public Hearing Process

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee (and as recommended in part by the Finance and Executive Committee on May 23, 1984), a subcommittee be appointed by Council to review the current public hearing process; that this subcommittee consist of the City Solicitor (or his designate), and four legal representatives drawn from the community; that the review be undertaken in conjunction with the subcommittee of the Planning Advisory Committee established to review the public participation process; and that appropriate appointments be made to this subcommittee during the month of November.

Motion passed.

Responding to a question from Alderman R. Grant, the Chairman advised that members of Council may submit suggestions for appropriate appointments in terms of the four legal representatives to be drawn from the community.

Christmas Break - Meetings

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Flynn that, as recommended by the Finance and Executive Committee, the December 17, 1986 Committee of the Whole meeting and the December 25, 1986 Council meeting be cancelled at this time to enable staff to reschedule items that must be dealt with before year's end.

Motion passed.

Recommendations - Transit Advisory Committee

- (a) Transit Service - Ragged Lake/Bayers Lake Industrial Parks, and Lakeside/Timberlea

MOVED by Deputy Mayor Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the recommendation from the Transit Advisory Committee for Council's approval of an amount of \$66,300 to cover the City's share of the cost of providing transit service to the Ragged Lake/Bayers Lake Industrial Parks and Lakeside/Timberlea, as outlined in the Metropolitan Transit Commission staff report dated July 30, 1986, be forwarded to the City Manager for review and comment.

Motion passed.

- (b) Metropolitan Transit Commission - Line Department: Metropolitan Authority

MOVED by Deputy Mayor Flynn, seconded by Alderman O'Malley that the Metropolitan Transit Commission become a line department of the Metropolitan Authority, and further, that the Manager of the Metropolitan Transit (or his representative) be required to attend Metropolitan Authority Board meetings at which items pertaining to transit are to be discussed.

Motion passed.

Noting that a formal resolution was required in this regard, it was moved by Deputy Mayor Flynn, seconded by Alderman O'Malley that:

WHEREAS An Act to Amend Chapter 9 of the Acts of 1978, the Metropolitan Authority of Halifax, Dartmouth and the County of Halifax Act, S.N.S., 1986, Chapter 60 provides by Section 32, subsection (2) that clauses (i) and (j) of Section 2, and Sections 5 and 11, clause (b) of Section 12, Sections 26 and 27, subsection (3) of Section 28, Sections 29 and 30 and subsection (4) of Section 31 shall not be proclaimed in force until a resolution approving such proclamation is passed by the councils of each of the City of Halifax, the City of Dartmouth, the Town of Bedford, and the Municipality of the County of Halifax;

AND WHEREAS the Council of the City of Halifax is desirous of having the said sections proclaimed in force as of the 1st day of January 1987;

BE IT RESOLVED that the Council of the City of Halifax approves such proclamation bringing the said sections into force as of the 1st day of January, 1987, and request the Governor in Council to so order and declare by proclamation.

The resolution was put and passed.

Status - Civic No. 6587 Quinpool Road (Gutted House)

An Information Report, dated October 28, 1986, was submitted.

Alderman Meagher expressed the opinion that repairs to this gutted building have been postponed for an inordinate amount of time, emphasizing that with the onset of the winter season, the safety hazards presently existing will undoubtedly be increased.

The City Solicitor referred to the October 28 Information Report which advises that the property owner in question will be removing the fire-damaged materials by the first week in November and noted that, as it is the owner's intention to effect renovations to the building's structure, it is in her best interests to take steps to protect the gutted portions from the impacts of snow and ice.

Alderman Meagher indicated that he will be monitoring the situation until repairs have been undertaken to his satisfaction.

Annual Report - City Auditor General

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

- (a) as recommended by the Finance and Executive Committee, the City Auditor General be requested to review the TransInfo project during the forthcoming year and submit a report dealing with the City's involvement and its expenditures pertaining to the project to date; and
- (b) that, with the exception of Item 8, p. 3 (which is to be referred for discussion purposes to the November 5 meeting of the Committee of the Whole Council), Council approve the action taken by the Audit Committee, as outlined in its report dated October 16, 1986.

Motion passed.

Alderman O'Malley requested that the City Auditor General attend the November 5 meeting of Committee of the Whole Council in order to answer questions pertaining to certain sections of his report, as well as to provide further information with regard to the preparation and review of Administrative Orders.

With reference to Alderman O'Malley's remarks, Alderman D. Grant requested that, pursuant to his recent meeting with the City Auditor General on the matter, the City Manager submit information prior to the next regular meeting of Committee of the Whole Council as to when action will be taken with regard to the preparation and review of Administrative Orders.

Signing Authorities on Equipment Replacement Accounts

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council formally confirm that signing authorities presently in place within the City extend and apply to the various replacement and reserve accounts maintained by the City.

Motion passed.

Royal Bank, Bank of Commerce, and Bank of Nova Scotia
Computer Data Centre

MOVED by Deputy Mayor Flynn, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Council approve the recommendation as contained in the confidential staff report of October 15, 1986.

Motion passed.

Mainland South Community Centre Corporation Request

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the Task Force be reconvened to discuss with the Board of the Mainland South Community Centre Corporation the expiry of the building's warranty and other related matters.

Motion passed.

Tax Concessions for New Development During Construction

An information report dated October 29, 1986 was submitted.

The following motion was put and lost at the Finance and Executive Committee meeting held on October 22, 1986:

that staff bring forward an abbreviated history of the present position in relation to tax concessions for new development, including the Committee recommendations and the proposed Ordinance 122, along with their recommendations and options in order that Council may review the matter to determine what action they wish to take.

His Worship indicated that he would like to defer any consideration of this matter to the November 19, 1986 meeting of the Committee of the Whole.

MOVED by Alderman Dewell, seconded by Alderman O'Malley that this matter be deferred to the November 19, 1986 meeting of the Committee of the Whole Council.

Motion passed.

REPORT - COMMITTEE ON WORKS

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

Driveway - 6284 Yukon Street

This matter was forwarded to City Council without recommendation.

Alderman Meagher addressed the matter indicating that he had spoken with the City Solicitor in regard to this matter and believed that the best course of action to take at this time was to set a date for a public hearing into the matter.

The City Manager noted that this was the first appeal under the Ordinance and indicated that a procedure would have to be developed, perhaps similar to that already followed in the case of minor variance appeals.

A brief discussion ensued with the Chairman indicating that staff would be determining an area of notification as well as a possible hearing date for consideration by Council, and it was so agreed.

The Chairman noted that no further action with regard to this matter was required by Council at this time.

Alderman R. Grant addressed the matter indicating that he would like to emphasize that this hearing was not to consider who would bear the cost of the requested driveway cut but the reasonableness of allowing the driveway cut.

REPORT - CITY PLANNING COMMITTEE

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

Request for Plan Amendment - Morris Street at Queen Street -
Planning Advisory Committee Report - (SET DATE FOR PUBLIC
HEARING)

An information report dated October 27, 1986 from Mr. D. F. Murphy, Q. C., City Solicitor was submitted.

MOVED by Alderman Downey, seconded by Alderman
Cromwell that, as recommended by the City Planning Committee:

1. a date be set for a public hearing to consider an amendment to the Municipal Planning Strategy which would change the Generalized Future Land Use Designation for the properties on the northwest and southwest corners of Morris and Queen Street (Civic Nos. 5550-5562 and 5561-65, respectively) from "Medium Density Residential" to "Residential/Commercial Mix"; and further that

2. the following applications for contract development be considered at the same public hearing:

An application for contract development pursuant to the plan amendment being proposed to permit renovation and improvements to 5560 Morris Street (Atlantic News Building) and to allow three additional apartments and parking spaces for six vehicles on the Morris Street side of the property;

An application for contract development at 5561-65 Morris Street to permit exterior renovation to the building, allow for additional apartment units on the second and third floors and allow for a commercial use on the first floor.

Motion passed.

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

The Chairman noted that no further action with regard to this matter was required by Council at this time.

Alderman R. Grant addressed the matter indicating that he would like to emphasize that this hearing was not to consider who would bear the cost of the requested driveway cut but the reasonableness of allowing the driveway cut.

REPORT - CITY PLANNING COMMITTEE

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

Request for Plan Amendment - Morris Street at Queen Street - Planning Advisory Committee Report - (SET DATE FOR PUBLIC HEARING)

An information report dated October 27, 1986 from Mr. D. F. Murphy, Q. C., City Solicitor was submitted.

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee:

1. a date be set for a public hearing to consider an amendment to the Municipal Planning Strategy which would change the Generalized Future Land Use Designation for the properties on the northwest and southwest corners of Morris and Queen Street (Civic Nos. 5550-5562 and 5561-65 respectively) from "Medium Density Residential" to "Residential/Commercial Mix"; and that any proposed "Residential/Commercial" use should only be permitted by development agreement with specific conditions as outlined in detail in Appendix I attached to the October 3, 1986 report from the Planning Advisory Committee.

2. the following applications for contract development be considered at the same public hearing:

An application for contract development pursuant to the plan amendment being proposed to permit renovation and improvements to 5560 Morris Street (Atlantic News Building) and to allow three additional apartments and parking spaces for six vehicles on the Morris Street side of the property;

An application for contract development at 5561-65 Morris Street to permit exterior renovation to the building, allow for additional apartment units on the second and third floors and allow for a commercial use on the first floor.

Motion passed.

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

MOTIONS

Motion Alderman O'Malley re: Amendment to City Charter re:
Appointment of Manager of Executive Assistance to
Halifax City Council

Alderman O'Malley gave Notice of Motion at the October 16, 1986 meeting of City Council of his intention to introduce a motion regarding an amendment to the City Charter re appointment of Manager of Executive Assistance to Halifax City Council.

Alderman O'Malley indicated that he had received a confidential report regarding this matter today and MOVED, seconded by Alderman R. Grant that this matter be deferred to the next regular meeting of Halifax City Council scheduled to be held on November 13, 1986.

Motion passed.

Notice of Motion Alderman Cromwell re: First Reading of an
Ordinance to Amend License Fees

Alderman Cromwell gave Notice of Motion at the October 16, 1986 meeting of City Council of his intention to give first reading to an Ordinance amending the license fees in the following Ordinances:

- a) Ordinance 132, The Plumbing Ordinance
- b) Ordinance 130, The Electrical Ordinance
- c) Ordinance 112, The Encroachment Ordinance
- d) Ordinance 146, The Auctioneer's Ordinance
- e) Ordinance 17, The Junk Dealer's Ordinance
- f) Ordinance 149, The Petty Trades Ordinance
- g) Ordinance 54, The Going Out of Business Sales Ordinance
- h) Ordinance 43, The Pawnbrokers Ordinance

Alderman Cromwell addressed the matter indicating that although he had given Notice of Motion regarding this matter, upon reflection he felt that as these fees had only been changed one year ago and the demand in relation to these fees was minor that this matter should be deleted from the agenda and consideration to changing these fees be given at some future time.

MOVED by Alderman Cromwell, seconded by Alderman Leiper that this matter be deleted from the agenda at this time and that consideration of changing the fees be given at some future date.

Alderman R. Grant addressed the matter indicating that he did not agree that this matter should be deleted at this time and noted that prior to the changes last year these fees

had not been changed for some years. Alderman R. Grant suggested that these changes should be made and that in the future a three year review of license fees be carried out.

The motion to delete this matter from the agenda was put and lost.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that City Council give First Reading to an Ordinance amending the license fees in the following Ordinances as outlined in Appendix "A" of the October 6, 1986 report from Barry S. Allen, Acting City Solicitor:

- a) Ordinance 132, The Plumbing Ordinance
- b) Ordinance 130, The Electrical Ordinance
- c) Ordinance 112, The Encroachment Ordinance
- d) Ordinance 146, The Auctioneer's Ordinance
- e) Ordinance 17, The Junk Dealer's Ordinance
- f) Ordinance 149, The Petty Trades Ordinance
- g) Ordinance 54, The Going Out of Business Sales Ordinance
- h) Ordinance 43, The Pawnbrokers Ordinance

Motion passed.

QUESTIONS

Question Alderman Walker re: Dog Licenses

Alderman Walker referred to correspondence he had received with regard to the licensing of a dog which indicated that this dog owner had received two letters addressed to the occupant requesting payment of his dog's license. Alderman Walker noted upon receiving the third notice the owner had forwarded a cheque in the amount of \$50.00 in payment of the license. Alderman Walker advised that subsequent to this the owner had received a call from the city asking the name and breed of the dog at which time the owner advised that the dog had recently been neutered. Alderman Walker indicated that the owner had been told to forward a replacement cheque for \$30.00 to the city for payment of the license within two days or she would be in contravention of the Dog Ordinance.

Alderman Walker further noted that it was his understanding that students had been employed during the summer months with regard to dog licensing and no further work was being carried out at this time. Alderman Walker indicated that he would like some more satisfactory way of handling dog licensing noting that he felt the present system to be lacking. Alderman Walker requested a report with regard to the present structure of dog licensing.

The City Manager noted that it was obvious that dog licensing was being carried out with diligence, however, perhaps the methods used could be improved.

Question Deputy Mayor Flynn re: No Passing Signs at Crosswalks

Deputy Mayor Flynn referred to his previous question regarding No Passing From Here to Sidewalk signs noting that the response had been that approval of a newly designed sign was pending. Deputy Mayor Flynn indicated that some months have passed since that time and a number of crosswalks still lacked these signs. Deputy Mayor Flynn asked the status of this matter as this time.

His Worship indicated that a report would be forthcoming with regard to this matter.

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

Question Alderman R. Grant re: UNSM Resolution re Policy Elected School Boards

Alderman R. Grant referred to correspondence received from the Executive Director of the Union of Nova Scotia Municipalities regarding the UNSM Policy on Elected School Boards and requested that this matter be added to the agenda of the next meeting of the Committee of the Whole Council to be held on November 5, 1986. Alderman R. Grant indicated that he would like a discussion on the recommendation regarding an equally divided membership of School Boards with one-half being elected Council members and one-half being elected School Board members.

Question Alderman R. Grant re: Direct Deposit or Payroll Cheques

Alderman R. Grant referred to the recent report regarding the direct deposit of Payroll cheques and asked if this direct deposit included Credit Unions as well as Chartered Banks. Alderman R. Grant indicated that he felt Credit Unions should be given an opportunity to be involved in this program.

Question Alderman R. Grant re: Parking Enforcement - Grand Parade

Alderman R. Grant indicated that tonight he had arrived later than usual and had not been able to park in his regular space. Alderman R. Grant referred to the June discussion at the Safety Committee regarding enforcement of the

No Parking in Grand Parade regulations and asked if these regulations were going to be enforced and if not why they were not going to be enforced.

Question Alderman R. Grant re: Crosswalk - Central Spryfield School

Alderman R. Grant referred to the crosswalk located at the Central Spryfield School and noted that a number of near accidents had occurred there over the past number of weeks. Alderman R. Grant requested that the Traffic Authority and the Police Department look at this situation with a view to carrying out some action to alleviate the problems.

Question Alderman Dewell re: Closure of Schools

Alderman Dewell referred to a recent newspaper article dealing with School Board decisions regarding the closure of schools and noted that one of the schools proposed for closure although located in Ward 5, serviced many students from his Ward. Alderman Dewell noted that the school in question was one of the largest community schools in the City and asked why other schools such as the Tower Road School had not been considered for closure. Alderman Dewell further requested that the School Board ensure when the School Closure Committee is appointed that the Aldermen representing the areas in which the schools proposed to be closed are located be asked to attend the meeting at which they are discussed.

Alderman O'Malley addressed the matter indicating his grave concern and noting that it appeared that all the schools proposed for closure are located in the same area. Alderman O'Malley requested that the School Board provide Council with the criteria for consideration of closure of the schools which have been announced and further that the criteria information regarding the other schools in the City be provided to Council as well. Alderman O'Malley noted that this would include enrollment as well as other matters.

Question Alderman O'Malley re: Five Year Report - School Board

Alderman O'Malley referred to recent newspaper articles and questions he had received regarding the Five Year Report of the School Board noting that members of Council had not received this report. Alderman O'Malley asked why Council had not received this report and requested that the School Board be asked to provide members of Council with a copy of this report.

Question Alderman O'Malley re: Competition - Firefighters

Alderman O'Malley indicated that he had received a call with regard to the closure of the competition for firefighting recruits. Alderman O'Malley indicated that the individual had been in Newfoundland at the time of the competition and had called the City of Halifax Personnel Office to advise that he would be returning to the City one day after the competition closed and was told he could make application at that time. Alderman O'Malley noted that the individual upon returning to the City had gone to the Personnel office and had been denied the right to make application. Alderman O'Malley noted in fact that the office denied ever receiving such a call.

Alderman O'Malley noted that he would provide the name of the individual involved and requested that the City Manager investigate this matter.

The Chairman indicated that any confirming information such as a phone bill including the call to the Personnel Office would be helpful.

Question Alderman O'Malley re: Leaf Clean-up

Alderman O'Malley asked when the leaf clean-up program would begin and in what section of the City the program would be initiated.

Mr. P. Connell, Director of Engineering and Works advised that the clean-up would begin on Monday, November 3, 1986 and would take one month to complete. Mr. Connell noted that the program would begin simultaneously in the north and south ends of the city.

Mr. Connell further noted that an advertising campaign was being carried out in an attempt to create cooperation with the residents of the City. Mr. Connell indicated that one of the problems with the program was that once streets were cleaned of leaves residents sweep them back out into the street. Mr. Connell indicated that the campaign was to alleviate this problem and included a number to call to have bags of leaves picked up.

Question Alderman Downey re: Gas Leak - Excavation in Old Service Station Area

Alderman Downey advised that a gas leak had occurred on Barrington Street as a result of excavation in relation to the 23 unit building being constructed on Barrington Street. Alderman Downey noted that excavation had been carried out in the area of a long closed service station and a gas leak had resulted. Alderman Downey indicated that gas was present in the underground tanks.

Alderman Downey requested that staff attempt to ensure that gas tanks are either removed from the site when a gas station closes or that they are at least emptied. Alderman Downey expressed concern regarding the number of closed service stations in his area and requested that staff ensure that the tanks at these stations are empty.

Question Alderman Cromwell re: Requested Reports - Self Serve Stations and Industrial Commission

Alderman Cromwell referred to reports he had requested regarding the location of Self Serve Stations in the City of Halifax and what was holding these up and also a report regarding the work being carried out by the Industrial Commission. Alderman Cromwell indicated that he would like this information as soon as possible.

Question Alderman D. Grant re: Bicycle Safety

Alderman D. Grant referred to a letter she had received with regard to bicycle safety noting that the letter expressed concern regarding bicycles driving on city streets at night with lights. Alderman D. Grant asked why the City had decided not to license bicycles and if it was legal to drive a bicycle on the street at night without a light.

NOTICE OF MOTIONS

Alderman Cromwell Notice of Motion re: Reconsideration of City Council Resolution of October 30, 1986 re Grace Maternity Hospital Request

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on November 13, 1986 he intends to introduce a motion of reconsideration of the City Council resolution of October 30, 1986 pertaining to Recommendation #2 of the staff report dated October 27, 1986.

Alderman Dewell Notice of Motion re: Rescission of City Council Resolution of October 16, 1986 - Case No. 5016 Rezoning - Lot K-9A-1 Stoneybrook Court

Alderman Dewell gave Notice of Motion that at the next regular meeting of Halifax City Council scheduled to be held on November 13, 1986 he intends to introduce a motion of rescission of the City Council resolution of October 16, 1986 pertaining to Case No. 5016, Rezoning, Lot K-9A-1 Stoneybrook Court.

ADDED ITEMS

Award of Tender - Mural at 2330 Gottingen Street

A staff report dated October 23, 1986 was submitted.

MOVED by Alderman Downey, seconded by Alderman that
the Mayor and City Clerk be authorized to execute the contract
with Rainbow Dawn Sign Painters Ltd. to paint a mural at 2330
Gottingen Street and funds are available in Account #CK051 C27
(MAINSTREET).

Motion passed.

Appointments

A report dated October 30, 1986 from His Worship Mayor
Ron Wallace was submitted.

MOVED by Alderman Cromwell, seconded by Alderman
Dewell that Council make the following appointments to take
effect November 6, 1986 and to expire November 5, 1987:

TAX CONCESSIONS AND GRANTS COMMITTEE

Alderman Deborah Grant
Alderman Nick Meagher
Deputy Mayor Arthur Flynn

BOARD OF HEALTH

Alderman Graham Downey
Alderman Albert Walker
Alderman Thomas Jeffrey

COURT HOUSE COMMISSION

Alderman Albert Walker

AUDIT COMMITTEE

Mayor Ron Wallace
Alderman Moira Leiper
Alderman Nick Meagher
Alderman Ron Cromwell
Alderman Randy Dewell
Alderman Rick Grant

ADVISORY COMMITTEE ON CONCERNS OF AGEING

Alderman Deborah Grant
Alderman Ron Cromwell

TOURISM HALIFAX

Mayor Ron Wallace
Alderman Deborah Grant
Alderman Ron Cromwell
Alderman Nick Meagher
Alderman Randy Dewell

NATAL DAY COMMITTEE

Alderman Deborah Grant
Alderman Randy Dewell

POINT PLEASANT PARK COMMISSION

Mayor Ron Wallace
Deputy Mayor Flynn

LIBRARY BOARD

Alderman Richard Grant
Deputy Mayor Flynn

HERITAGE ADVISORY COMMITTEE

Alderman Nick Meagher
Alderman Alfred Hamshaw

LAKES & WATERWAYS COMMITTEE

Alderman Richard Grant

NEPTUNE THEATRE

Alderman Moira Leiper

METROPOLITAN AUTHORITY

Mayor Ron Wallace
Alderman Deborah Grant
Alderman Randy Dewell

TAXI COMMISSION

Alderman Jeffrey

CIVIC HOSPITAL BOARD

Alderman Nick Meagher
Alderman Albert Walker

RETIREMENT COMMITTEE

Mayor Ron Wallace
Deputy Mayor Elect
Alderman Ron Cromwell

METROPOLITAN AREA PLANNING COMMISSION

Mayor Ron Wallace
Alderman Alfred Hamshaw

ELECTION PROCEDURES COMMITTEE

Mayor Ron Wallace
Alderman Graham Downey
Alderman Alfred Hamshaw

PLANNING ADVISORY COMMITTEE

Mayor Ron Wallace
Alderman Deborah Grant
Alderman Nick Meagher
Alderman Moira Leiper
Deputy Mayor Arthur Flynn
Alderman Alfred Hamshaw

EMERGENCY MEASURES CONTROL COMMITTEE

Mayor Ron Wallace
Deputy Mayor Elect
Alderman Moira Leiper
Alderman Albert Walker

BRIDGE COMMISSION

Alderman Gerald O'Malley

ARBITRATION COMMITTEE

Mayor Ron Wallace
Alderman Alfred Hamshaw
Alderman Richard Grant

Alderman Hamshaw addressed the matter indicating concern that no appointments had been made to the Metropolitan Transit Advisory Board.

His Worship indicated that as a result of the resolution approved this evening regarding Metropolitan Transit becoming a line department of the Metropolitan Authority the Advisory Board as it exists would be dissolved. His Worship indicated that there was provision for an Advisory Board under the new proposal; however, it would possibly be structured differently.

Alderman Hamshaw also referred to the Natal Day Committee expressing disappointment that he had not been re-appointed to this Committee.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that Alderman Hamshaw be appointed to the Natal Day Committee providing that the number of Aldermen on this Committee is not limited to two.

Motion passed.

Alderman Dewell noted that if the number were limited, he would be willing to refuse the appointment and allow Alderman Hamshaw to serve on the Committee.

Alderman R. Grant referred to the Election Procedures Committee appointments expressing concern that he had spent many hours reviewing the information presently being discussed by the Committee and had not been re-appointed to the Committee. Alderman R. Grant indicated that he was eager to serve on this Committee.

MOVED by Alderman Dewell, seconded by Alderman Meagher that Alderman R. Grant be appointed to the Election Procedures Committee providing that the number of Aldermen on this Committee are not limited.

Motion passed.

MOVED by Deputy Mayor Flynn, seconded by Alderman D. Grant that Alderman Dewell be appointed to serve on the School Board with this term to take effect November 6, 1986 and to expire November 5, 1987.

Motion passed.

Alderman O'Malley referred to the appointments to the Audit Committee and noted that he was very interested in serving on this Committee. Alderman O'Malley suggested that the matter of expansion of the membership of this Committee be considered at a future meeting and noted that he would put forward his name to act as a member of the Committee.

Moving of Government Offices to Dartmouth

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

Alderman Meagher referred to the report that Maritime Medical was moving its offices to Dartmouth and indicated that he was greatly disturbed at the number of Government-related offices moving to Dartmouth particularly during the past year. He indicated that he would like a report from City staff or the Industrial Commission with regard to this matter.

Alderman Meagher also advised that it had recently come to his attention that the Dennis Building is now vacant as a result of the Lands and Forests Department move to Dartmouth.

Alderman Meagher asked if the Industrial Commission had been approached with regard to providing land or an office building. Alderman Meagher asked if the City was notified that these offices were being moved and if the City has any input in relation to these moves. Alderman Meagher suggested that the City should be notified as a courtesy and requested that staff investigate the matter to determine exactly what is happening.

Alderman Dewell addressed the matter expressing his concern with regard to the moving of government offices to Dartmouth. Alderman Dewell noted that the Dartmouth Industrial Park was heavily subsidized by the Province thereby allowing for cheaper tax rates and rentals. Alderman Dewell noted that this was extremely unfair to the City of Halifax.

Alderman O'Malley addressed the matter noting the number of times the Province has subsidized the Dartmouth Industrial Park to the detriment of the Halifax park. Alderman O'Malley indicated that he felt the City had a right to demand to know why these offices were moving from Halifax to Dartmouth and suggested that a full explanation was long overdue.

2832 Creighton Street - Alderman Downey

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

Alderman Downey addressed the matter noting that this matter has been before Council on a previous occasion. Alderman Downey indicated that this property was not only creating difficulties for the owner but the residents as well. Alderman Downey noted that responses he had received from Mr. Lahey, Acting Supervisor of Building Inspection indicated that there were still some problems in relation to the property.

Alderman Downey noted that the applicant had removed the final wall of the structure which had resulted in a stop work order as the permit had been issued for an addition to existing structure rather than a new structure. Alderman Downey noted that Mr. Lahey, Acting Supervisor of Building Inspection had indicated that the wall and foundation would not have supported the proposed eight units. Alderman Downey further noted that under the zoning Bylaw new construction would permit only four units rather than the eight for which the applicant originally applied. Alderman Downey indicated that he would like confirmation that the wall and foundation would not have supported the eight units.

Alderman Downey further noted that the present foundation was so soft that it would probably be necessary to replace the entire foundation. Alderman Downey stressed the importance of housing in the area and suggested that in light of the need for housing the eight units should be permitted.

Alderman Downey indicated that the applicant has had lumber on the site and further noted that the applicant would like to address Council with regard to this matter in an attempt to resolve the present situation. Alderman Downey indicated that he would defer this matter to the next meeting of the Committee of the Whole Council scheduled to be held on November 5, 1986 pending further information with respect to whether the owner's request can be accommodated.

12:05 p.m. The meeting adjourned.

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

E. A. KERR
ACTING CITY CLERK

*K/sg

HEADLINES

Oath of Office - Police Recruit Graduates	611
Moment of Silence - Dr. Phyllis Blakeley	611
Board of Trade Beautification Award	611
MINUTES	612
APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS	612
DEFERRED ITEMS	613
Case No. 5850 - Contract Development: 961 South Bland Street	613
Municipal Development Plan Review - Proposed Amendments to Municipal Development Plan and Land Use Bylaw	615

HEADLINES (CONT'D)

PUBLIC HEARINGS, HEARINGS, ETC.	615
Appeal of Variance Refusal - 2545 Poplar Street	615
Appeal of Variance Refusal - 6865 Cherry Street	615
Appeal of Minor Variance Approval - 3115 Ralston Avenue	616
REPORT - FINANCE AND EXECUTIVE COMMITTEE	617
Award of Tender #86-94: Replacement of Foam Pumper - Halifax Fire Department	617
Grace Maternity Hospital Request	617
Proposed Reactivation of Athletic Commission (Safety at Halifax Forum During Wrestling Matches)	619
Acquisition - Land at Barrington and Blowers Streets	619
Handover Agreement - Main Avenue Seniors Public Housing	620
Review of Public Hearing Process	620
Christmas Break - Meetings	620
Recommendations - Transit Advisory Committee	621
Status - Civic No. 6587 Quinpool Road (Gutted House)	622
Annual Report - City Auditor General	622
Signing Authority on Equipment Replacement Accounts	623
Royal Bank, Bank of Commerce, and Bank of Nova Scotia Computer Data Centre	623
Mainland South Community Centre Corporation Request	623
Tax Concessions for New Development During Construction	624
REPORT - COMMITTEE ON WORKS	624
Driveway - 6284 Yukon Street	624
REPORT - CITY PLANNING COMMITTEE	625
Request for Plan Amendment - Morris Street at Queen Street: Planning Advisory Committee Report (SET DATE FOR PUBLIC HEARING)	625
MOTIONS	626
Motion Alderman O'Malley Re: Amendment to City Charter Re: Appointment of Manager of Executive Assistance to Halifax City Council	626
Notice of Motion Alderman Crowell Re: First Reading of an Ordinance to Amend License Fees	626
QUESTIONS	627
Question Alderman Walker Re: Dog Licenses	627
Question Deputy Mayor Flynn Re: No Passing Signs at Crosswalks	628
Question Alderman R. Grant Re: UNSM Resolution Re: Policy Elected School Boards	628
Question Alderman R. Grant Re: Direct Deposit of Payroll Cheques	628
Question Alderman R. Grant Re: Parking Enforcement - Grand Parade	628

HEADLINES (CONT'D)

Question Alderman R. Grant Re: Crosswalk - Central Spryfield School	629
Question Alderman Dewell Re: Closure of Schools	629
Question Alderman O'Malley Re: Five-Year Report - School Board	629
Question Alderman O'Malley Re: Competition - Firefighters	630
Question Alderman O'Malley Re: Leaf Clean-Up	630
Question Alderman Downey Re: Gas Leak - Excavation in Old Service Station Area	630
Question Alderman Cromwell Re: Requested Reports - Self-Serve Stations and Industrial Commission	631
Question Alderman D. Grant Re: Bicycle Safety	631
NOTICE OF MOTIONS	631
Alderman Cromwell Notice of Motion Re: Reconsideration of City Council Resolution of October 30, 1986 Re: Grace Maternity Hospital Request ...	631
Alderman Dewell Notice of Motion Re: Rescission of City Council Resolution of October 16, 1986 - Case No. 5016: Rezoning - Lot K-9A-1 Stoneybrook Court	631
ADDED ITEMS	632
Award of Tender - Mural at 2330 Gottingen Street	632
Appointments	632
Moving of Government Offices to Dartmouth	635
2032 Creighton Street - Alderman Downey	636

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
November 5, 1986
7:30 p.m.

A special meeting of Halifax City Council, Public Hearing, 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.

Present: Deputy Mayor A. Flynn, Chairman; and Aldermen Deborah Grant, Cromwell, Downey, Meagher, O'Malley, Richard Grant, and Jeffrey.

Also Present: Mr. R. Matthews, Acting City Manager; Ms. M. E. Donovan, 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:

Appointment

Alderman Downey declared a conflict of interest and retired from the meeting.

Aldermen Dewell and Leiper join the meeting.

Amendment to the Municipal Planning Strategy and Land Use Bylaw
- Peninsula North Secondary Planning Strategy

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

Mr. J. Heseltine, Planning Department, with the use of maps and sketches, outlined the proposal to amend the Municipal Planning Strategy and Land Use Bylaw to provide for adoption of the Peninsula North Secondary Planning Strategy, as found in a report from the Planning Advisory Committee, with attached Draft Peninsula North Planning Strategy, dated July 30, 1986.

Mr. Heseltine noted that the Peninsula North Secondary Strategy was the result of one of the longest planning processes undertaken in the City and indicated with the use of the map the area of the City considered in this secondary strategy.

Mr. Heseltine went on to note that the basic approach of this plan was to preserve the established character of Peninsula North in residential, commercial and industrial areas, while allowing for expansion and upgrading. Mr. Heseltine then reviewed the proposed zoning for the area involved and briefly explained the special devices incorporated in the plan to allow for appropriate infill.

Mr. Heseltine then reviewed the manner in which the proposed secondary strategy deals with recreation, transportation, and environmental issues. Mr. Heseltine further noted that a number of issues had been dealt with by the Peninsula North sub-committee as a result of the public meetings held this year. Mr. Heseltine indicated that consequently a number of properties were rezoned as requested by individual property owners.

Mr. Heseltine further noted that resulting from the Peninsula North sub-committee considerations two small areas of land at either end of Quinpool Road were also added to the area involved in the Peninsula North Plan. As well, Policies 1.7 through 1.7.5 were also added governing the use of parking lots on Yale Street within Peninsula North. Mr. Heseltine noted finally that a new policy had been added in the Industrial Policy Set providing for an immediate review addressing the appropriate mechanisms to facilitate the transition of these lands from industrial use to other potential uses, particularly residential.

Mr. Heseltine then responded to questions from members of Council regarding the proposed secondary strategy.

Alderman R. Grant noted that the primarily commercial area within the Isleville Street area was broken by a small area of residential and asked why this break had been made.

Mr. Heseltine noted that the area in question was a stable residential area and it was felt it should be retained as residential.

Alderman R. Grant further noted that he had suggested that the Commons be given a special designation to ensure that no development would ever be carried out on these lands.

In response to a question from Alderman O'Malley, Mr. Heseltine indicated that there was a policy included in the strategy that provided for an extension, by contract, to an existing building with certain lot coverage, height and parking restrictions. Mr. Heseltine indicated that these restrictions would effectively disallow a multi-unit development on a 4000 sq. ft. lot, however, as the lot size increased it would be permitted.

Alderman O'Malley voiced concern that this would permit an eight to ten unit building in a stabilized single family dwelling area in the case of a lot consolidation of two or more lots.

Alderman Dewell referred to the situation existing in relation to Pilcher's Flowers on Windsor Street and noted that this property had been rezoned to minor commercial by a motion of Council some years ago. Alderman Dewell noted, however, that this zoning change had inadvertently been omitted from the map approved by the Minister and this business has been operating a commercial enterprise in an R-2 zone since that time.

Alderman Dewell noted that he had brought this matter to the attention of the Planning Advisory Committee and asked if this zoning had been changed under this process.

Mr. Heseltine indicated that he was not sure if this property had been rezoned, however, in looking at the map it appeared that it had not been.

Alderman Dewell indicated that he would like to ensure that this property was rezoned to minor commercial.

The Acting City Manager noted that it was difficult to ascertain if indeed this property had been rezoned and suggested that staff would have to scale the map to ascertain whether it had been. The Acting City Manager indicated that staff would review this and report to Council previous to its decision in relation to this secondary strategy.

Alderman Cromwell noted that there were some 20 persons located in Halifax Hall who could neither see or hear the proceedings and suggested that they were being denied their rights to be a part of the proceedings.

It was agreed that Council recess for 10 minutes and during that time an attempt be made to correct the sound situation.

8:10 p.m. The meeting reconvened with all the same members being present.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that due to the lack of audio in Halifax Room and the limitations in relation to occupancy of the Council Chamber this hearing be adjourned to a later date and time and possibly another location better able to meet the requirements of such a public hearing.

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

The Deputy Mayor addressed the matter apologising to the gallery for the situation noting that City Hall was presently undergoing extensive renovations and the temporary Council Chambers and sound system were causing difficulties.

The following submissions have been received in relation to this public hearing:

1. Correspondence in favor of the proposed secondary strategy dated November 5, 1986 from David B. Hyndman, Executive Vice-President, Halifax Developments Ltd.
2. Correspondence in favor of the proposed secondary strategy dated November 4, 1986 from Michael A. Argand, Courtyard Green Developments Ltd.
3. Correspondence in favor of the proposed secondary strategy dated November 4, 1986 from Hal B. Forbes, 2031 Creighton Street.
4. Correspondence addressing the proposed rezoning of 2456 Agricola Street dated October 25, 1986 from Michael McTague, 1548 Carlton Street.
5. Correspondence addressing the proposed rezoning of the lands of Piercey Supplies Ltd. dated October 23, 1986 from Hugh K. Smith, President, FS Industries Ltd.
6. Correspondence addressing the proposed rezoning of the lands of the Canada Post Corporation on Almon Street dated October 16, 1986 from T. Charlton, National Director, Real Property Management, Canada Post Corporation.

Appointment

MOVED by Alderman Meagher, seconded by Alderman O'Malley that Alderman Thomas J. Jeffrey be appointed to serve as Deputy Mayor for the upcoming year.

The motion was put and passed.

Alderman Flynn addressed Council thanking them for their cooperation over the past year and indicating that he had enjoyed serving as Deputy Mayor.

Alderman O'Malley addressed Council indicating appreciation on behalf of Council for the fine work Alderman Flynn had done for the City over the past year. Alderman O'Malley indicated that Alderman Flynn had done an outstanding and professional job of representing the City during his term as Deputy Mayor. Alderman O'Malley extended his congratulations to Alderman Flynn for his efforts on behalf of the City and members of Council.

Deputy Mayor Jeffrey addressed Council indicating that he would accept the position of Deputy Mayor with pleasure and endeavor to serve the city to the best of his ability. Deputy Mayor Jeffrey further indicated his appreciation for Alderman Flynn's work over the past year.

Alderman Flynn returns to his seat in Council and Deputy Mayor Jeffrey assumes the Chair to adjourn the meeting.

8:28 p.m. The meeting adjourned.

HEADLINES

Amendment to the Municipal Planning Strategy and Land Use Bylaw - Peninsula North Secondary Planning Strategy	648
Appointment	648

Former Deputy Mayor A. Flynn
Deputy Mayor T. Jeffrey
Chairmen

/sg

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
November 13, 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.

Present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor T. Jeffrey; and Aldermen Deborah Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, Richard Grant, Walker, Leiper, and Flynn.

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

His Worship referred to the recent passing of Mr. Frank Gogan, retired employee of the City of Halifax, and extended sympathies to the family on behalf of City Council.

His Worship further noted that Alderman Flynn had recently completed his term as Deputy Mayor and indicated that he had been pleased to work with Alderman Flynn over the past year. His Worship noted that Mrs. Flynn deserved a vote of thanks for her efforts over the past year and thanked Alderman Flynn for his fine representation of the City during his term.

His Worship then welcomed Deputy Mayor Jeffrey to the position and indicated that he was looking forward to working with him in the coming year.

MINUTES

Minutes of the regular meeting of City Council held on October 30, 1986 and of Special Council held on November 5, 1986 were approved on a motion by Alderman Flynn, seconded by Alderman Leiper.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

At the request of the City Clerk Council agreed to add:
5.1 Case Nos. 4926 and 5854 - Request for Plan Amendment -
Morris Street at Queen Street

- 9.1 Request - Tax Concession for Office Tower - Purdy's Wharf Development Limited
- 9.2 Request - Tax Reduction - NOSCO Marine Industries Inc., NOSCO Grain
- 20.1 Peninsula North Secondary Planning Strategy Zoning of Pilcher's Flowers, 2776 Windsor Street

At the request of Deputy Mayor Jeffrey Council agreed to add:

20.2 Crosswalks

At the request of Alderman Walker Council agreed to add:

20.3 Aged Living Alone

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

20.4 Letter from Civic Hospital - Beds for Extended Care

20.5 Council Rules of Order

At the request of Alderman Meagher Council agreed to add:

20.6 Tax and Grants Committee - Recommendations

20.7 Nova Scotia Track and Field - Request for Funds

DEFERRED ITEMS

Case Nos. 4926 and 5854 - Request for Plan Amendment - Morris Street at Queen Street

This matter was added to the agenda at the request of the Acting City Clerk. A supplementary staff report dated November 12, 1986 was submitted. Also submitted was correspondence dated November 13, 1986 from Mr. Issam Kadray the applicant in relation to these matters.

Alderman Downey addressed the matter indicating that he proposed to bring forward an amendment to the October 30, 1986 motion of Council regarding this matter to provide for the deletion of items 2(a) and 2(b) of Appendix I of the Planning Advisory Committee report dated October 3, 1986. Alderman Downey indicated that this would allow for the advertisement of the proposed contract developments to be heard at the January 7, 1986 public hearings.

MOVED by Alderman Downey, seconded by Alderman Meagher that the October 30, 1986 resolution of Council be amended, as follows, to delete items 2(a) and 2(b) of

Appendix I of the Planning Advisory Committee report dated October 3, 1986:

1. a date be set for a public hearing to consider an amendment to the Municipal Planning Strategy which would change the Generalized Future Land Use Designation for the properties on the northwest and southwest corners of Morris and Queen Street (Civic Nos. 5550-5562 and 5561-65 respectively) from "Medium Density Residential" to "Residential/Commercial Mix"; and that any proposed "Residential/Commercial" use should only be permitted by development agreement with specific conditions as outlined in detail in Appendix I, attached to the October 3, 1986 report from the Planning Advisory Committee, excepting that items 2(a) and 2(b) found in Appendix I be deleted.

2. the following applications for contract development be considered at the same public hearing:

An application for contract development pursuant to the plan amendment being proposed to permit renovation and improvements to 5560 Morris Street (Atlantic News Building) and to allow three additional apartments and parking spaces for six vehicles on the Morris Street side of the property;

An application for contract development at 5561-65 Morris Street to permit exterior renovation to the building, allow for additional apartment units on the second and third floors and allow for a commercial use on the first floor.

Mr. R. Matthews, Director of Development and Planning, responded to questions put forth by members of Council.

The motion was put and passed.

NOTIONS OF RECONSIDERATION

Motion of Reconsideration Alderman Cromwell re: City Council Resolution of October 30, 1986 re Grace Maternity Hospital Request (Right of First Refusal)

Alderman Cromwell gave notice of motion at the October 30, 1986 that he intended to introduce a motion of reconsideration of the City Council resolution of October 30, 1986 relating to recommendation 2 regarding the Grace Maternity Hospital being given the right of first refusal on lands owned by the City on University Avenue. Correspondence dated November 12, 1986 from R. J. Foster, President and Chairman of the Board of Governors, The Izaak Walton Killam Hospital for Children, was submitted.

Alderman Cromwell addressed the matter indicating that the two facilities involved, the Grace Maternity Hospital and the Izaak Walton Killam Hospital, had provided a very significant service to the city over the past years and suggested that Council consider this and further examine their position with regard to the right of first refusal. Alderman Cromwell further noted that should Council agree to reconsider this matter he would be bringing forth new information in relation to the resolution of this matter.

Alderman Cromwell requested that Council support his motion of reconsideration.

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that Council reconsider its resolution of October 30, 1986 pertaining to Recommendation #2 of the staff report dated October 27, 1986.

Alderman Cromwell requested a recorded vote, which resulted as follows:

FOR: Aldermen D. Grant, Cromwell, Downey, Dewell,
Leiper and Flynn (6)

AGAINST: Deputy Mayor T. Jeffrey and Aldermen Meagher,
O'Malley, R. Grant and Walker (5)

The Chairman declared the motion to be passed.

Alderman Cromwell addressed Council indicating that both of the hospitals he had mentioned previously had been very disappointed with the decision made by Council in relation to the right of first refusal. Alderman Cromwell indicated that both organizations were under the impression that the October 3, 1984 resolution of Council had given the right of first refusal and the details of the land transfer etc. would be the matters to be negotiated. Alderman Cromwell indicated that the right of first refusal had an impact upon the future planning of the hospitals.

Alderman Cromwell further noted that comments had been made regarding the impact that allowing a right of refusal would have on future Councils. Alderman Cromwell indicated that many of the decisions made by this Council would impact on future Councils.

Alderman Cromwell indicated that he would like Council to defeat the City Council resolution of October 30, 1986 relating to the right of first refusal and further advised that the Boards of the Grace Maternity Hospital and the Izaak Walton Killam Hospital had met and agreed upon a compromise resolution. Alderman Cromwell indicated that if recommendation 2 was defeated, he was proposing to bring forward a motion which would provide that in the event that the lands now occupied by the Civic Hospital, that is - Lots "O", "R-1" and "T" are not

required by the City of Halifax for civic purposes, the Izaak Walton Killam Hospital and the Grace Maternity Hospital be given the first opportunity to purchase this land, and that an agreement be entered into.

A short discussion ensued with regard to the appropriate action to be taken at this time with His Worship indicating that Council was now considering the October 30, 1986 Council resolution, as follows:

"That no rights of first refusal on lands belonging to the City on University Avenue be granted at this time."

His Worship noted that Alderman Cromwell was requesting that Council support him in defeating this motion. His Worship went on to note that should recommendation 2 be defeated this would enable Alderman Cromwell to bring forward his proposed motion.

A lengthy discussion ensued with regard to recommendation 2 with Alderman R. Grant indicating concern that by allowing a right of first refusal Council was limiting the use of the property. Alderman R. Grant noted that it was possible that a proposal would be put forward for a nurses training unit or a privately run extended care facility and the City would not have land available for this purpose.

A further discussion followed with Alderman Dewell noting that in most cases an option or right of first refusal was given based upon a certain cost and suggested that a value should be affixed to the right of first refusal. Alderman Dewell indicated that he was not suggesting that the Grace Maternity should pay this amount, however, he felt some value should be placed on the right of first refusal.

The motion was put with Alderman Cromwell requesting a recorded vote which resulted as follows:

FOR: Deputy Mayor Jeffrey and Aldermen Neagher, O'Malley
R. Grant, and Walker (5)

AGAINST: Aldermen D. Grant, Cromwell, Downey, Dewell, Leiper
and Flynn (6)

The Chairman declared the motion to be defeated.

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that in the event that the lands now occupied by the Civic Hospital, that is - Lots "O", "R-1" and "T" are not required by the City of Halifax for civic purposes, the Izaak Walton Killam Hospital and the Grace Maternity Hospital be given the first opportunity to purchase this land, and that an agreement be entered into.

Alderman Walker addressed the matter indicating that he was concerned with the wording of the motion in certain places and suggested that the wording in third and fourth lines of the resolution should be changed to read 'that either or both the Izaak Walton Killam Hospital and the Grace Maternity Hospital' rather than 'the Izaak Walton Killam Hospital and the Grace Maternity Hospital. Alderman Walker further suggested that an addition should be made to the final line of the resolution to include after the word land the phrase 'for medical or hospital purposes'.

The Mover and Secunder of the motion agreed that the wording of the resolution be changed to agree with those changes suggested by Alderman Walker, as follows:

"That in the event that the lands now occupied by the Civic Hospital, that is - Lots "O", "R-1" and "T" are not required by the City of Halifax for civic purposes, that either or both the Izaak Walton Killam Hospital and the Grace Maternity Hospital be given the first opportunity to purchase this land for medical or hospital purposes, and that an agreement be entered into.

A further short discussion ensued and the motion was put with Alderman Cromwell requesting a recorded vote which resulted as follows:

FOR: Deputy Mayor T. Jeffrey and Aldermen D. Grant, Cromwell, Downey, Dewell, R. Grant, Walker, Leiper and Flynn (9)

AGAINST: Aldermen Meagher and O'Malley (2)

The Chairman declared the motion to be passed.

MOTIONS OF RESCISSION

added to this copy only Jan 24/86

Motion of Rescission Alderman Dewell re: City Council Resolution of October 30, 1986 - Case No. 5016 - Rezoning - Lot K-9A-1 Stoneybrook Court *

Alderman Dewell gave notice of motion at the October 30, 1986 meeting of City Council of his intention to introduce a motion of rescission of the October 30, 1986 City Council resolution relating to Case No. 5016, Rezoning, Lot K-9A-1 Stoneybrook Court.

Alderman Dewell addressed Council indicating that he had put forward this Notice of Motion to Rescind to allow the Alderman for the area an opportunity to meet with the owner of the property and area residents in an attempt to reach an agreement regarding this lot. Alderman Dewell indicated that it

Alderman Walker addressed the matter indicating that he was concerned with the wording of the motion in certain places and suggested that the wording in third and fourth lines of the resolution should be changed to read 'that either or both the Izaak Walton Killam Hospital and the Grace Maternity Hospital' rather than 'the Izaak Walton Killam Hospital and the Grace Maternity Hospital. Alderman Walker further suggested that an addition should be made to the final line of the resolution to include after the word land the phrase 'for medical or hospital purposes'.

The Mover and Seconder of the motion agreed that the wording of the resolution be changed to agree with those changes suggested by Alderman Walker, as follows:

"That in the event that the lands now occupied by the Civic Hospital, that is - Lots "O", "K-1" and "T" are not required by the City of Halifax for civic purposes, that either or both the Izaak Walton Killam Hospital and the Grace Maternity Hospital be given the first opportunity to purchase this land for medical or hospital purposes, and that an agreement be entered into.

A further short discussion ensued and the motion was put with Alderman Cromwell requesting a recorded vote which resulted as follows:

FOR: Deputy Mayor T. Jeffrey and Aldermen D. Grant, Cromwell, Downey, Dewell, R. Grant, Walker, Leiper and Flynn (9)

AGAINST: Aldermen Meagher and O'Malley (2)

The Chairman declared the motion to be passed.

MOTIONS OF RESCISSION

Motion of Rescission Alderman Dewell re: City Council Resolution of October 30, 1986 - Case No. 5016 - Rezoning - Lot K-9A-1

Alderman Dewell gave notice of motion at the October 30, 1986 meeting of City Council of his intention to introduce a motion of rescission of the October 30, 1986 City Council resolution relating to Case No. 5016, Rezoning, Lot K-9A-1.

Alderman Dewell addressed Council indicating that he had put forward this Notice of Motion to Rescind to allow the Alderman for the area an opportunity to meet with the owner of the property and area residents in an attempt to reach an agreement regarding this lot. Alderman Dewell indicated that it

appeared this meeting had not achieved this aim and requested that Council allow him to withdraw his Notice of Motion to Rescind, to which Council agreed.

PETITIONS AND DELEGATIONS

Request - Tax Concession for Office Tower - Purdy's Wharf Development Limited

This matter was added to the agenda at the request of the Acting City Clerk. Correspondence dated November 5, 1986 from John W. Lindsay, Purdy's Wharf Development Limited, was submitted.

Alderman Dewell addressed the matter indicating that this item as well as the following item were matters requiring serious consideration and suggested they should be deferred to the next Committee of the Whole Council for discussion.

Alderman O'Malley addressed the matter suggesting that as well as deferring these items he would like staff to prepare a report in regard to these matters for the Committee's consideration.

The City Manager addressed the matter indicating that he had spoken with the applicant in relation to the first request and they had come to the decision that the process would be aided if the applicant first made a presentation to Council and subsequent to that presentation staff reported in relation to the matter.

MOVED by Alderman Dewell, seconded by Alderman R. Grant
that this matter be deferred to the next meeting of the Committee of the Whole Council at which time the applicant will make a presentation to Council regarding the request and all preliminary information available would be distributed to members of Council.

Motion passed.

Request - Tax Reduction - NOSCO Marine Industries Inc., NOSCO Grain

This matter was added to the agenda at the request of the Acting City Clerk. Correspondence received November 4, 1986 from John E. Oakley, President, NOSCO Marine Industries Inc., NOSCO Grain, was submitted.

MOVED by Alderman Dewell, seconded by Alderman R. Grant
that this matter be deferred to the next meeting of the Committee of the Whole Council at which time the applicant will make a presentation to Council regarding the request and all preliminary information available would be distributed to members of Council. Motion passed.

FINANCE AND EXECUTIVE COMMITTEE

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

Social Assistance Rates

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

1. The following shelter increases be made effective December 1, 1986:

<u>FAMILY SIZE</u>	<u>CURRENT MAXIMUM RATE</u>	<u>PROPOSED MAXIMUM RATE</u>	<u>INCREASE \$</u>
Single Person	\$260.00	\$300.00	\$40. 15%
Family of 2	\$379.00	\$400.00	\$30. 8%
Family of 3-4	\$390.00	\$420.00	\$30. 8%
Family of 5	\$400.00	\$420.00	\$20. 5%

The estimated gross cost of this increase to the City in 1986 will be \$30,000; \$15,000 net. This can be accommodated within the City budget for 1986. The gross cost in 1987 is estimated at \$360,000; \$180,000 net;

2. That the Personal Use Allowance of \$15.00 per month be included for children 18 years and younger. This will create an additional gross cost of \$14,000; \$7,000 net and can be accommodated within the budget allocation. The estimated gross cost in 1987 is \$160,000; \$84,000 net.

3. That the following food rate increases be made effective December 1, 1986:

<u>FAMILY SIZE</u>	<u>CURRENT RATE</u>	<u>PROPOSED RATE</u>	<u>INCREASE \$</u>
Adult	\$76.00	\$80.00	\$4. 5%
12-18 years	\$89.00	\$95.00	\$6. 7%
7-11 years	\$72.00	\$75.00	\$3. 4%
0-6	\$62.00	\$65.00	\$3. 5%

The estimated gross cost of this increase to the City in 1986 will be \$12,000; \$6,000 net. This can be accommodated within the City budget for 1986. The estimated gross cost in 1987 is \$144,000; \$72,000 net.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on November 5, 1986, as follows:

Award of Tender #86-120 - Tree Pruning Near Fire Alarm Circuits

MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the Committee on Works, Tender #86-120 for tree pruning near fire alarm line circuits be awarded to Eastern Tree Service Company Limited, 1333 South Park Street, Suite 2218, Halifax, Nova Scotia, B3J 2K9, for a total project cost of \$12,465.00 (funding to be made available from Account Number 125209.D0604).

Motion passed.

Northwest Interceptor System

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Leiper that, as recommended by the Committee on Works:

(a) a meeting be arranged as quickly as possible with the Ministers of the Environment and of Municipal Affairs and with local MLA's to discuss the matter of the grant refusal with regard to the Northwest Interceptor System, and, in the interim (owing to the absence of provincial funding assistance for this project), staff be authorized to call tenders for the construction of the Bayers Lake Pumping Station and Forcemain;

(b) staff be directed to submit an application for capital assistance to the Department of Municipal Affairs of the Province for assistance in funding for these works.

Motion passed.

Bus Bay - Dunbrack Street at Rockingham Ridge

This matter was forwarded to Council without recommendation and the Director of Engineering and Works was requested to investigate the feasibility of constructing a temporary bus shelter at this site.

A supplementary staff report dated November 12, 1986 was submitted.

Alderman Flynn addressed the matter indicating that he was addressing the matter on behalf of the Alderman for the area who was not present this evening. Alderman Flynn referred to the submitted staff report and asked if all the monies involved in carrying out the temporary work would be lost.

The City Manager indicated that staff would make every effort to minimize the loss of funds, however, he noted that more importantly it was felt that it would be unsafe to establish a temporary bus bay without installing the proper crosswalk signals and markings.

Alderman Flynn proposed a motion to install a temporary bus bay using surplus funds and when Capital Budget discussions are carried out monies be placed in the capital budget to make this bus bay permanent.

A short questioning of staff ensued with the City Manager indicating that if Council was so disposed, they could approve the installation of a permanent bus bay which would minimize any losses in relation to the temporary installation. The City Manager noted that this would be a pre-approval of 1987 Capital Budget monies.

MOVED by Alderman Flynn, seconded by Alderman Walker
that Council approve the funds required to install a permanent bus bay on Dunbrack Street at Rockingham Ridge in the amount of \$65,000 with the funds being pre-approved from the 1987 Capital Budget.

A discussion ensued with regard to whether this action would set a precedent and the City Manager noted that Council has taken similar action in the past.

A further discussion ensued regarding whether or not the policy in relation to capital budget spending permitted such an action and Alderman R. Grant suggested that an exception could be made to the policy if in the consideration of Council, the situation required an exception.

A further discussion ensued and the Motion was put and 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.

Award of Tender #85-25 - Drainage Improvements

MOVED by Alderman R. Grant, seconded by Alderman Walker
that, as recommended by the Committee on Works, Council award Tender #86-25 to Granbury Developments Limited at a total project cost of \$100,000 for drainage improvements at the following locations:

- a) Dingle Road (Fleming Park Drainage) - funding to be made available from Account Number CK007;
- b) Fairview Cemetery - funding to be made available from Account Number CK011;

and further, that, if applicable, funding transfers in the amount of \$17,000 be approved from Account Number CK067 to Account Number CK007, and in the amount of \$8,000 from Account Number CK067 to CK011.

Motion passed.

REPORT: CITY PLANNING COMMITTEE

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

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

MOVED by Alderman Walker, seconded by Alderman R. Downey that, as recommended by the City Planning Committee the agreement signing time limit for the contract development at 124 Herring Cove Road be extended to November 28, 1986.

Motion passed.

Date for Hearing - Nominated Heritage Properties - SET DATE FOR HEARING

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the City Planning Committee, Council, in accordance with the requirements of Section 14(2) of the Heritage Property Act, set a date for a hearing to provide the owners with an opportunity to be heard regarding the proposed inclusion of Civic Number 1328-32 Hollis Street (the "Alexander McLean House") and Civic Numbers 5172-76-78-82 Bishop Street ("Fraser Terrace") in the Halifax Registry of Heritage Property.

Motion passed.

The Acting City Clerk indicated that the hearing was proposed to be held on WEDNESDAY, January 7, 1986 at 7:30 p.m. in the Council Chamber.

C-2A (Minor Commercial) Zone - Community Facilities Planning Advisory Committee Report - SET DATE FOR PUBLIC HEARING

Alderman Dewell addressed the matter indicating that after a more thorough reading of the report regarding this matter it appeared that there was a legal definition for the term 'community facility'. Alderman Dewell asked what the purpose was of holding a public hearing to establish a definition for the term 'community facility' when apparently one already exists.

Mr. S. MacLeod, Planning Department, addressed Council indicating that the definition appearing in the report was a composite definition and indicated that staff felt it would be

helpful to include this definition in the Land Use Bylaw.

MOVED by Alderman Dewell, seconded by Alderman Leiper
that, as recommended by the City Planning Committee, City Council set a date for a public hearing to amend the Land Use Bylaw (Peninsula and Mainland areas), as outlined in Appendix "A" of the PAC report dated October 28, 1986, to define the term "Community Facility" and to use terminology consistent with that definition throughout.

The City Manager addressed Council indicating that in considering this matter Council should also consider the location of future public hearings.

His Worship addressed the matter referring to the necessity of adjourning the public hearing on the Peninsula North Secondary Planning Strategy due to a lack of proper accommodations to allow the public to be involved in the public hearing process and indicated that there were possibly three more public hearings scheduled which would require a larger facility over the next few months.

His Worship noted that it was proposed that the Chebucto Road School music facility be the location of the adjourned public hearing and possibly the three other major public hearings. His Worship indicated that it was also proposed that all other public hearings be held in the Council Chamber.

A discussion ensued with the City Manager indicating that another option Council might wish to consider was holding all future public hearings at the Chebucto Road School.

A discussion ensued with regard to the determining a permanent outside location for all public hearings until such time as the Council Chamber has been completed and the problems with accessibility which might be encountered. It was noted that the Chebucto Road School was not accessible.

The Acting City Clerk advised that it might be difficult to obtain space at one school due to the Continuing Education Programs being carried out at the schools and noted that one of the attractive features of the Chebucto Road School was that it did not have such a program and was available most Wednesday evenings provided some notice is given.

The Acting City Clerk further noted that this discussion would have a bearing on the date previously set by Council with regard to Item 15.2, Date for Hearing, Nominated Heritage Properties and indicated that he would have to withdraw this proposed date.

A further discussion ensued with Council agreeing that the Acting City Clerk attempt to locate a central school which is accessible and submit his recommendations for both locations and dates for hearings to members of Council at the next meeting of the Committee of the Whole Council to be held on Wednesday, November 19, 1986.

Proposed Amendments - Mainland South Secondary Planning Strategy and Land Use Bylaw (Mainland Area) - Kelly Street - Planning Advisory Committee Report - SET DATE FOR PUBLIC HEARING

A supplementary staff report dated November 7, 1986 was submitted. An information report dated November 7, 1986 was also submitted.

MOVED by Alderman Walker, seconded by Alderman R. Grant that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the redesignation and rezoning of the area shown on Map 1 as attached to the October 28, 1986 report from the Planning Advisory from "Residential Development District" (RDD) to "Low Density Residential" and R-2.

Motion passed.

The Acting City Clerk advised that, as directed by Council, he would bring forward his recommendation regarding the location and date of this hearing at the next meeting of the Committee of the Whole Council.

Municipal Development Plan Review - Proposed Amendments to Municipal Development Plan and Land Use Bylaw

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, Council adopt the staff recommendations, amended as follows, in relation to the Municipal Planning Strategy and as contained in Appendix I of the September 23, 1986 staff report.

A. The following be added to the MPS under the heading 'Studies' as found on Page 8, Appendix I of the September 23, 1986 staff report:

3. That Council direct staff to investigate design guidelines applicable to all or part of the City.

B. That Policy 1.1.3 as found on Page 9 of Appendix II of the May 13, 1986 be deleted at this time.

Motion passed.

MOTIONS

Motion Alderman O'Malley re: Amendment to City Charter re:
Appointment of Manager of Executive Assistance to Halifax
City Council

This matter was deferred to this meeting from the Council meeting held on October 30, 1986.

Alderman O'Malley indicated that he was awaiting a report from the Committee established to review this matter and MOVED, seconded by Alderman Dewell that this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled to be held on November 19, 1986.

The motion was put and passed.

MISCELLANEOUS BUSINESS

Alderman Downey retires from the Chamber due to a conflict of interest.

Peninsula North Secondary Planning Strategy - Adjourned Public
Hearing

His Worship noted that, as in the previous cases, the Acting City Clerk would be recommending a date and location for this hearing at the next meeting of the Committee of the Whole Council.

Alderman Downey returns to the Chamber.

QUESTIONS

Question Deputy Mayor Jeffrey re: Heavy Trucks on Brook Street

Deputy Mayor Jeffrey advised that he was receiving an increased number of complaints regarding heavy trucks using Brook Street. Deputy Mayor Jeffrey noted that Brook Street was not a truck route and further indicated that these trucks were travelling Brook Street during the early morning and late night hours. Deputy Mayor Jeffrey requested that this situation be investigated to determine if the truck route regulations are being enforced and to see which trucks are causing the problem.

Deputy Mayor Jeffrey further noted that as a result of this trucking a lot of dirt was being scattered over Brook Street. Deputy Mayor Jeffrey indicated that the street was becoming quite dirty and requested that action be taken to clean up the street.

Question Alderman Walker re: Maple Leaf on Nova Scotia Flag

Alderman Walker complimented staff on their efficiency in having the maple leaf replaced on the Nova Scotia flagstaff located in the Council Chamber.

Question Alderman Walker re: Trucks - Melville Ridge
Development

Alderman Walker noted that a great number of trucks carrying fill were travelling to the Melville Ridge Development and noted that the developer had been operating a sweeper to clean up the fill which was falling from these trucks. Alderman Walker indicated that he appreciated the effort made by the developer in this regard.

Question Alderman Walker re: Question Period during Committee
of the Whole Council

Alderman Walker referred to the Question Period carried out during Council sessions and asked why question period could not be carried out during the Committee of the Whole Council rather than at Council. Alderman Walker suggested that this might result in a fewer number of added items to the Committee agenda.

Question Alderman Leiper re: Bayview Road Traffic Problems

Alderman Leiper referred to a letter she had received from a resident of Ward 12 regarding the Bayview Road traffic problems and noted that both she and His Worship had been working very hard toward a solution to these problems. Alderman Leiper indicated that the author of this letter advised that a member of City staff had told him that the Alderman for the area was aware of the difficulties being experienced, however, had taken no action in this regard.

Alderman Leiper indicated that she would like to inform staff that she held a meeting with the residents of Bayview on October 29, 1986 and had reached an agreement that they would remove their cars from Bayview. Alderman Leiper indicated that this conversation with staff had taken place after that meeting and noted her objections to staff giving this type of information to the public.

His Worship indicated that the City Manager apologised for this situation and noted that it should not have happened.

Question Alderman R. Grant re: Commission on City Government

Alderman R. Grant noted that he had added this matter to the Committee of the Whole agenda last week and asked when a meeting was to be held regarding the recommendations of the Commission on City Government not fully discussed by Council. Alderman R. Grant noted that certain of these recommendations dealt with Council's committees and noted that appointments were to be handled early in the new year.

His Worship indicated that he would attempt to arrange a meeting in this regard.

Question Alderman R. Grant re: Discretionary Funding -
School Board

Alderman R. Grant referred to the report recently received from the School Board and noted that on Page 16 of this report a review of discretionary funding was included. Alderman R. Grant indicated that during past budget meetings Council had requested information regarding what programs were funded by discretionary funds and had been told it was impossible to identify the areas in which discretionary funding was used.

Alderman R. Grant asked if the programs listed in this report on Page 16 were in fact discretionary programs which are funded by the non-mandatory funds provided by the City of Halifax. Alderman R. Grant noted that if this were the case, then these programs should be the only programs discussed by Council during its budget deliberations as they had no control over the mandatory funding.

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

Question Alderman R. Grant re: Regulation of All Terrain
Vehicles

Alderman R. Grant referred to a number of complaints he had received regarding the use of all terrain vehicles on public property immediately adjacent to private property. Alderman R. Grant noted that these vehicles were becoming a nuisance to residents as they were being driven all day long adjacent to private homes. Alderman R. Grant indicated that he had requested that staff look into the possibility of registering these vehicles some time ago and noted that it appeared the police had no avenue to act in relation to these vehicles.

Alderman R. Grant requested that staff pursue with the Province the possibility of having all terrain vehicles registered.

Question Alderman R. Grant re: Truck Routes

Alderman R. Grant expressed concern regarding the lack of adherence to truck routes and noted that during Armistice Services held in the Spryfield area trucks travelling on streets not designated as a truck routes had interrupted the service. Alderman R. Grant requested that staff look into this matter and ensure that the truck routes in the City are being enforced. Alderman R. Grant suggested that perhaps what was required was to again use 'No Trucks Permitted' signs.

Question Alderman O'Malley re: School Statistics in Relation to School Closures

Alderman O'Malley referred to his request for the statistics of each of the schools in the City in relation to the proposed closure of two city schools. Alderman O'Malley indicated that he had received a report from the School Board outlining the school closure procedure, however, he was not seeking this information. Alderman O'Malley indicated that he was interested in the statistics relating to enrollment etc. upon which a decision to close a school would be based. Alderman O'Malley indicated that he would like these statistics for the whole of the City.

Alderman D. Grant noted that these were contained in the Green Report.

Question Alderman O'Malley re: Request for Report - Tourism Halifax

Alderman O'Malley referred to his request for a report regarding the success of the Halifax Likes Company program and noted that he had not received this report. Alderman O'Malley requested that this report be prepared as soon as possible.

Question Alderman Meagher re: Leaf Clean-up in Ward 4

Alderman Meagher asked when he could expect to have the leaves in Ward 4 cleaned up.

Mr. Connell indicated that there were presently seven crews working in all areas of the City and the leaf clean-up program was approximately 1/3 completed. Mr. Connell indicated that the program was scheduled to be concluded within two to three weeks.

Question Alderman Downey re: Appraisal of Property

Alderman Downey referred to Mr. and Mrs. Tilley's attendance at this evening's meeting and noted that they were not satisfied with the appraisal they had received from the City with regard to their property. Alderman Downey asked if this matter was to come before the next meeting of the Committee of the Whole Council.

The City Manager indicated that staff would review the appraisals received and then report to the Committee of the Whole.

Question Alderman Downey re: Winter Parking Ban

Alderman Downey referred to the Winter Parking Ban noting that it would soon be coming into effect. Alderman Downey asked what staff intended to do this year and if

consideration had been given to parking on alternate sides of the streets on given nights.

The City Manager indicated that providing the weather held the parking ban was not be instituted until December 15, 1986 and would be removed as soon as possible.

Question Alderman Downey re: Relocation of Persons in Public Housing

Alderman Downey referred to complaints received from persons living in public housing regarding being relocated. Alderman Downey noted that the Halifax Housing Authority had recently been appointed and suggested that the chairman of the Board be asked to attend a future meeting of the Committee of the Whole Council concerning the matter of relocation of tenants.

The Chairman advised that a request would be sent.

Question Alderman Cromwell re: Requested Report - Industrial Commission

Alderman Cromwell referred to a report he had requested from the Industrial Commission regarding the proposed marketing strategy for the next six month, the number of agreements presently in effect and when construction would begin in relation to these agreements. Alderman Cromwell indicated that he had not received this report and asked why it was taking so long to make this report available to Council.

Question Alderman O'Malley re: Requested Report - Halifax Housing Authority

Alderman O'Malley referred a report he had requested from the Halifax Housing Authority in relation to the introduction of coin operated machines in public housing. Alderman O'Malley noted that he had suggested that a token system be put into place and had requested a report in this regard. Alderman O'Malley noted that he had not received this report to date.

The Chairman noted that the report had been distributed to Council this evening.

His Worship rejoins the meeting and Deputy Mayor Jeffrey takes his seat in Council.

NOTICE OF MOTIONS

Notice of Motion Alderman D. Grant re: Reconsideration of
City Council Resolution of November 13, 1986 re Agenda
Item 5.1 - Request for Plan Amendment Morris Street at
Queen Street

Alderman D. Grant gave Notice of Motion that at the
next regular meeting of Halifax City Council to be held on
November 27, 1986 she intends to introduce a motion of
reconsideration of the November 13, 1986 City Council
resolution regarding agenda Item 5.1, Request for Plan
Amendment Morris Street at Queen Street.

His Worship indicated that it was not usual to
reconsider a planning item and requested clarification from the
City Solicitor with regard to the appropriateness of this notice.

The City Solicitor indicated that he would review the
matter and advise Council previous to the end of this meeting.

ADDED ITEMS

Peninsula North Secondary Planning Strategy - Zoning of
Pilcher's Flowers, 2776 Windsor Street

A staff report dated November 12, 1986 was submitted.

Alderman Dewell addressed the matter briefly outlining
the situation and MOVED, seconded by Alderman R. Grant that a
generalized future land use designation of "Minor Commercial"
and a C-2A zone be adopted for the property at 2776 Windsor
Street and further that this change to the proposed Peninsula
North Secondary Planning Strategy be considered at the Public
Hearing to consider approval of the Strategy.

Motion passed.

Crosswalks - Deputy Mayor Jeffrey

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

Alderman Jeffrey addressed the matter noting that
problems with crosswalks had been discussed by Council on a
number of occasions. Alderman Jeffrey referred to his comments
at the last meeting of the Committee of the Whole Council in
relation to crosswalks and MOVED, seconded by Alderman R. Grant
that Halifax City Council request the Police Department to
begin strict enforcement of the crosswalk bylaw throughout the
City of Halifax and further that the Chief's office prepare an
awareness campaign for both pedestrians and motorists for
enforcement immediately within the City of Halifax.

Alderman Cromwell addressed the matter indicating that there might be some costs involved in this action and suggested that Council should seek a report from the Chief of Police.

Alderman Jeffrey indicated that he had discussed this matter with the Chief and noted that the regulations regarding crosswalks were already in effect within the City.

Motion passed.

Aged Living Alone - Alderman Walker

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

Alderman Walker advised Council that he had recently had occasion to be involved in a situation where an elderly person had died at home. Alderman Walker indicated that this home was in terrible condition, dilapidated and filthy. Alderman Walker indicated that he felt some responsibility for this situation as Alderman for the Ward and asked who was responsible to ensure elderly persons do not live in these conditions and what could be done to prevent these situations.

Alderman Walker went on to describe the condition of the house noting that there were no ceilings in any of the rooms, the basement was extremely damp and although there was food in the refrigerator none of it was consumable. Alderman Walker noted that the neighbours had complained to both Social Services and the Police Department regarding the conditions this individual was living in and nothing had been done to alleviate the situation.

Alderman Walker indicated that there was a need for someone to be responsible for elderly persons living alone who did not seek contact with the people in their neighbourhoods. Alderman Walker indicated that the individual in this instance had not answered her door or the telephone. Alderman Walker indicated that someone had to know the situation at this home and indicated that the City could not allow people to live in these conditions and do nothing about it.

Alderman Walker suggested that legislation similar to the child abuse legislation where persons knowing of such situations would be required by law to report them should be enacted. Alderman Walker further indicated that it appeared that neither the Police Department or the Social Planning Department had the right to force entry into a house. Alderman Walker indicated that some permissive legislation must be sought to allow such forced entry in situations such as he had just described.

Alderman Jeffrey addressed the matter noting that he had a similar situation in his area and asked if, in fact, anyone had the authority to force entry into a house in a situation such as this.

Mr. Crowell, Director of Social Planning addressed Council advising that there was a branch of the Provincial Social Services which had the authority to act in situations where an individual was causing harm to himself or others. Mr. Crowell noted that this division sought a court order in these cases. Mr. Crowell advised that the proper course of action was to report such matters to the Provincial Department of Social Services. Mr. Cromwell further suggested that action in relation to the situation described by Alderman Walker had been slowed due to the fact there were family members.

Mr. Crowell further noted that he believed this particular situation had been reported to the Provincial Department of Social Services as a possible crisis situation.

In reply to a question from Deputy Mayor Jeffrey, Mr. Crowell advised that the Department would carry out a survey in connection with the matter mentioned by him and, if appropriate, the matter would be referred to the Provincial Department. Deputy Mayor Jeffrey that he would provide the Department with the applicable information.

His Worship addressed Council informing them that a national rating organization had indicated that the census metro area of Halifax had rated first out of 27 Canadian cities in relation to economic performance between 1982 and May of 1986.

Letter from Civic Hospital - Beds for Extended Care - Alderman O'Malley

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

Alderman O'Malley referred to a letter he had received from Harley K. Frowd, Executive Director, Halifax Civic Hospital dated November 5, 1986 regarding extended care beds and MOVED, seconded by Alderman DeWitt that City Council endorse the plan of action approved by the Civic Hospital Board, with the plan of action being to initially establish ten (10) extended care beds and a fourth in-patient service at the Civic Hospital and further that this plan be presented to the Minister of Health preferably through a joint meeting of those involved in the original meeting held on June 24, 1986.

Motion passed.

Council Rules of Order - Alderman O'Malley

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

Alderman O'Malley addressed the matter asking if there was a Committee of Council which dealt with the rules of order of Council. Alderman O'Malley indicated that at one time this Committee had been active and asked why it was no longer functioning. Alderman O'Malley indicated that the Committee had carried out an ongoing review of the Rules of Order of Council.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that the Committee be reinstated to carry out an examination of the Rules of Order of Council and bring back recommendations for Council's consideration.

Motion passed.

Tax and Grants Committee - Recommendations - Alderman Meagher

This matter was added to the agenda at the request of Alderman Meagher. A report from Alderman N. Meagher, Chairman, Tax Concessions and Grants Committee, dated October 27, 1986 was submitted.

MOVED by Alderman Meagher, seconded by Alderman D. Grant that City Council approve the following grants:

Summer Symphony - \$1,000.00 (To provide start-up funds for this group to assist in their efforts to provide a Summer Symphony Concert in Halifax in 1987).

G. B. Isnor Manor Senior Citizens Group - \$250.00 (To provide equipment and supplies for the Senior Citizens Activities and Entertainment Group).

Motion passed.

Nova Scotia Track and Field - Request for Funds - Alderman Meagher

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

Alderman Meagher indicated that he had received a request from Walter Nolan, President, Nova Scotia Track and Field Association for financial assistance in relation to the 1986 Canadian Cross Country Championships to be held in Halifax. Alderman Meagher indicated that he would submit the request for funds received from the Nova Scotia Track and Field Association to the Acting City Clerk for forwarding to the Recreation Department. Alderman Meagher requested that the Recreation Department report to the next meeting of the Committee of the Whole Council with regard to the availability of funds within the Department in relation to this request.

Notice of Motion Alderman D. Grant re: Reconsideration of
City Council Resolution of November 13, 1986 re Agenda
Item 5.1 - Request for Plan Amendment Morris Street at
Queen Street

The City Solicitor requested a period of time to review the appropriateness of this Notice previously in the meeting.

The City Solicitor indicated that as His Worship had noted it was not usual to reconsider planning items after a public hearing process has been embarked upon noting that the Planning Act requires that certain steps must be followed. The City Solicitor indicated that in view of these required steps a motion of Reconsideration or Recission after a public hearing has been held and decision by Council has been reached would be unfair.

The City Solicitor noted, however, that in this particular instance Council was just beginning the process and Council was not at this point dealing with either property or individual rights. The City Solicitor indicated that it was his opinion that this Notice was a permissible action to take at this time.

11:35 p.m. The meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR T. JEFFREY
CHAIRMAN

E.A. KERR
ACTING CITY CLERK

/sg

MINUTES

	.... 645
APPROVAL OF ORDER OF BUSINESS	.... 645
DEFERRED ITEMS	
Case Nos. 4926 and 5054 - Request for Plan Amendment - Morris Street at Queen Street	.... 646
MOTIONS OF RECONSIDERATION	
Motion of Reconsideration Alderman Cronwell re: City Council Res. October 30/86 re Grace Maternity Hospital Request	.... 647
MOTIONS OF RESCISSION	
Motion of Rescission Alderman Dewell re: City Council Res. October 30/86 - Case No. 5016 - Rezoning - Lot K-9A-1	.... 650
PETITIONS AND DELEGATIONS	
Request - Tax Concession for Office Tower - Purdy's Wharf Development Limited	.... 651
Request - Tax Reduction - NOSCO Marine Industries Inc. NOSCO Grain	.... 651
REPORT - FINANCE AND EXEC COMM	
Social Assistance Rates	.... 652
REPORT - COMMITTEE ON WORKS	
Award of Tender #86-120 - Tree Pruning Near Fire Alarm Circuits	.... 653
Bus Bay - Dunbrack Street at Rockingham Ridge	.... 653
Northwest Interceptor System	.... 653
Award of Tender #85-25 - Drainage Improvements	.... 654
REPORT - CITY PLANNING COMM.	
C-2A (Minor Commercial) Zone - Community Facilities Planning Advisory Committee Report - SET DATE FOR PUBLIC HEARING	.... 655
Case No. 4859 - Contract Development: 124 Herring Cove Road	.... 655
Date for Hearing - Nominated Heritage Properties - SET DATE FOR HEARING	.... 655
Proposed Amendments - MSSPS and Land Use Bylaw (Mainland Area) - Kelly Street - PAC Report - SET DATE FOR P. HEAR.	.... 657
Municipal Development Plan Review - Proposed Amendments to Municipal Development Plan and Land Use Bylaw	.... 657

MOTIONS

Motion Alderman OMalley re: Amendment to City Charter re:
Appt. of Manager of Executive Assistance to City Council 658

MISCELLANEOUS BUSINESS

Peninsula North Secondary Planning Strategy - Adjourned
Public Hearing 658

QUESTIONS

Question Deputy Mayor Jeffrey re: Heavy Trucks on Brook
Street 658

Question Alderman Walker re: Maple Leaf on Nova Scotia
Flag 658

Question Alderman Walker re: Trucks - Melville Ridge
Development 659

Question Alderman R. Grant re: Commission on City
Government 659

Question Alderman Walker re: Question Period during
Committee of the Whole Council 659

Question Alderman Leiper re: Bayview Road Traffic Problems
.... 659

Question Alderman R. Grant re: Discretionary Funding -
School Board 660

Question Alderman R. Grant re: Regulation of All Terrain
Vehicles 660

Question Alderman R. Grant re: Truck Routes
.... 660

Question Alderman OMalley re: School Statistics in
Relation to School Closure 661

Question Alderman Downey re: Winter Parking Ban
.... 661

Question Alderman Meagher re: Leaf Clean-up in Ward 4
.... 661

Question Alderman Downey re: Appraisal of Property
.... 661

Question Alderman Downey re: Relocation of Persons in
Public Housing 662

Question Alderman Crowwell re: Requested Report -
Industrial Commission 662

Question Alderman OMalley re: Requested Report - Halifax
Housing Authority 662

NOTICE OF MOTIONS

Notice of Motion Alderman D. Grant re: City Council Res.
Nov. 13/86 - Request for Plan Amend. Morris and Queen Sts. 663

ADDED ITEMS

Peninsula North Secondary Planning Strategy - Zoning of
.... 663

Pilcher's Flowers, 2776 Windsor Street
Crosswalks - Alderman Jeffrey 663

Aged Living Alone - Alderman Walker
.... 664

Letter from Civic Hospital - Beds for Extended Care -
Alderman OMalley 665

Council Rules of Order - Alderman OMalley

HEADLINES FOR CITY COUNCIL MINUTES
of 11/13/86

Tax and Grants Committee - Recommendations - Alderman Meagher	....6651
Nova Scotia Track and Field - Request for Funds - Alderman Meagher	.... 666
Notice of Motion Alderman D. Grant re: City Council Res. November 13/86 re Grace Maternity Hospital Request	.... 666
	.... 667

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
November 27, 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.

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor T. Jeffrey; and Aldermen Deborah Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, Richard Grant, Walker, Leiper, Flynn, and Hamshaw.

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

Snow Clearing Program for Seniors - Diana Sarty

His Worship addressed the matter indicating that Mrs. Diana Sarty, Director of the Snow Clearing Program for Seniors was present this evening to make a brief presentation to Council with regard to this program.

Mrs. Diana Sarty addressed Council noting that she had two of the volunteers in the program with her this evening. Mrs. Sarty then introduced Darren Kirk and Liza McGlone to members of Council. Mrs. Sarty indicated that both these students have been involved in the program for two years. Mrs. Sarty further noted that she had distributed a copy of the application to be completed by seniors in relation to the program.

Mrs. Sarty indicated that the program has been in operation since 1975 and each year has increased slightly. Mrs. Sarty noted that a good deal of advertising of the program was carried out through the media and newsletters. Mrs. Sarty indicated that any seniors or disabled persons interested in becoming involved in the program should call and make an application to have a student volunteer to clear snow.

Mrs. Sarty indicated that some 600 applications had been sent out to seniors and senior groups by the Spencer House Seniors Centre (Telephone: 421-6131).

Mrs. Sarty then responded to a number of questions from members of Council with regard to the snow clearing program.

His Worship thanked Mrs. Sarty on behalf of members of Council for the fine effort made in this program and noted that a reception would be held at the end of the program to properly thank and recognize this effort.

MINUTES

Minutes of the regular meeting of City Council held on November 13, 1986 were approved on a motion by Alderman Hamshaw, seconded by Deputy Mayor Jeffrey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Award of Tender #86-96 - Mechanical and Electrical (City Hall)
- 20.2 Sale - 225 Herring Cove Road
- 20.3 Town Crier's Stipend
- 20.4 Statement of Revenue and Expenditures (to October 31, 1986)
- 20.5 Appointment - City Clerk

At the request of Alderman Flynn Council agreed to add:

- 20.6 Papal Plaque

At the request of Deputy Mayor Jeffrey agreed to add:

- 20.7 Amusement Arcade

At the request of Alderman Meagher agreed to add:

- 20.8 Street Lines on Falkland and Haitland Streets

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

Motion passed.

MOTIONS OF RECONSIDERATION

Motion of Reconsideration - Alderman D. Grant re: City Council Resolution of November 13, 1986 - Request for Plan Amendment Morris Street at Queen Street

Alderman D. Grant gave Notice of Motion of her intention to introduce a motion of reconsideration with regard to the Council resolution of November 13, 1986 relating to the request for a plan amendment on Morris Street at Queen Street at the November 13, 1986 meeting of City Council.

Alderman D. Grant addressed the matter indicating that her reasons for requesting a reconsideration of this matter were threefold. Alderman D. Grant indicated, firstly, that Council was not aware at the time they first considered this matter that at the public meeting held in July to consider the rezoning, the public and the Planning Advisory Committee dealt with the rezoning with the understanding that the developers intended to develop the lot in conformance with the zoning they were requesting.

Secondly, Alderman D. Grant, noted that Council was not aware that in order to maintain the principles and integrity of the plan and the planning process, the Planning Advisory Committee recommended in their report of October 3, 1986 that City Council set a date for a public hearing to consider the rezoning, however, that development only be permitted by agreement with specific conditions. Finally, Alderman D. Grant, indicated that Council was not aware that the developers were in agreement with this proposal and have stated this publicly.

MOVED by Alderman D. Grant, seconded by Alderman Downey
that Council reconsider its motion of November 13, 1986 with respect to Item 5.1, Request for Plan Amendment Morris Street at Queen Street pertaining to the deletion of items 2(a) and 2(b) of Appendix I of the Planning Advisory Committee report dated October 3, 1986.

Motion passed.

MOVED by Alderman D. Grant, seconded by Alderman Downey
that the October 30, 1986 resolution of Council in respect to the Plan Amendment request Morris at Queen Street be amended as follows:

1. a date be set for a public hearing to consider an amendment to the Municipal Planning Strategy which would change the Generalized Future Land Use Designation for the properties on the northwest and southwest corners of Morris and Queen Street (Civic Nos. 5558-5562 and 5561-65 respectively) from "Medium Density Residential" to "Residential/Commercial Mix"; and that any proposed "Residential/Commercial" use should only be permitted by development agreement with specific conditions as outlined in detail in Appendix I, attached to the October 3, 1986 report from the Planning Advisory Committee, excepting that:

A. Item 2a of Appendix I of the October 3, 1986 report read as follows:

"The provisions of High Density Residential/Mixed Commercial or the Residential/Minor Commercial zones in respect to permitted uses, lot area, front and rear yards, and parking."

B. Item 2(b) of this same report be deleted.

2. the following applications for contract development be considered at the same public hearing:

An application for contract development pursuant to the plan amendment being proposed to permit renovation and improvements to 5560 Morris Street (Atlantic News Building) and to allow three additional apartments and parking spaces for six vehicles on the Morris Street side of the property;

An application for contract development at 5561-65 Morris Street to permit exterior renovation to the building, allow for additional apartment units on the second and third floors and allow for a commercial use on the first floor.

Motion passed.

PUBLIC HEARINGS, HEARINGS, ETC.

Public Hearing re: Case No. 5118 - Rezoning - 21 Main Avenue
from R-2P to R-2AM

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

Mr. Mike Hanusiack, Development and Planning Department, with the use of maps and sketches, outlined the application for a rezoning at 21 Main Avenue from R-2P to R-2AM to permit the construction of a 14 unit apartment building, as found in the staff report dated September 30, 1986. Mr. Hanusiack further advised Council that the lot in question has a lot frontage of 66 ft. and the R-2AM zone would allow up to 14 units provided the lot frontage was 75 ft. Mr. Hanusiack indicated, therefore, that a lot frontage modification would also have to be approved to permit the proposed development.

Mr. Hanusiack indicated that staff was recommending refusal of both the rezoning and the lot frontage modification.

Mr. Joseph Goshen, the applicant, addressed Council indicating that this was the only single family dwelling on the street. Mr. Goshen indicated that before he had made application for the rezoning he had spoken with a City engineer who indicated that the lot was located such that sewer hook up would not be difficult. In closing, Mr. Goshen requested Council's support with regard to the application.

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

Deputy Mayor Jeffrey addressed the matter briefly and MOVED, seconded by Alderman Flynn that City Council approve the application to rezone 21 Main Avenue from R-2P, General Residential Zone, to R-2AM, General Residential Conversion and Townhouse Zone, as shown on Plan No. P200/15240 of Case No. 5118 and further that the required lot frontage modification also be approved.

Motion passed.

Appeal of Variance Refusal at 6243-45 Lawrence Street

A staff report dated November 6, 1986 was submitted.

Alderman Meagher addressed the matter indicating that he had spoken with the applicant in this regard and the applicant had requested that this matter be deferred to the first meeting of Council in January.

MOVED by Alderman Meagher, seconded by Alderman Flynn that consideration of this matter be deferred to the first meeting of City Council to be held in January.

Motion passed.

PETITIONS AND DELEGATIONS

Petition Alderman Downey re: Residents of Sunrise Manor in
Opposition to the Installation of Coin Operated Laundry
Machines

Alderman Downey submitted a petition on behalf of approximately 70 residents of the Sunrise Manor in opposition to the installation of coin operated laundry machines.

Petition Alderman R. Grant re: Residents of Captain William
Spry Lodge in Opposition to the Installation of Coin
Operated Laundry Machines

Alderman R. Grant submitted a petition on behalf of approximately 31 residents of the Captain William Spry Lodge strongly opposing the proposed installation of pay washers and dryers in the Captain William Spry Lodge.

Petition Alderman Dewell re: Rezoning of Lots 13-20 and
Portions of Claremont Street and Regent Road from R-2
and P to R-2A and Construction of 39 unit Townhouse
Development - Case No. 5046

Alderman Dewell submitted a petition on behalf of

approximately 51 residents of the Claremont Street area regarding Case #5046 re rezoning of Lots 13-20 and portions of Claremont Street and Regent Road from R-2 and P to R-2A and construction of 39 unit Townhouse on that site. Alderman Dewell noted that the residents of Claremont Street were not in opposition to the proposal, however, they had some concerns which they would like Council to address before approving this application.

Petition Alderman Dewell re: Correspondence - Margie Mercieca, President, St. Catherine's School Parent Teachers Association
re New Gymnasium at St. Catherine's School

Alderman Dewell submitted two pieces of correspondence dated November 18, 1986 he had received from Mrs. Margie Mercieca, President, St. Catherine's School Parent Teachers Association regarding concern over the inadequacy of the St. Catherine's School gymnasium facilities and a request for support in obtaining a new gymnasium for the school.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

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

Request - Tax Reduction - NOSCO Marine Industries Inc.
NOSCO Grain

MOVED by Alderman Flynn, seconded by Alderman Hamshaw
that, as recommended by the Finance and Executive Committee, this matter be referred to staff for a report and that staff meet with the principles to provide Council with a comprehensive report including the benefit of the company to the community, the relationship between what the city would receive under the grant structure or full taxation as opposed to the proposal by NOSCO and what impact this would have on the City's grants from the Province.

Alderman Flynn addressed the matter requesting that this matter be forwarded to the Board of Trade Civic Affairs Committee for their comment with regard to the granting of tax concessions and deferrals, as well as, the effect this would have on the tax rate, to which Council agreed.

Motion passed.

Property Tax Assistance

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

1. Both forms of assistance (Tax Deferral under Ordinance 137 and Tax Reduction under Section 227 of the City Charter) should have the same qualifying income and that this level of income be based on a total household income and be set at an amount of \$14,000.00 for 1987, above which level of household income this assistance should not be available.

2. The level of assistance given to qualifying Widows, Widowers, Senior Citizens and Heads of Single Parent Families be set at \$240.00 for 1987, and that staff be directed to take the necessary steps to change the City Charter and Ordinance 137 to achieve this.

Alderman Meagher noted that this was an increase in the level of income over last year and that more residents would be able to take advantage of this program.

Motion passed.

Tax Concessions for Parking Garages

MOVED by Alderman Flynn, seconded by Alderman D. Grant
that, as recommended by the Finance and Executive Committee, no change be made to the present policy regarding tax concessions for parking garages and further that the developers expressing concern be advised to enter into an agreement with the City for a tax concession prior to beginning work on the parking garages.

Motion passed.

Resolution - City of Kitchener - Postal Services

MOVED by Alderman Leiper, seconded by Alderman Hamshaw
that, as recommended by the Finance and Executive Committee City Council endorse the resolution approved by the City Council of the City of Kitchener as follows:

Whereas the Council of the City of Kitchener believes that all residents of Kitchener are entitled to the same level of service.

And Whereas the proposed practice by Canada Post of not providing door-to-door mail service to all residents of Kitchener is clearly discriminatory.

Therefore Be It Resolved that the City of Kitchener express its deep opposition to the Federal Government regarding the establishment of community mailboxes and urge the Federal Government to provide door-to-door service throughout the municipality of Kitchener.

Alderman Leiper addressed the matter noting that it appeared that the arrival of the superboxes in Wards 10 and 12 was imminent as these boxes were already located in Bedford. Alderman Leiper further noted that most residents believed these boxes would only apply to new development, however, Alderman Leiper advised that they would apply to all developments established since January of 1985.

Alderman Leiper requested that a letter be directed to the Honorable Howard Crosby and the Honorable Stewart McInnes asking that they intervene on behalf of Council and the residents of Halifax with regard to this matter.

Alderman R. Grant addressed the matter indicating that he had heard a brief news item dealing with residents of a subdivision who had taken this matter to court with the decision of the court being that Canada Post must supply door to door mail service to this subdivision on the basis of equality. Alderman R. Grant requested that the City Solicitor confirm this information and report to Council in this regard, and the City Solicitor indicated that he would provide a report for Council.

Alderman Hamshaw addressed the matter indicating that he had discussed this matter with the Honorable Mr. Crosby and had been assured that apartments having mailboxes would have mail delivery to these boxes. Alderman Hamshaw indicated that he fully supported Alderman Leiper's request regarding correspondence being forwarded to the Honorable Messrs. Crosby and McInnes.

The motion was put and passed.

Sale - Parcels 102A and 103A, Dunbrack and Ross Streets

MOVED by Alderman Hamshaw, seconded by Alderman Flynn
that, as recommended by the Finance and Executive Committee, the
lands shown as Parcel 102A on Plan TT-19-20902 and Parcel 103A
on Plan TT-19-20903 be sold to T. A. Doggett Construction
Limited for the sum of \$3,800.00 and the proceeds to be
deposited in the Sale of Land Account.

Motion passed.

Policy on Billboards in the City

MOVED by Alderman Flynn, seconded by Alderman Leiper
that, as recommended by the Finance and Executive Committee,
staff prepare a report regarding the status of billboards within
the City for consideration at a future meeting of the Committee
of the Whole Council and including the following information:

1. What is the present legislation regarding billboards
2. What is the policy regarding the placement of billboards on City Property.

3. How many billboards are located on a) Private Property and b) City Property
4. What is the policy with regard to content and size of billboards; and
5. Information with regard to fees and any other information which would be of interest to Council.

Motion passed.

Financing - Provincial Housing Demonstration Project

MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, staff be authorized to provide interim financing for Non-Profit Housing Society's portion of the Housing Demonstration Project, at a floating interest rate based on the 90 day Bankers' Acceptance Rate as outlined in the staff report dated October 21, 1986 and further, that staff be authorized to arrange mortgage funding through a request for proposals for the projects on or before their completion under consideration of interest rate trends.

His Worship briefly outlined the financing arrangements in regard to the Housing Demonstration Project and the number of units to be provided within the City.

The motion was put and passed.

City Auditor General Report - Independence of City Auditor
(Item #8: Audit Committee Report, October 16, 1986)

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council authorize Hay Management Consultants Limited to undertake the evaluation of two staff members employed by the Auditor General's Department.

Alderman R. Grant indicated that an evaluation of the Secretary's position had been carried out some time ago by the Audit Committee in consultation with the Auditor General. Alderman R. Grant indicated that this evaluation was in line with other similar positions in the City and noted that he could not see the need to go outside for a job evaluation in this regard.

The motion was put and passed.

Statement of Revenue and Expenditure

MOVED by Alderman Walker, seconded by Alderman Flynn that City Council table the Statement of Revenue and Expenditure for nine months ended September 30, 1986. Motion passed.

Pollution Control Charge - 1987

MOVED by Alderman Hamshaw, seconded by Alderman Flynn
that, as recommended by the Finance and Executive Committee,
City Council set the pollution control charge rate for the 1987
year at 53 cents per thousand gallons of water consumed, an
increase of 3 cents from the rate which has been in place since
1981.

Alderman Flynn addressed the matter referring to
charges that the City was not using the funds in the Pollution
Control Account properly and noted that the City Manager and
Municipal Affairs have indicated that the funds are being used
appropriately. Alderman Flynn then addressed the matter of a
need for a sewage treatment plant or plants within the City and
noted that there was a very great need for some action in this
regard. Alderman Flynn suggested that Halifax should show
leadership and begin to actively pursue the necessary financing
of these necessary plants.

Alderman Cromwell addressed the matter indicating that
he would not be supporting the motion as he felt the increase in
the pollution control charge was merely relieving the other
levels of government of their responsibility in this area.
Alderman Cromwell noted that at some time in the future a
greater increase might be needed to meet the City's financial
responsibilities in relation to cost sharing on a sewage
treatment plant and suggested that any increase should be
deferred until such time as it is known exactly what is going to
be expected of the City in this regard.

Alderman R. Grant addressed the matter indicating that
the pollution control account was being used to install the
necessary infrastructure to enable an easy hook-in to the sewage
treatment plant when it has been established. Alderman R. Grant
indicated that the infrastructure was necessary and noted that
he would be supporting the motion for an increase to the charge.

A further discussion ensued with Alderman Flynn noting
that he felt it was time that Council made representation to the
Provincial government with regard to the City hooking into the
County's sewage system in connection with the City's Industrial
lands. Alderman Flynn noted that at present the use of this
plant was far below capacity and it was ridiculous to force the
city to spend two million dollars when this facility was being
underused. Alderman Flynn indicated that he felt the Province
should take some action in this regard and force the County to
allow the City to hook into the system.

His Worship addressed the matter noting that a meeting
was to be held in December in regard to hooking into the County
system and noted that he would be impressing upon the Provincial
representatives the unfairness of the refusal by the County in
light of the substantial Provincial funding which has made the

sewage treatment plant in the County possible.

The motion was put and passed.

Sale of Portion of Grosvenor School Lands

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Parcel X, as shown on the sketch attached to the staff report, dated November 12, 1986, be sold to Ryco Atlantic Limited for \$50,000, subject to subdivision approval and with title transfer at such time as construction is substantially underway.

Alderman Hamshaw addressed the matter asking if a time limit could be placed on the start-up of construction.

Ms. Carol Bradley, Supervisor, Real Estate, addressed Council indicating that the construction would require a building permit and the usual limitations as to time on a building permit would apply. Ms. Bradley further noted that a time limit could be included in the agreement of purchase and sale.

Alderman Hamshaw suggested a two year time limit and Ms. Bradley indicated that she did not think this was unreasonable.

The motion was put and passed.

Nova Scotia Track and Field - Request for Funds

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, an expenditure of four hundred and fifty dollars (\$450.00) be authorized by the City's Recreation Department under Section 201(1) of the City Charter to provide for four (4) off-duty police officers for five (5) hours during the upcoming Canadian Cross Country Championships.

Motion passed.

Request - Tax Concession for Office Tower: Purdy's Wharf Development Limited

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, City Council request a report regarding the implications or benefits of a tax concession, what the effect will be on other proposed developments such as Halifax Developments and Spring Garden Road Development, as well as the effect on developments already in place such as Founders Square and with the report to include a recommendation.

Motion passed.

Alderman Flynn referred to his previous request in relation to NOSCO and indicated that he would like this matter to be referred to the Board of Trade Civic Affairs Committee as well, to which Council agreed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on November 19, 1986 as follows:

Award of Tender 85-299: Fire Alarm Equipment

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

1. Tender #85-299 for fire alarm equipment be awarded to Harrington Signal Co., 406 7th Street, Moline, IL, USA, 61625 for \$7,240.00 U.S. Funds and \$12,600.00 Canadian Funds.
2. Funds are available from Account Number: 126110.D9900.DS068.

Alderman Flynn addressed the matter asking if this was the only bid received on this tender and noted that there might be difficulties with repairs as the successful bidder was located outside of Canada.

The City Manager indicated that he would look into the matter and report back to the Alderman.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Report - Industrial Commission re: 3700 Acres - Annexed Land Susie Lake Area

A report from William J. Riley, Chairman, Halifax Industrial Commission, dated November 178, 1986 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Hamshaw that they direct the Planning Department of the City to look into the planning of the 3700 acres particularly as it relates to residential development and the possible expansion of the Bayers Lake Industrial Park beyond the 500 acres currently designated for industrial development.

A short discussion ensued with Alderman R. Grant requesting that staff ensure that the Lakes and Waterways Advisory Committee is consulted regarding matters relating to the lake.

Motion passed.

Reciprocal Pension Agreement - City of Dartmouth

A report from Mr. E. A. Kerr, Acting Secretary, Retirement Committee, dated November 24, 1986 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman D. Meagher that Council approve entering into a reciprocal pension agreement with the City of Dartmouth as attached to the October 30, 1986 report from Wayne Anstey, Q.C., Legal Department.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 19, 1986, as follows:

Case No. 5068 - 6247 Jubilee Road; Rezoning

Following is the recommendation from the November 19 meeting of the City Planning Committee:

That the application to rezone 6247 Jubilee Road from RC-1 to C-2A to allow the expansion of the existing drug store and one more dwelling unit be refused by City Council for the reasons as outlined in the October 14, 1986 staff report.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that Council schedule a public hearing to consider the rezoning of 6247 Jubilee Road from RC-1 to C-2A to allow the expansion of the existing drug store and one more dwelling unit.

In his subsequent remarks, Alderman Cromwell requested that in order to afford staff ample opportunity to research the matter in greater detail, the public hearing date be set for late January or early February, 1987.

The motion was put and passed.

The Acting City Clerk advised that the public hearing would be scheduled for WEDNESDAY, FEBRUARY 4, 1987 at 7:30 p.m. in St. Mary's School Gymnasium, 5614 Morris Street.

Case No. 5160 - Rezoning: Proposed Lots 37BA and 37BB
Winchester Avenue

This matter had been forwarded without recommendation from the November 19 meeting of the City Planning Committee.

MOVED by Alderman Walker, seconded by Alderman R. Grant that the application to rezone proposed Lots 37BA and 37BB Winchester Avenue to permit the construction of semi-detached dwelling be referred to the Planning Advisory Committee for review and recommendation.

Motion passed.

Case No. 5195 - Zoning: 6070-6074 South Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the rezoning of 6070-6084 South Street from R-2 to RC-1 and the rezoning of 6066 South Street from RC-1 to R-2, as shown on Map 1 of the November 4, 1986 staff report.

Motion passed.

The Acting City Clerk advised that the public hearing would be scheduled for WEDNESDAY, JANUARY 7, 1987 at 7:30 p.m. in St. Mary's School Gymnasium, 5614 Morris Street.

PUBLIC HEARINGS - DATES AND LOCATIONS

Following a discussion, Council considered the recommendation from the November 19, 1986 meeting of the City Planning Committee as follows:

- (a) Case Nos. 4926, 5024 - MPS Amendment and Contract Development - Morris and Queen Streets (DATE FOR PUBLIC HEARING)

Council agreed that, as recommended by the City Planning Committee, the date for a public hearing be scheduled for WEDNESDAY, JANUARY 7, 1987 at 7:30 p.m. at St. Mary's School Gymnasium, 5614 Morris Street, to consider the following:

- 1) an amendment to the Municipal Planning Strategy which would change the Generalized Future Land Use designation for the properties on the northwest and southwest corners of Morris and Queen Street (Civic Nos. 5550-5562 and 5561-65 respectively) from "Medium Density Residential" to "Residential/Commercial Mix;" and that any proposed "Residential/Commercial" use should only be permitted by development agreement with specific conditions as outlined in detail in Appendix I, attached to the October 3, 1986 report from the Planning Advisory Committee, excepting that:

A. Item 2(a) of Appendix I of the October 3, 1986 report read as follows:

"The provisions of High-Density Residential/Mixed Commercial or the Residential/Minor Commercial Zones in respect to permitted uses, lot area, front and rear yards, and parking."

B. Item 2(b) of this same report be deleted.

2) the following applications for contract development be considered at the same public hearing:

- an application for contract development pursuant to the Plan amendment being proposed to permit renovation and improvements to 5560 Morris Street (Atlantic News Building), and to allow three additional apartments and parking spaces for six vehicles on the Morris Street side of the property;

- an application for contract development at 5561-65 Morris Street to permit exterior renovation to the building, allow for additional apartment units on the second and third floors, and to allow for a commercial use on the first floor.

(b) Nominated Heritage Properties: 1328-32 Hollis Street (Alexander McLean House) and 5172-76-78-82 Bishop Street (Fraser Terrace) - DATE FOR HEARING

Council agreed, as recommended by the City Planning Committee, that in accordance with the requirements of Section 14(2) of the Heritage Property Act, a public hearing be scheduled for WEDNESDAY, JANUARY 7, 1987 at 7:30 p.m. in the St. Mary's School Gymnasium, 5614 Morris Street, regarding the proposed inclusion of Civic Number 1328-32 Hollis Street (the Alexander McLean House) and Civic Numbers 5172-76-78-82 Bishop Street (Fraser Terrace) in the Halifax Registry of Heritage Property.

(c) C-2A (Minor Commercial) Zone Community Facilities (Planning Advisory Committee Report) - DATE FOR PUBLIC HEARING

Council agreed that, as recommended by the City Planning Committee, a public hearing be scheduled for WEDNESDAY, JANUARY 7, 1987 at 7:30 p.m. in the St. Mary's School Gymnasium, 5614 Morris Street, to amend the Land Use Bylaw (Peninsula and Mainland Areas), as outlined in Appendix "A" of the PAC report dated October 28, 1986, to define the term "Community Facility" and to use terminology consistent with that definition throughout.

- (d) Proposed Amendments - Mainland South Secondary Planning Strategy and Land Use Bylaw (Mainland Area): Kelly Street - DATE FOR PUBLIC HEARING

At its meeting on November 19, 1986, the City Planning Committee had recommended that the proposed public hearing on this matter be held in the St. Mary's School Gymnasium, 5614 Morris Street, on Wednesday, January 7, 1986.

MOVED by Alderman Walker, seconded by Alderman R. Grant that the proposed public hearing to consider Plan and Zoning Bylaw amendments pertaining to Kelly Street be held at a location in close proximity to the Kelly Street neighborhood.

Motion defeated.

After some discussion, Council agreed that, as recommended by the City Planning Committee, a public hearing be scheduled for WEDNESDAY, JANUARY 7, 1987 at 7:30 p.m. in the St. Mary's School Gymnasium, 5614 Morris Street, to consider the redesignation and rezoning of the area shown on Map 1 (as attached to the October 28, 1986 report from the Planning Advisory Committee) from "Residential Development District" (RDD) to "Low-Density Residential" and R-2.

- (e) Adjourned Public Hearing: Peninsula North Secondary Planning Strategy

At its meeting on November 19, 1986, the City Planning Committee had recommended that the adjourned public hearing concerning the Peninsula North Secondary Planning Strategy be held at St. Mary's School, 5614 Morris Street on Wednesday, January 21, 1987.

MOVED by Alderman O'Malley, seconded by Alderman Heagher that the adjourned public hearing to consider the proposed Peninsula North Secondary Planning Strategy be held on WEDNESDAY, JANUARY 21, 1987 at 7:30 p.m. at the Joseph Howe School, 2557 Maynard Street.

Motion passed.

MISCELLANEOUS BUSINESS

Citizens Appointments: Committees, Boards and Commissions

A report, dated November 27, 1986, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that the proposed appointment to the Halifax Industrial Commission be deferred to the next regular meeting of City Council.

The motion was put and lost.

MOVED by Alderman Flynn, seconded by Alderman Walker that the following appointments, as set out in the report dated November 27, 1986, be approved:

Recreation Committee

Tom O'Malley
Pamela Miller
(Term to expire November 27, 1989)

Halifax Industrial Commission

David Hyndman
(Term to expire February 14, 1988)

Forum Commission

Mike Kelly
William Hanson
Alan Barkhouse
Marion McNeil
(Term to expire November 27, 1989)

Captain William Spry Community Centre

Albert Grandy
(Term to expire June 1, 1987)

Committee on Public Hearing Procedures

Ted Wickwire
Peter McDonough
Judge Thomas Coffin
Brenda Shannon
(Term to expire on completion of task)

Committee on Rules of Order of Council

Mayor Ron Wallace
Deputy Mayor Tom Jeffrey
Alderman Arthur Flynn
Alderman Nicholas Meagher
(Term to expire on completion of task)

Halifax Civic Hospital

Aaron Zive
(Term to expire November 28, 1987)

Planning Advisory Committee

J. M. Gatien
Jack Bryant
(Term to expire November 27, 1988)

Halifax District School Board

Murray Doehler
Nita Graham
John Riley
(Term to expire November 30, 1988)

Taxi Commission

Mark Arnold
(Term to expire November 30, 1987)

Library Board

Susan Clarke
(Term to expire November 27, 1987)

Board of Health

Alderman Moira Leiper
(Term to expire November 5, 1987)

Athletic Commission

Alderman Albert Walker
Alderman Richard Grant
Curly Alguire
Chairman of Forum Commission (or designate)
Ossie Timmons
(Term to expire November 27, 1987)

Motion passed.

QUESTIONS

Question Deputy Mayor Jeffrey Re: Request for Bus Shelter

Deputy Mayor Jeffrey referred to the bus stop situated near the corner of Hillcrest Street and Rosedale Avenue, and asked for a report from Metro Transit as to whether a bus shelter could be provided in this very windy location.

Question Deputy Mayor Jeffrey Re: Loading Zones

Deputy Mayor Jeffrey advised that he had received a number of complaints concerning heavy vehicles (particularly those belonging to various musical groups) which are left in loading zones throughout the City from Friday night to Monday mornings.

The Deputy Mayor asked for a report from the Police Department as to whether this is permissible, and, if not, whether steps could be taken to ensure that these vehicles are removed.

Question Deputy Mayor Jeffrey Re: Security - Aldermen's Aide
(Third Floor Location)

Deputy Mayor Jeffrey noted that concerns had been raised regarding the proposed location for the Aldermen's Aide on the Third Floor of City Hall, suggesting that measures be considered to secure that office with the aid of a separate door with a lock and a buzzer system.

Question Deputy Mayor Jeffrey Re: Sunday Store Openings

The Deputy Mayor referred to complaints received regarding the current Sunday store openings and asked for a report from the City Solicitor as to whether there is anything the City can do to prevent these occurrences while waiting for the Supreme Court of Canada to reach a decision on the matter.

Question Deputy Mayor Jeffrey Re: Enforcement of Crosswalk
Regulations

Deputy Mayor Jeffrey referred to a motion approved by Council during its regular meeting on November 13, 1986 concerning increased enforcement of the crosswalk regulations and the implementation of a public awareness program.

The Deputy Mayor requested a report from the Police Department as to when these measures will be undertaken.

10:00 p.m. - Mayor Wallace retires from the meeting with Deputy Mayor Jeffrey assuming the Chair.

Question Alderman Cromwell Re: Surplus - Halifax District
School Board Surplus

Alderman Cromwell referred to a recent newspaper article which stated that the Halifax District School Board will possibly have a \$600,000 surplus for its 1986 fiscal year. The Alderman noted it had been suggested that these surplus funds will be partially allocated to a retirement fund and to various student councils, and questioned whether this could be done if such allocations had not been identified in the School Board's approved budget.

Alderman Cromwell requested a report from the School Board which would clarify its intentions with regard to these surplus funds.

Question Alderman Meagher Re: Gutted Building - Connaught
Avenue and Quinpool Road

Alderman Meagher requested that the Building Inspection Division investigate the gutted house at the corner

of Connaught Avenue and Quinpool Road, noting that the third floor of that building is now completely exposed and suggesting that steps should be taken to ensure that it is covered to protect it from the elements.

He added that while most of the windows have been boarded up, the method used lends to the unsightliness of the building and, in addition, the windows facing Poplar Street and at the back of the building have been left open. Alderman Meagher asked that the Building Inspection Division take steps to ensure that all windows are properly boarded up and that the plywood used be painted to alleviate the general unsightliness of the structure.

Question Alderman Meagher Re: Sunday Store Openings

Concurring with remarks made earlier by Deputy Mayor Jeffrey, Alderman Meagher expressed concern regarding the position of various small store owners who are being forced to open their premises on Sundays. The Alderman requested a report from the City Solicitor as to what the City can do, once the Christmas season is over, to begin enforcing the regulations pertaining to Sunday store closings.

Question Alderman Meagher Re: Removal of Leaves

Alderman Meagher requested a report from the Works Division concerning the leaf removal program in Ward 4, emphasizing that he has received several complaints from residents on streets in which the leaves have not yet been removed. The Alderman asked for information as to when the program would be completed in that area.

Question Alderman Dewell Re: Sunday Store Openings

Alderman Dewell, in referring to the current trend towards Sunday store openings, referred to the heavy competition suffered by corner (convenience) stores who normally rely on Sunday business for their livelihood. He suggested that Council might wish to urge City residents to take this situation under consideration and refrain from patronizing the larger stores on Sundays.

Question Alderman Dewell Re: Manhole Covers - Connaught Avenue

Alderman Dewell referred to complaints received regarding various manhole covers in Ward 6 (particularly on Edgewood Avenue), which would appear to be improperly installed, and asked that the Works Division undertake an inspection in the area to attempt to alleviate the problem.

Question Alderman Dewell Re: Leaf Removal Program

Alderman Dewell requested a report from the Works Division concerning the status of the leaf removal program in Ward 6.

Question Alderman R. Grant - Snow Plowing; Ward 7

Alderman R. Grant referred to damage caused to several asphalt curbs in his area by snow plows during the recent snow storm. He suggested that the City's snow plow operators be asked to pay particular attention to the location of these asphalt curbs in order to avoid future damage of this nature.

Question Alderman R. Grant - Sunday Store Openings

Alderman R. Grant noted that he had been given to understand that, should the Supreme Court of Canada decide that Sunday store openings are indeed legal, the only method of controlling such openings left to municipalities would be through the use of various labor regulations pertaining to hours of operations and employee remuneration.

The Alderman requested clarification on this point from the City Solicitor's Department.

Question Alderman R. Grant Re: Halifax District School Board - 1987 Operating Budget

Alderman R. Grant requested information from the Halifax District School Board as to the impact on specific school programs, if Council were to maintain either the 1985 or 1986 levels of discretionary funding in its 1987 operating budget.

Question Alderman O'Malley Re: Holidays Act

Alderman O'Malley requested information from the City Solicitor's Department prior to the December 3 meeting of Committee of the Whole Council as to whether the provisions of the Holidays Act pertain solely to retail outlets or to all forms of commercial activity. The Alderman further requested clarification as to the nature of the case presently before the Supreme Court of Canada; i.e., whether it is restricted solely to the retail sector of the economy or, instead, to all forms of business.

Question Alderman Walker Re: Bus Shelter

Alderman Walker referred to various requests received from senior citizens in the area, and asked for a report from Metro Transit as to whether the provision of a bus shelter at

the corner of Margate Road and Withrod Drive could not be reconsidered.

Question Alderman Walker Re: Parking in Handicapped Zones

Alderman Walker noted that handicapped parking spaces (particularly at shopping centres) are frequently used by able-bodied individuals to the detriment of those for whom those spaces were intended. He referred to signage used in various American cities, which consists of a separate sign located underneath the normal "Handicapped Parking" notice which states, "Would You Really Take My Place?" Alderman Walker suggested that staff take this method of handicapped signage under advisement, and submit a recommendation.

Question Alderman Walker Re: Herring Cove Road

Alderman Walker requested a report from staff as to the plans for the extension of the Herring Cove Road during the 1987 fiscal year.

10:20 p.m. - Mayor Wallace returns to the meeting with Deputy Mayor Jeffrey assuming his usual seat on Council.

Question Alderman Flynn Re: City-Owned Property:
Chebucto Road/Philip Street

Alderman Flynn referred to the vacant property at the corner of Chebucto Road and Philip Street, noting that a portion of that lot is owned by the City of Halifax. The Alderman asked for information from staff as to whether there are any plans for this property or, alternatively, what use could be made of it.

ADDED ITEMS

Award of Tender #86-96: Mechanical and Electrical (City Hall)

A confidential staff report, dated November 24, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper
that Council:

- 1) approve the request of J. A. Moulton and Son Limited to withdraw from the contract;
- 2) award a contract to Comstock International Limited to undertake the contract less the duct work for an amount of two hundred forty-five thousand dollars (\$245,000);

- 3) award a contract to J. W. McInnis Mechanical Limited for all duct work specified in the plans and specifications for an amount of fifty-nine thousand five hundred dollars (\$59,500).

Motion passed.

Sale - 225 Herring Cove Road

A confidential staff report, dated November 24, 1986, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Hamshaw that the property known as Civic Number 225 Herring Cove Road be sold to Kidston Glass Co. Ltd. for the sum of \$276,000 (the proceeds are to be deposited in the Sale of Land Account).

Motion passed.

Town Crier's Stipend

A report, dated November 24, 1986, was submitted from His Worship Mayor Ron Wallace.

After some discussion, it was moved by Alderman Flynn, seconded by Alderman R. Grant that the Town Crier's stipend for the year 1986 be set at \$3,500.

Moved in amendment by Alderman Leiper, seconded by Alderman R. Grant that an amount of \$200.00 be provided to fund a junior town crier who would accompany the official Town Crier as his apprentice.

The amendment to the motion was put and passed.

The original motion, as amended, was put and passed.

Alderman Dewell suggested that, in view of the excellent promotional work the Town Crier performs for the City of Halifax, the 1987 stipend should be increased by a considerable amount.

The Chairman indicated that a report was expected from the Town Crier (pertaining to his activities to date) sometime during 1987.

Referring to the Chairman's remarks, Alderman Cromwell recommended that the Town Crier be requested to submit his report to Council prior to the onset of the 1987 budget deliberations so that, at that point, his financial requirements could be dealt with more effectively. The

Alderman suggested that perhaps this report could be made available for discussion at the next regular Committee of the Whole scheduled for December 3.

Statement of Revenue and Expenditure

A staff report, dated November 24, 1986, was submitted.

It was agreed that the Statement of Revenue and Expenditure for ten months ended October 31, 1986 be tabled.

Appointment - City Clerk

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Flynn that, effective today, November 27, 1986, Mr. Edward A. Kerr be appointed as City Clerk at the salary range established for the position.

In his remarks, Deputy Mayor Jeffrey noted that Mr. Kerr, in his sixteen years with the City, has proven a valued and competent employee.

The motion was put and passed.

Papal Plaque - Alderman Flynn

This matter was added to the agenda by Alderman Flynn who referred to a newspaper article regarding the recent unveiling of a Papal plaque by the Italian Society on behalf of the citizens of Halifax.

The Alderman requested information from the Italian Society as to when the site of this plaque had been authorized and by whom, as well as the reason why none of the members of Council had been invited to participate in its unveiling.

Amusement Arcades - Deputy Mayor Jeffrey

This matter was added to the agenda by Deputy Mayor Jeffrey who advised Council of complaints received from managers of various amusement arcades regarding the recent increases in licensing fees as well as what they deem to be harassment by the City's bylaw enforcement officers.

Deputy Mayor Jeffrey requested that this matter be placed on the agenda of the December 3 Committee of the Whole Council and that these individuals be given an opportunity to address Council regarding these concerns at that time.

Street Lines on Falkland and Maitland Streets - Alderman Meagher

This matter was added to the agenda by Alderman Meagher who was subsequently advised by the City Manager that the item is scheduled for discussion at the December 3 meeting of Committee of the Whole Council.

There being no further business to be discussed, the meeting was adjourned at 10:40 p.m.

HEADLINES

Snow Clearing Program for Seniors - Diana Sarty	671
MINUTES	672
APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS	672
MOTIONS OF RECONSIDERATION	
Motion of Reconsideration - Alderman D. Grant Re: City Council Resolution of November 13, 1986 - Request for Plan Amendment, Morris Street at Queen Street	672
PUBLIC HEARINGS, HEARINGS, ETC.	
Public Hearing Re: Case No. 5118 - Rezoning: 21 Main Avenue from R-2P to R-2AM	674
Appeal of Variance Refusal at 6243-45 Lawrence Street	675
PETITIONS AND DELEGATIONS	
Petition Alderman Downey Re: Residents of Sunrise Manor in Opposition to the Installation of Coin-Operated Laundry Machines	675
Petition Alderman R. Grant Re: Residents of Captain William Spry Lodge in Opposition to the Installation of Coin-Operated Laundry Machines	675
Petition Alderman Dewell Re: Rezoning of Lots 13-20 and Portions of Claremont Street and Regent Road from R-2 and P to R-2A and Construction of 39-Unit Townhouse Development (Case No. 5046)	675
Petition Alderman Dewell Re: Correspondence - Margie Mercieca, President, St. Catherine's School Parent Teachers Association Re: New Gymnasium at St. Catherine's School	676
REPORT - FINANCE AND EXECUTIVE COMMITTEE	
Request - Tax Reduction: NOSCO Marine Industries Inc. NOSCO Grain	676
Property Tax Assistance	677
Tax Concessions for Parking Garages	677
Resolution - City of Kitchener (Postal Services)	677

HEADLINES (CONT'D)

Sale - Parcels 102A and 103A, Dunbrack and Ross Streets ...	678
Policy on Billboards in the City	678
Financing - Provincial Housing Demonstration Project	679
City Auditor General Report - Independence of City Auditor (Item #8: Audit Committee Report, October 16, 1986)	679
Statement of Revenue and Expenditure	679
Pollution Control Charge - 1987	680
Sale of Portion of Grosvenor School Lands	681
Nova Scotia Track and Field - Request for Funds	681
Request - Tax Concession for Office Tower: Purdy's Wharf Development Limited	681
 REPORT - COMMITTEE ON WORKS	
Award of Tender #85-299: Fire Alarm Equipment	682
 REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS	
Report - Industrial Commission Re: 3700 Acres - Annexed Land: Susie Lake Area	682
Reciprocal Pension Agreement - City of Dartmouth	683
 REPORT - CITY PLANNING COMMITTEE	
Case No. 5068 - 6247 Jubilee Road: Rezoning	683
Case No. 5160 - Rezoning: Proposed Lots 37BA and 37BB Winchester Avenue	683
Case No. 5195 - Zoning: 6070-6074 South Street - SET DATE FOR PUBLIC HEARING	684
Public Hearings - Dates and Locations:	
(a) Case Nos. 4926, 5024 - MPS Amendment and Contract Development - Morris and Queen Streets (DATE FOR PUBLIC HEARING)	684
(b) Nominated Heritage Properties: 1328-32 Hollis Street (Alexander McLean House) and 5172-76-78-82 Bishop Street (Fraser Terrace) - DATE FOR HEARING ...	684
(c) C-2A (Minor Commercial) Zone: Community Facilities (Planning Advisory Committee Report) - DATE FOR PUBLIC HEARING	685
(d) Proposed Amendments - Mainland South Secondary Planning Strategy and Land Use Bylaw (Mainland Area): Kelly Street - DATE FOR PUBLIC HEARING	686
(e) Adjourned Public Hearing: Peninsula North Secondary Planning Strategy	686
 MISCELLANEOUS BUSINESS	
Citizens Appointments: Committees, Boards and Commissions	686
 QUESTIONS	
Question Deputy Mayor Jeffrey Re: Request for Bus Shelter	688
Question Deputy Mayor Jeffrey Re: Loading Zones	688

HEADLINES (CONT'D)

Sale - Parcels 102A and 103A, Dunbrack and Ross Streets ...	678
Policy on Billboards in the City	678
Financing - Provincial Housing Demonstration Project	679
City Auditor General Report - Independence of City Auditor (Item #8: Audit Committee Report, October 16, 1986)	679
Statement of Revenue and Expenditure	679
Pollution Control Charge - 1987	680
Sale of Portion of Grosvenor School Lands	681
Nova Scotia Track and Field - Request for Funds	681
Request - Tax Concession for Office Tower: Purdy's Wharf Development Limited	681
 REPORT - COMMITTEE ON WORKS	
Award of Tender #85-299: Fire Alarm Equipment	682
 REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS	
Report - Industrial Commission Re: 3780 Acres - Annexed Land: Susie Lake Area	682
Reciprocal Pension Agreement - City of Dartmouth	683
 REPORT - CITY PLANNING COMMITTEE	
Case No. 5068 - 6247 Jubilee Road: Rezoning	683
Case No. 5160 - Rezoning: Proposed Lots 37BA and 37BB Winchester Avenue	683
Case No. 5195 - Zoning: 6070-6074 South Street - SET DATE FOR PUBLIC HEARING	684
Public Hearings - Dates and Locations:	
(a) Case Nos. 4926, 5024 - MPS Amendment and Contract Development - Morris and Queen Streets (DATE FOR PUBLIC HEARING)	684
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(d) Proposed Amendments - Mainland South Secondary Planning Strategy and Land Use Bylaw (Mainland Area): Kelly Street - DATE FOR PUBLIC HEARING	686
(e) Adjourned Public Hearing: Peninsula North Secondary Planning Strategy	686
 MISCELLANEOUS BUSINESS	
Citizens Appointments: Committees, Boards and Commissions	686
 QUESTIONS	
Question Deputy Mayor Jeffrey Re: Request for Bus Shelter	688
Question Deputy Mayor Jeffrey Re: Loading Zones	688

HEADLINES (CONT'D)

Question Deputy Mayor Jeffrey Re: Security - Aldermen's Aide (Third Floor Location)	689
Question Deputy Mayor Jeffrey Re: Sunday Store Openings	689
Question Deputy Mayor Jeffrey Re: Enforcement of Crosswalk Regulations	689
Question Alderman Cromwell Re: Surplus - Halifax District School Board Surplus	689
Question Alderman Meagher Re: Guttled Building - Connaught Avenue and Quinpool Road	689
Question Alderman Meagher Re: Sunday Store Openings	690
Question Alderman Meagher Re: Removal of Leaves	690
Question Alderman Dewell Re: Sunday Store Openings	690
Question Alderman Dewell Re: Manhole Covers - Connaught Avenue	690
Question Alderman Dewell Re: Leaf Removal Program	691
Question Alderman R. Grant Re: Snow Plowing: Ward 7	691
Question Alderman R. Grant Re: Sunday Store Openings	691
Question Alderman R. Grant Re: Halifax District School Board - 1987 Operating Budget	691
Question Alderman O'Malley Re: Holidays Act	691
Question Alderman Walker Re: Bus Shelter	692
Question Alderman Walker Re: Parking in Handicapped Zones	692
Question Alderman Walker Re: Herring Cove Road	692
Question Alderman Flynn Re: City-Owned Property: Chebucto Road/Philip Street	692
ADDED ITEMS	
Award of Tender #86-96: Mechanical and Electrical (City Hall)	692
Sale - 225 Herring Cove Road	693
Town Crier's Stipend	693
Statement of Revenue and Expenditure	694
Appointment - City Clerk	694
Papal Plaque	694
Amusement Arcades	694

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR THOMAS J. JEFFREY
CHAIRMEN

E. A. KERR
CITY CLERK

sg*K

Council Chamber
City Hall
Halifax, Nova Scotia
December 3, 1986
7:30 P. M.

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor T. Jeffrey; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, Leiper, Flynn, and Hamshaw.

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

ADDED ITEMS

At the request of the City Clerk the following items were added to this evenings agenda from the Committee of the Whole Council held earlier today:

1. Award of Tender #87222 - Computer Software & Equipment for Collectors and Engineering Offices
2. Recreation Park - Punch Bowl
3. Tender #86-136 - Drywall & Plaster Work - Third Floor City Hall
4. Official Street Lines - Falkland Street, Maitland Street Brunswick Street - SET DATE FOR PUBLIC HEARING

Award of Tender #87222 - Computer Software & Equipment for Collectors and Engineering Offices

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

MOVED by Alderman Hamshaw, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Tender #87222 be awarded to Datamaster Corp. Ltd., 1770 Market Street, Suite 100, Halifax, Nova Scotia for computer equipment and software for the City Collector's Office and the Engineering Department at a total project cost of \$55,895.00 and further funds are available from Account Number 146336.

Motion passed.

Recreation Park - Punch Bowl

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

MOVED by Alderman O'Malley, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, City Council refer the issues of infilling of the Punch Bowl by the City and other applicants to the Lakes and Waterways Advisory Committee for recommendation.

Motion passed.

Tender #86-136 - Drywall & Plaster Work - Third Floor
City Hall

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

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

1. Citadel Drywall and Acoustical Ltd. be awarded Tender #86-136 relating to drywall and plaster work on the third floor of City Hall for \$63,773.00 in accordance with the terms and conditions of the tender; and
2. Funds are available in account number 222502.20500.EH02Y.

Motion passed.

Official Street Lines - Falkland Street, Maitland Street
Brunswick Street - SET DATE FOR PUBLIC HEARING

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

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City Council consider the inclusion of 1350-52-54-56 Queen Street 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 City Clerk advised that the date set for the owners hearing was WEDNESDAY, JANUARY 7, 1987 beginning at 7:30 P.M. at St. Mary's School, 5614 Morris Street.

Recreation Park - Punch Bowl

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

MOVED by Alderman O'Malley, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, City Council refer the issues of infilling of the Punch Bowl by the City and other applicants to the Lakes and Waterways Advisory Committee for recommendation. Motion passed.

Tender #86-136 - Drywall & Plaster Work - Third Floor
City Hall

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

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

1. Citadel Drywall and Acoustical Ltd. be awarded Tender #86-136 relating to drywall and plaster work on the third floor of City Hall for \$63,773.00 in accordance with the terms and conditions of the tender; and

2. Funds are available in account number 222502.Z0500.EH021. Motion passed.

Official Street Lines - Falkland Street, Maitland Street
Brunswick Street - SET DATE FOR PUBLIC HEARING

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

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Committee on Works, City Council set a date for a public hearing to alter and confirm:

1) a portion of the eastern official street line of Maitland Street between Cornwallis Street and Portland Place;

2) the northern and eastern and a portion of the southern official street line of Falkland Street between Maitland Street and Brunswick Court;

3) a portion of the northern official line of Portland Place between Maitland Street and Brunswick Street; and

4) the eastern and western official street lines of Brunswick Court as shown on Section 11-0 of the official City plan. Motion passed.

Direction - Fully Elected School Boards - Alderman Flynn

This matter was introduced by Alderman Flynn.

Alderman Flynn referred to this afternoon's deferral of the matter regarding fully elected School Boards with taxing powers and noted that he was to attend a meeting of the UNSM with the Minister of Education to discuss items that the Minister will be presenting to his cabinet colleagues. Alderman Flynn indicated that he was sure the matter of fully elected School Boards with taxing powers would be a topic of discussion and indicated that he would like Council to give him some direction with regard to how to represent it at this meeting.

His Worship indicated that Alderman Flynn was asking what Council's position is with regard to fully elected School Boards at this time.

Alderman O'Malley addressed the matter indicating that Alderman Flynn had a supportable position to bring forward to this meeting in that Council has not reached a formal position with regard to this matter to date.

Alderman Flynn requested that this matter be added to the agenda for a full discussion and His Worship sought the unanimous approval of Council. His Worship indicated that due to a lack of unanimous approval of the addition of the item the matter could not be added to the agenda.

Case No. 5046 - Street Closure and Rezoning - Claremont Street

A public hearing into the above matter was held at this time. A supplementary staff report dated November 28, 1986, was submitted.

Mr. B. Algee, Development and Planning Department, with the aid of maps and sketches, outlined the proposal for the closure of a portion of Claremont Street and Regent Road from Windsor Street to Maxwell Street and the laying down of street lines on Windsor Street, Maxwell Street and Claremont Street, as found in staff reports dated September 29, 1986 and November 28, 1986. Mr. Algee went on to outline the application for rezoning of Lots 13-20 from R-2 to R-2A and portions of Claremont Street and Regent Road from R-2 and P to R-2A to permit the construction of a 39-unit townhouse development, as found in staff reports dated September 19, 1986 and October 21, 1986.

Mr. Algee noted that the proposal meets most of the requirements of the Land Use Bylaw, however, there was only 17 ft. available in the rear yard and the Bylaw required 20 ft. Mr. Algee noted that should this application be approved a modification of the rear yard would be required.

The City Clerk advised that the date set for the owners hearing was WEDNESDAY, JANUARY 7, 1987 beginning at 7:30 P.M. at St. Mary's School, 5614 Morris Street.

Direction - Fully Elected School Boards - Alderman Flynn

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Mr. Algee noted that the proposal meets most of the requirements of the Land Use Bylaw, however, there was only 17 ft. available in the rear yard and the Bylaw required 20 ft. Mr. Algee noted that should this application be approved a modification of the rear yard would be required.

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

Mr. Ronald Pink, Solicitor, representing the applicant, addressed Council and distributed to members of Council and staff a submission entitled 'Proposed Residential Townhouse Development Off Windsor Street by Anwar Canada Limited, Brief to Halifax City Council, December 3, 1986, a copy of which now forms a part of the official file of this public hearing.

Mr. Pink outlined his written submission noting that proposed development of this property has been before Council on previous occasions. Mr. Pink noted that the applicant had been active in residential development within the City for a period of approximately 10 years and in fact was a resident of the City. Mr. Pink noted that the applicant was aware of the concerns of the residents and had tried to address these concerns. Mr. Pink further noted that the proposal before Council this evening did not require any amendments to the Municipal Planning Strategy. Mr. Pink indicated that the proposal was low-rise and in keeping with much of the neighbourhood.

Mr. Pink then reviewed the property in question referring to the photographs included in the report and indicated that the proposal attempted to preserve the integrity of the surrounding neighbourhood while still remaining a viable proposal. Mr. Pink advised that the proposal would create tax revenue for the city based upon 4 million dollars of assessment and included a playground area as it was expected that the units would be family in nature.

Mr. Pink then referred to the city staff report noting that the developer had discussed the concerns voiced in that report with staff and all but one had been resolved. Mr. Pink noted that the developer had been unable to provide a 20 ft. rear yard due to front driveway requirements.

In summary, Mr. Pink noted that the positive aspects of the development include no requirement for demolition, an economically viable proposal employing approximately 20 persons for a 10 month period and tax revenue to the city based upon 4 million dollars of assessment. Mr. Pink further noted that the development was single family in nature and provided new housing stock. Mr. Pink went on to indicate that no amendments to the Municipal Planning Strategy would be required and that the present infrastructure would support the proposal.

Mr. Pink requested that Council support the proposed development.

Alderman Dewell addressed the matter indicating that although the developer had resolved the majority of staff concerns, the residents in the area still has some concerns in this regard. Alderman Dewell noted that one of these had been

received from a Mrs. Fawson regarding the possible purchase of a portion of the land the developer was negotiating to obtain. Alderman Dewell noted that a letter has been received from Mrs. Fawson in regard to the purchase of the land and asked whether or not staff had entertained this application or in fact, if it were possible to do so.

Mr. Algee addressed the matter indicating that the Real Estate Division had received a letter with regard to this matter and had responded that it would not be appropriate to enter into negotiations with the Fawsons due to the present negotiations being carried out with the developer.

In response to a question from Alderman Dewell, the City Solicitor indicated that the City Charter provides that Council may sell land under the terms and conditions it deems to be expedient. The City Solicitor further noted that this allowed for negotiation with a developer in relation to the development of residential proposals. The City Solicitor noted that he did not feel negotiation with a second party would be inappropriate, however, Council would have to consider whether they wished to sell a large portion of land to allow for a development over which they have control or a smaller piece of land.

The City Solicitor further indicated that Council should give consideration to the fact that the developer has gone to some expense to bring this proposal to Council and that negotiation for the property in question has been ongoing in relation to the development.

A further questioning of the City Solicitor ensued regarding ownership of the land in question and Alderman Dewell noted that possible alternatives to this situation were outlined in a letter from Mrs. Fawson dated November 28, 1986.

Alderman Dewell went on to note that a petition submitted to City Council dated October 30, 1986 outlined a number of concerns the residents had with regard to the proposal and indicated that the major concern appeared to be the exit on to Maxwell Street. Alderman Dewell asked if the proposal could proceed with an exit on to Windsor Street only.

Mr. Pink, responding on behalf of the applicant, indicated that consideration had been given to this matter, however, the applicant felt that this request could not be accommodated as there was not sufficient room to provide a turning circle at Maxwell Street. Mr. Pink further noted that the applicant was concerned that only one exit and entrance to the development would pose safety difficulties in relation to emergency situations.

Alderman Dewell then referred to concerns expressed with regard to increased traffic in the area as outlined in a letter dated November 19, 1986 from Mr. and Mrs. Harold B. Swyer. Alderman Dewell indicated that the Swyers were concerned that the proposed development combined with the rumored movement of the Windsor Park Gate directly across from the Willow Park Gate would result in a great deal of traffic.

Mr. Pink responded indicating that his client felt that most of the traffic difficulties would originate with the Department of National Defence facility as the proposed development would probably not create any more than 40 additional vehicles in the area.

Alderman Dewell requested that staff, particularly the Traffic Authority, meet with either the Squires and/or the developer to discuss the concerns expressed previous to Council making a decision in regard to the application. Alderman Dewell noted that he would like staff's position with regard to this matter previous to the next Council meeting.

Alderman Dewell again referred to the October 30, 1986 petition noting that the residences were requesting a number of assurances in relation to the development and requested that staff ensure that the developer receive a copy of this petition in order that a response in this regard may be made.

Alderman Crowwell addressed the matter noting that it appeared from the presentation by staff and Mr. Pink's comments that all assurances have been made.

Mr. Pink briefly reviewed the requested assurances noting that Nos. 1 through 3 have already been addressed, that he could not respond to No. 4 regarding the actual height of the building, however, the building was three stories in height. In referring to No. 5, Mr. Pink, indicated that extensive landscaping would be carried out although he could not guarantee that each tree noted in the sketches would be placed in the exact location.

Alderman Dewell requested that a response with regard to the actual height of the building be made available to Council before next Thursday's meeting.

A further short questioning of staff ensued with Mr. Algee indicating, in response to a question from Alderman O'Malley, that this is not a subdivision per se and could be developed with only one exit.

Mrs. Eileen Munroe, 3346 Windsor Street, addressed Council indicating that her property abutted the proposed development. Mrs. Munroe indicated that she had a number of concerns and noted that she was concerned with regard to the height and type of the fences to be installed on the site.

Mrs. Munroe went on to note that contrary to the comments of the solicitor representing the developer, the proposed development was not in character with the neighbourhood. Mrs. Munroe noted that the neighbourhood was made up of single family dwellings and the proposal was for a 39 unit rowhousing type development. Mrs. Munroe went on to note that she supported Mrs. Fawson's concern with regard to the property in front of her home and suggested that the developer should not be permitted to buy that portion of roadway fronting on Mrs. Fawson's home.

Mrs. Munroe indicated that as the petition points out, the neighbourhood would like to see the number of units reduced and would like some assurances that over building would not occur on the site. Mrs. Munroe indicated that she felt the lots were too small to place the proposed development on and asked what would be allowed on the lots under the present zoning.

Mrs. Munroe further noted that a 17 ft. rear yard would allow the proposal to tower three stories over her back yard causing shadows. Mrs. Munroe invited the members of Council to view the site for the proposed development. Mrs. Munroe indicated that the site was a long narrow site and the proposed development was quite different than what was originally intended.

Mrs. Munroe then referred to the staff report regarding the matter noting that a number of errors in information had appeared in the report. Mrs. Munroe noted, however, that certain of these errors had been corrected since its issuance. Mrs. Munroe referred to what she considered to be the scare tactics of the report noting that the present proposal was certainly more acceptable than the other two high density proposals. Mrs. Munroe indicated that she felt that the report had attempted to scare area residents into accepting the third proposal.

Mrs. Munroe further noted that she felt that it was unfair to allow one developer to come forward with three proposals for one site and suggested that in future only one proposal for a site be permitted at a time. Mrs. Munroe further went on to note that even with a development agreement this site would require special concession in relation to the rear yard. Mrs. Munroe went on to voice her concern with regard to the sewer being able to handle only the sanitary sewage and not the storm sewer.

Mrs. Munroe noted that the developer was in fact requesting a spot rezoning and expressed concern that the developer wanted to purchase Regent Road and referred to difficulties which might result with the adjoining Department of National Defence property.

Mrs. Munroe also asked if services such as snow removal and garbage would be turned over to the City once the development has been completed. Mrs. Munroe went on to suggest that the City should purchase the eight lots and use them as a buffer zone between civilian properties and the Department of National Defence properties.

In closing, Mrs. Munroe, thanked Council for their attention.

A copy of Mrs. Munroe's written submission forms a part of the official file of this public hearing.

Mrs. Theresa Fawson, 3371 Claremont Street, addressed Council and read a written submission dated November 28, 1986. Mrs. Fawson indicated that she felt the approval of this development would have an adverse affect on her property. Mrs. Fawson submitted information regarding the proposal, the effect of the development on her property and a viable solution to concerns she had regarding access to her Lot 21.

A copy of this written submission now forms a part of the official file of this public hearing.

Mrs. Sharon McBurnie, 3346 Windsor Street, addressed Council and read from her written submission, a copy of which forms a part of the official file of this public hearing.

Mrs. McBurnie outlined her concerns noting that affordable housing was needed in the City and suggested that this development would not meet this description. Mrs. McBurnie further expressed concern with regard to safety and sewer maintenance matters due to the fact the development would not be located on a regulation street.

Mrs. McBurnie then expressed concern with regard to the location of such things as electricity and telephone poles, mailboxes, garbage bins and who would be responsible for snow removal. Mrs. McBurnie further expressed concern that more units than approved would be built on the site.

In closing, Mrs. McBurnie, indicated that the developer should be encouraged to develop a smaller number of units on the site and noted that it appeared that residential lands would be coming available as a result of the car dealerships in the area moving to a central location.

Mr. Allister Kyle, Windsor Street, addressed Council and referred to the concerns expressed in the October 30, 1986 petition. Mr. Kyle suggested that the concerns outlined in this petition should be written as conditions of sale in the covenant of sale. Mr. Kyle indicated that he felt this would meet the concerns of the area residents.

There were no further persons present wishing to address Council with regard to this matter.

The following correspondence has been received in relation to this application:

1. Petition dated October 30, 1986 from the abutting property owners on Windsor and Claremont Street expressing their concerns and requesting certain assurances in relation to the proposal.
2. Correspondence dated November 14, 1986 from Mrs. Inez Bollong, 3381 Claremont Street, expressing concern with regard to access to the proposed development.
3. Correspondence dated November 15, 1986 from Mrs. Eileen G. Munroe, 3346 Windsor Street, outlining a number of concerns regarding the proposal.
4. Correspondence dated November 19, 1986 from Harold and Patience Swyer, 3312 Windsor Street, expressing concern regarding an increase in traffic and access to the proposal.

MOVED by Alderman Dewell, seconded by Alderman O'Malley that this matter be forwarded to the next regular meeting of Halifax City Council, scheduled to be held on Thursday, December 11, 1986, without recommendation.

Alderman Dewell indicated that there was a possibility that he would have to be out of town next week and noted that that matter would not be dealt with by Council if he was not present at the meeting.

Motion passed.

8:45 p.m. The meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E. A. Kerr
City Clerk

/sg

HEADLINES FOR CITY COUNCIL MEETING
of 12/03/76

Award of Tender 877222 - Computer Software and Equip for Collectors and Engineering Offices	..... 600
Recreation Park - Punch Bowl	..... 600
Tender 86-136 - Drywall & Plaster Work - Installation City Hall	..... 600
Official Street Lines - Falkland Street, Matilda Street, Brunswick Street - SET DATE FOR PUBLIC HEARING	..... 600
Direction - Fully Elected School Boards - Alderman Flynn	..... 700
Case No. 5046 - Street Closure and Reasoning - Vincent Street	..... 700

HEADLINES FOR CITY COUNCIL MEETING
OF 12/03/66

Award of Tender 677222 - Computer Software - and 6043 for Collectors and Engineering Office Recreation Park - Punch Bowl	.....
Tender 66-136 - Drywall & Plaster Work - 2nd Fl. City Hall	..... 642
Official Street Lines - Falkland Street, Marlborough Street, Brunswick Street - SET DATE FOR PUBLIC HEARING Direction - Fully Elected School Boards - Alderley Road	..... 643
Case No. 5046 - Street Closure and Reducing - Marlborough Street	..... 644

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
December 11, 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 members of City Council joined the City Clerk in the recitation of the Lord's Prayer.

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

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

MINUTES

Minutes of the regular meeting of Halifax City Council held on November 27, 1986 as well as a special meeting held on December 3, 1986 were approved on a motion by Alderman Hamshaw, seconded by Alderman Walker.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Kelly Street Area - Proposed Plan Amendment
- 20.2 Quinpool Centre
- 20.3 Fatal Accident (December 31, 1984), Bell Road and Sackville Street
- 20.4 Request for Change of Name: Public Service Commission of Halifax

At the request of the City Clerk, Council agreed to delete Item 8.1, "Appeal of Variance Refusal at 1064 Bland Street" (the Clerk advised that this item was being withdrawn at the request of the appellant).

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

- 20.5 Request from Recreation Committee

add: At the request of Alderman O'Malley, Council agreed to
20.6 Halifax Housing Authority

add: At the request of Alderman D. Grant, Council agreed to
20.7 Relocation of Dominion Metals Limited to
829 MacLean Street

MOVED by Alderman Cromwell, seconded by Alderman
Dewell that the agenda, as amended, be accepted.

Motion passed.

DEFERRED ITEMS

Rezoning - Portions of Claremont Street and Regent Road, and Street Closure

A public hearing regarding this matter was held on
December 3, 1986.

An Information Report, dated December 9, 1986 was
submitted, together with a confidential staff report dated
December 11, 1986.

The City Manager responded to various questions from
Alderman Dewell regarding the staff recommendation.

Alderman Dewell recommended that, in order to restrict
vehicular access onto Maxwell Street, staff consider erecting
signs prohibiting left turns onto that street.

After some discussion, it was moved by Alderman
O'Malley, seconded by Alderman Downey that Council:

- 1) approve the closure of a portion of Claremont Street
and Regent Road from Windsor Street to Maxwell Street,
and lay down street lines on Windsor Street, Maxwell
Street and Claremont Street as shown on Plan No.
TT-38-28827;
- 2) rezone Lots 13 to 20 and portions of Claremont Street
and Regent Road from R-2 and P to R-2A, as shown on
Plan No. P200/15012, to permit construction of a
39-unit townhouse development as shown on Plans
P200/15000-15002;
- 3) authorize the Mayor and City Clerk to execute the
agreement of purchase and sale attached as Schedule
"A" of the staff report dated September 29, 1986,
subject to the closure of Regent Road and portions of
Claremont Street and the rezoning, as well as to the
final agreement price to be recommended to Council at
some future date.

The City Clerk advised that Aldermen D. Grant and Walker were not present at the December 3 public hearing.

The motion was put and passed with Alderman Dewell voting in opposition, and Aldermen D. Grant and Walker abstaining.

The following correspondence was received subsequent to the December 3 public hearing:

Correspondence, dated December 5, 1986, from Ms. Eileen G. Munroe, 3346 Windsor Street, Halifax, B3K 5G3 (two submissions);

Correspondence, dated December 8, 1986, from D. A. Kyle, 3366 Windsor Street, Halifax.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal - 1864 Bland Street (Case No. 5137)

This item was deleted during the setting of the agenda.

Appeal of Variance Refusal - 25 Bayview Road (Case No. 5171)

A staff report, dated December 1, 1986, was submitted.

Mr. M. Hanusiack of the Development and Planning Department, using maps and sketches, gave a brief overview of the application to convert to habitable use a garage attached to the dwelling at 25 Bayview Road. In his presentation, Mr. Hanusiack advised that approval of this conversion would reduce the side yard measurement to a total of 3.4 feet below the standard required by the City's Land Use Bylaw, and it is primarily for this reason that the application for a minor variance has been refused.

Mr. Samuel E. York, the applicant in question, addressed Council, noting that the proposed conversion would not affect existing building lines nor would it be out of character with the surrounding dwellings. He further noted that his immediate neighbours had been contacted and had offered no objections to the proposal.

There were no additional persons present wishing to address Council in this regard, and no correspondence was received.

MOVED by Alderman Leiper, seconded by Alderman Harshaw that the decision of the Development Officer be overturned and that the request for a minor variance at 25 Bayview Road be approved.

Motion passed.

Hearing: Recommended Heritage Property - 1544 Summer Street

This matter had been deferred at the request of the property owner from a regular meeting of City Council held on July 17, 1986.

A supplementary staff report, dated December 2, 1986, was submitted, as well as correspondence dated December 10, 1986 from Ms. Judith Murray (on behalf of the Friends of the Public Gardens).

Mr. A. W. Churchill, Heritage Coordinator, presented a brief summary of the deliberations of the Heritage Advisory Committee regarding the proposed heritage designation of the building located at 1544 Summer Street, noting that while the Committee had discussed the matter in detail with the property owner, she remains in opposition to the designation.

Mr. F. B. Wickwire, Q.C., solicitor for the property owner (Mrs. Dorothy Chaput, Quadra Developments Limited), spoke in opposition to the proposed heritage designation and submitted photographs of the property in question.

In his presentation, Mr. Wickwire emphasized that 1544 Spring Garden Road lies within the Spring Garden Road Sub-Area which has been slated under the provisions of the Municipal Planning Strategy for high-density residential development. He further noted that, based on his information, the dwelling was actually converted during the early twentieth century into three units and therefore does not represent a type of Edwardian apartment building, as has been suggested by the report submitted by the Heritage Advisory Committee. He added that the verandahs which have been particularly commended by the Committee are in poor condition and may, in fact, have to be removed.

In conclusion, Mr. Wickwire stated that, in his opinion, the property at 1544 Summer Street does not constitute the kind of building which the City should be retaining as a heritage property.

Commodore A. C. McMillin, Chairman of the Heritage Advisory Committee, emphasized that 1544 Summer Street is considered by the HAC to be unique as a heritage apartment building, and noted (with reference to concerns expressed by the property owner) that should Council approve its designation, the Committee would have no objection to an extension being constructed at the rear of the existing building.

After some further discussion, it was moved by Alderman Cromwell, seconded by Alderman D. Grant that Council approve the recommendation of the Heritage Advisory Committee,

and that the property at 1544 Summer Street be registered as an official heritage property.

Motion passed.

PETITIONS AND DELEGATIONS

Petition Alderman D. Grant Re: Relocation - Dominion Metals Limited to 829 MacLean Street

Alderman D. Grant submitted a petition on behalf of over 100 residents of the City's south end in opposition to the proposed relocation of Dominion Metals Limited from Kempt Road to 829 MacLean Street.

The Alderman noted that she would be addressing this matter in greater detail under Item 20.7 later in the meeting.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on December 3, 1986 as follows:

Halifax Commonwealth Bid Committee Report
- 1994 Commonwealth Games

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

1. City Council endorse the preparation of a bid for Halifax to be the Canadian city to host the 1994 Commonwealth Games;
2. City Council request the Province of Nova Scotia to give a similar endorsement;
3. City Council endorse the establishment of the Halifax Commonwealth Games Society;
4. City Council endorse the Halifax Commonwealth Games Society established for the purpose to make a submission for funding to City Council and report on progress in planning facilities and other fund raising (it is anticipated that such report would be made in April, 1987);
5. City Council recognize that it will be called on to make a grant as part of the fund raising for the bid process (it is anticipated that a submission would be made in January, 1987 for funding of the bid to be submitted to the Commonwealth Association of Canada).

Aldermen Cromwell and O'Malley emphasized that, in supporting this motion, they wished to clarify that they were supporting the City's bid to host the 1994 Commonwealth Games in principle only, and that they would be reluctant to support any future recommendations, should the financial projections (to be submitted to Council early in the new year) indicate any negative implications for City taxpayers.

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

Sunday Openings

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council forward a letter to the Provincial Attorney General's Department outlining its concern in terms of the Holiday Act and the fact that it does not address occupational areas other than retail trade, and requesting that the matter be reexamined from this perspective.

Motion passed.

Interest Rate on Local Improvement Charges

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, interest on Local Improvement Charges for projects scheduled for 1987 be set at 10 percent per annum, in accordance with Section 394(1) of the Halifax City Charter.

Motion passed with Alderman Downey voting in opposition.

Current Borrowing Resolution

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign the current borrowing resolution as attached to the November 17, 1986 staff report in the sum of \$7,000,000 for the period January 1, 1987 to June 30, 1987, in accordance with Section 213 of the Halifax City Charter.

Motion passed.

Recommendation to Purchase Additional Computer Capacity -
Metropolitan Transit

MOVED by Alderman Leiper, seconded by Alderman Flynn
that, as recommended by the Finance and Executive Committee,
Council approve the purchase of the following additional
computer capacity from NCR:

256K Memory for an NCR 9020	\$3,000
MCCA Baud	1,700
Wise 30 Terminal	750
Model 460 Printer	<u>3,830</u>

for a total of \$9,280.

Motion passed.

Continuing Expenditures in 1987 - Social Planning Sundries

MOVED by Alderman Downey, seconded by Alderman
O'Malley that, as recommended by the Finance and Executive
Committee, permission be granted to expend the regular monthly
funds in January and February, 1987 (or until the 1987 budget
is approved) to agencies normally receiving funding on a
monthly basis through Social Planning Sundries Accounts H0120,
H0220 and N010 including:

- Children's Aid Society
- Home Makers Bureau
- Bryony House
- Veith House
- YWCA
- Help Line
- Cornwallis Street Hot Lunch Program
- Planned Parenthood
- Senior Citizens Information and Service Centre
- Association for Family Life
- Halifax Welfare Rights
- Meals on Wheels
- Family Service of Support
- Community Y
- Halifax Neighborhood Society
- Human Resources Development Association
- Mental Health Halifax

and further, that the amounts spent in these months will equal
the monthly allocation of grants paid in 1986.

Motion passed.

Date for Hearing - Nominated Heritage Properties:
1350-52-54-56 Queen Street

MOVED by Alderman D. Grant, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, City Council consider the inclusion of 1350-52-54-56 Queen Street 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 City Clerk advised that a public hearing date would be scheduled for WEDNESDAY, FEBRUARY 4, 1987 at 7:30 p.m. at the St. Mary's School Gymnasium, 5614 Morris Street, Halifax.

9:00 p.m. - Alderman R. Grant enters the meeting.

Residential Rehabilitation Assistance Program (RRAP)

MOVED by Alderman Downey, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Council make representation to the Minister responsible for the Canada Mortgage and Housing Corporation in the following matters:

1. that the previous goal of RRAP, rehabilitation of existing housing stock to keep buildings from deteriorating, be re-affirmed;
2. that adjusted family income be the criteria used to determine eligibility for RRAP;
3. that the core income household levels be adjusted according to realistic levels for each community;
4. that forgivable loans be increased where homeowners are unable to finance amounts over and above the \$5,000 grant for necessary repairs.

Motion passed.

On the recommendation of Alderman Cromwell, it was agreed that, with particular reference to Item (3) of the above resolution, discussion of RRAP eligibility levels be added to the agenda of the next regular meeting of Committee of the Whole Council (scheduled for January 7, 1987) and that a report from staff be submitted suggesting what, in their opinion, constitute "realistic levels" for core incomes on which RRAP assistance will be based.

Transfer of Capital Funds to Rockingham Fire Hall
Renovation Project

This matter was forwarded to City Council without recommendation pending clarification of an apparent error in addition in the November 25 staff report.

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

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, Council approve the transfer of required funds (as identified in the staff report dated November 25, 1986) from Capital Account FA012 to Special Project Account X2021 in order to cover the costs required to complete renovation of the Rockingham Fire Hall.

Motion passed.

In putting forward this motion, Alderman Hamshaw advised that he had recently attended the official opening of the Basinview Senior Citizens Club, commending, in particular, the considerable financial contribution made to the project by the Rotary Club.

9:05 p.m. - Alderman Meagher enters the meeting.

Request to Fly City of Halifax Flag - Canada Trust

MOVED by Alderman Dewell, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, permission be granted to Sonco Property Development and Services Company Inc. to fly the City of Halifax flag from the Canada Trust Building at 1718 Argyle Street.

Motion passed.

Commendation - Heritage Advisory Committee: Founders Square,
Prince and Hollis Streets

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, City Council commend the Armour Group Limited, developer of the Founders Square project, for its efforts in the preservation of heritage features of the building, and further, that City Council consider a more tangible way of recognizing these efforts in future and suggest that staff investigate the institution of a heritage award program.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Proposed Ordinance to Amend License Fees - SECOND READING

This matter was given First Reading at a regular meeting of City Council held on October 30, 1986.

MOVED by Alderman R. Grant, seconded by Alderman Cromwell that an ordinance amending the license fees in the following Ordinances (as outlined in Appendix "A" of the staff report, dated October 6, 1986) be read and passed a SECOND TIME:

- a) Ordinance 132, The Plumbing Ordinance
- b) Ordinance 130, The Electrical Ordinance
- c) Ordinance 112, The Encroachment Ordinance
- d) Ordinance 146, The Auctioneer's Ordinance
- e) Ordinance 17, The Junk Dealer's Ordinance
- f) Ordinance 149, The Petty Trades Ordinance
- g) Ordinance 54, The Going Out of Business Sales Ordinance
- h) Ordinance 43, The Pawnbrokers Ordinance

Motion passed.

Recommendation: Audit Committee - Diagnostic Audit for Capital Projects Administration (TO BE TABLED)

A report, dated December 9, 1986, was submitted from the City's Audit Committee.

MOVED by Alderman Cromwell, seconded by Alderman Flynn that, as recommended by the Audit Committee, the report entitled "City of Halifax Diagnostic Audit Report on the Administration of Capital Projects," as submitted by Clarkson, Gordon, be tabled.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on December 3, 1986 as follows:

Case No. 5161 - Amendment to Land Use Bylaw:
Semi-Detached Dwellings

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, the proposed amendment to the Land Use Bylaw regarding semi-detached dwellings (as set out in Appendix "B" of the staff report dated November 26, 1986) be referred to the Planning Advisory Committee for review and report to Council.

Motion passed.

Case No. 5180 - Contract Development: 2555-65 Gottingen
Street and 5458-62 North Street (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Downey, seconded by Alderman Leiper
that, as recommended by the City Planning Committee, a date be
set for a public hearing to consider the application for
contract development to permit a parking lot at 2555-65
Gottingen Street and 5458-62 North Street (Lots 11, 12, 13, 46
and a portion of 19) as shown on Plans P200/15458, 15556 and
15557 of Case No. 5180.

Motion passed.

The City Clerk advised that the public hearing would
be scheduled for WEDNESDAY, FEBRUARY 4, 1987 at 7:30 p.m. at
the St. Mary's School Gymnasium, 5614 Morris Street, Halifax.

Lease - 2555-65 Gottingen Street and 5458-62 North Street

MOVED by Alderman Downey, seconded by Alderman D.
Grant that, as recommended by the City Planning Committee, the
Mayor and City Clerk be authorized to execute a lease similar
to that attached as Schedule "A" to the staff report dated
November 27, 1986 (with Harbour City Homes) for the vacant lot
at 2555-65 Gottingen Street and 5458-62 North Street, subject
to Council approval of a contract development agreement on the
site.

Motion passed.

Northeast Corner of Kearney Lake Road and Bicentennial Highway
- Municipal Planning Strategy and Land Use Bylaw

MOVED by Alderman Hamshaw, seconded by Alderman Leiper
that, as recommended by the City Planning Committee, the
proposed amendments to the Municipal Planning Strategy and Land
Use Bylaw regarding the Northeast Corner of Kearney Lake Road
and Bicentennial Highway be referred to the Planning Advisory
Committee for review and report to City Council.

Motion passed.

Alderman R. Grant requested, and it was so agreed,
that the proposed amendments relating to this matter also be
referred to the Lakes and Waterways Advisory Committee for
review and recommendation.

MISCELLANEOUS BUSINESS

Start-Up Grant - Phoenix House

A staff report, dated December 8, 1986, was submitted in response to a question raised by Alderman D. Grant during the December 3 meeting of the Committee of the Whole Council.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that an amount of \$18,800 be made available to Phoenix House as a one-time start-up grant with funds to be provided from Account B0500 (this money will not be cost-shared by the Province of Nova Scotia, who have already given a grant of \$1,200 per bed).

Motion passed.

Street Closure and Conveyance - Rockingstone Road (Portion)
- SET DATE FOR PUBLIC HEARING

A staff report, dated December 4, 1986, was submitted.

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

1. the portion of Rockingstone Road shown as Parcel RR-1 on Plan TT-38-28799, attached to the December 4 staff report, be sold to the Nova Scotia Department of Housing for the sum of \$1.00, plus other good and valuable considerations, subject to final approval of street closure;
2. in accordance with Section 350 of the City Charter, Council set a date for a public hearing to close a portion (Parcel RR-1, Plan TT-38-28799) of Rockingstone Road.

Motion passed.

The City Clerk advised that a public hearing to consider the proposed street closure would be held on WEDNESDAY, FEBRUARY 4, 1987 at 7:30 p.m. at the St. Mary's School Gymnasium, 5614 Morris Street, Halifax.

Requested Authorization for Insurance Settlement

A staff report, dated November 13, 1986, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that City Council authorize the City Manager and the Director of Finance to accept the settlement of \$11,109.00 and to sign Final Release Forms.

Motion passed.

Sale of Grosvenor Lots (Tender #86-139)

A confidential staff report, dated December 5, 1986, was submitted, together with correspondence dated December 10, 1986 from Ms. Denise Allen, 26 Cain Street, Dartmouth, Nova Scotia, B2W 3A5.

Moved by Alderman Hamshaw, seconded by Alderman Leiper that the staff recommendation, as contained in the December 5 report, be approved excepting that Lot H-7 be sold to the second highest bidder.

The motion was put and lost.

A discussion ensued with Ms. Carol Bradley, Superintendent of Real Estate, responding to questions from members of Council.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that Lots H-2 to H-9 be sold as follows:

Lot H-2 to Peter Flinn for \$36,511
Lot H-3 to Robert Vaughan for \$36,000
Lot H-4 to Peter Flinn for \$38,012
Lot H-5 to Harley Borgel for \$36,100
Lot H-6 to John Hilton for \$36,250
Lot H-7 to Robert Vaughan for \$35,200
Lot H-8 to Robert Vaughan for \$35,100
Lot H-9 to James Shea for \$35,010

The motion was put and passed.

Case No. 5209 - Contract Development: 2507 Brunswick Street
(McCully House)

A staff report, dated December 9, 1986, was submitted.

MOVED by Alderman Downey, seconded by Alderman Hamshaw that City Council set a date for public hearing respecting a development contract covering the uses proposed in the December 9 staff report for the McCully House, 2507 Brunswick Street.

Motion passed.

The City Clerk advised that a public hearing would be scheduled for WEDNESDAY, FEBRUARY 4, 1987 at 7:30 p.m. in the St. Mary's School Gymnasium, 5614 Morris Street, Halifax.

QUESTIONS

Question Alderman Leiper Re: City of Kitchener Resolution

Alderman Leiper referred to a motion approved by Council at its regular meeting of November 27 concerning the endorsement of the City of Kitchener resolution with regard to community mail boxes, and asked if the appropriate correspondence had been forwarded pertaining to that resolution.

The City Clerk advised that the correspondence had been forwarded subsequent to the November 27 meeting and indicated that Alderman Leiper would receive copies for her reference.

Question Alderman Leiper Re: Halifax Police Department
Safe Driving Program

Alderman Leiper referred to the Safe Driving Campaign being conducted by the City's Police Department and commended that Department on the manner in which this program is being carried out.

Question Alderman R. Grant Re: Woodwise Program

Alderman R. Grant advised that the "Woodwise Program," a program to teach school children survival techniques should they become lost in the woods, has been implemented by the Halifax Police Department, based on a program originating in the Province of British Columbia. He indicated his appreciation of these efforts, but noted that currently the Department has been using borrowed films and material. The Alderman asked if consideration could be given in allocating an estimated \$600.00 from the City's contingency funds to the Halifax Police Department to assist in the purchase of materials for this course.

His Worship indicated that he would investigate the matter, suggesting that there may be other options in terms of making the film available to the Police Department.

9:30 p.m. - Mayor Wallace retires from the meeting with Alderman N. Meagher assuming the Chair.

Question Alderman D. Grant Re: Snow Removal from Streets

Alderman D. Grant requested information as to what parking regulations apply with regard to snow removal from City streets during the period when the winter parking ban is not yet in effect.

The City Manager indicated that he would provide the Alderman with this information for the benefit of her constituents.

Question Alderman Cromwell Re: Use of Halifax Hall

Alderman Cromwell requested information as to the appropriate office to which to apply should an organization wish to utilize Halifax Hall for a special event.

The City Manager advised that, at the present time, all bookings for the facility are being made through the Mayor's Office, but that at some time in the future, a policy will be developed concerning what Council believes to be appropriate uses for the Hall.

Alderman Cromwell stated that, in his opinion, such policy guidelines should be developed immediately, and requested that the matter be added to the next regular meeting of Committee of the Whole Council scheduled for January 7, 1987.

Question Alderman Downey Re: Federal Building Site
- Göttingen Street

Alderman Downey requested that the Minister of Supply and Services, the Honorable Mr. Stewart McInnes, be contacted with a view to having a Christmas tree erected on the site of the previously proposed Federal Government Building.

Question Alderman Downey Re: Skating Facilities

Alderman Downey requested that the Egg Pond on the Halifax Commons and also the outdoor skating facility at the George Dixon Centre be flooded as quickly as possible for use by area residents.

Question Alderman O'Malley Re: Area Adjoining Seaview Park

Responding to a question from Alderman O'Malley, the City Manager offered the opinion that the Province of Nova Scotia is the owner of that portion of property between the City-owned Seaview Park and the Ceres container facility, noting, however, that he would investigate the matter in greater detail.

Alderman O'Malley emphasized that the site can be clearly viewed by tourists entering the City and recommended that a request be made to the property owner to discourage the dumping of garbage, to level the property and hydroseed the area, and to perhaps allow the City to erect a sign of welcome to people entering the City. The Alderman added that, while the site is scheduled for residential development sometime in the future, it was his opinion that a more effective and attractive use could be made of the property in the interim. He further suggested that the MLA's for this area (Chebucto and Needham) be contacted with a view to soliciting their support in this regard.

Question Alderman Walker Re: Christmas Tree at Armdale Rotary

In complimenting staff on the attractiveness of the Christmas tree erected on the Grand Parade, Alderman Walker suggested that consideration be given to providing a similar but smaller tree in the vicinity of the Armdale Rotary.

Question Alderman Walker Re: Citizenship Court

Alderman Walker suggested that another invitation might be extended to the Citizenship Court to hold one or more of its future sessions in the City's Halifax Hall.

Question Alderman Walker Re: Security Precautions - City Hall

Alderman Walker referred to a recent news report concerning the murder of various members of a Missouri City Council during the conduct of a regular meeting.

Alderman Walker suggested that some consideration should be given to reviewing security measures in order to prevent a similar occurrence in Halifax City Hall.

Question Alderman Walker Re: Firearms Course

Alderman Walker referred to his understanding that many local storekeepers maintain firearms on their premises to protect themselves from thieves, and suggested that, under the circumstances, the Halifax Police Department may want to consider implementing an instruction course for these individuals in the proper and safe handling of their weapons.

Question Alderman R. Grant Re: Report from Lakes and Waterways Advisory Committee - Proposed Relocation of Race Track (Atlantic Winter Fair Site)

Alderman R. Grant expressed his concern, on behalf of the Lakes and Waterways Advisory Committee, that a report emanating from that Committee had not been placed on this evening's agenda.

The City Manager indicated that the matter has been placed on the agenda of the next regular meeting of Committee of the Whole Council scheduled for January 7, 1987.

Question Alderman Meagher Re: Relocation of Government Offices - City of Dartmouth

Responding to a question from Alderman Meagher, His Worship advised that while correspondence has been forwarded to the Province of Nova Scotia expressing Council's concern regarding this matter, no response has been received to date.

Mayor Wallace indicated, however, that he would follow up on the matter as quickly as possible.

Question Alderman Dewell Re: R-2 Zoning Provisions

Alderman Dewell, referring to a conversation previously held with Mr. Algee of the Development Control Division, requested information as to the number of units which can be constructed on an R-2 lot with less than a 50 foot frontage.

Alderman Dewell referred to construction currently underway on a three-unit building on Berlin Street, asking that if these units are found to be illegal under the provisions of the Land Use Bylaw a stop-work order be issued immediately.

Question Alderman Dewell Re: Increased Penalties -
Break and Enters

Alderman Dewell noted that the Provincial Attorney General had indicated his willingness to convey to the judiciary Council's recommendation that the penalties for those involved in break and enters be increased in order to provide a greater deterrent.

It was agreed that His Worship would forward a letter on behalf of Halifax City Council to the Attorney General indicating Council's recommendation on this matter.

NOTICE OF MOTIONS

Notice of Motion Alderman Cromwell Re: Proposed Amendment to
Ordinance 137, the Deferred Payment of Tax Ordinance

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council scheduled for January 15, 1987 he intends to move First Reading of an amendment to Ordinance 137, the Deferred Payment of Tax Ordinance, in order to set the level of total household income to qualify for eligibility for tax deferral at fourteen thousand dollars (\$14,000.00).

ADDED ITEMS

Kelly Street Area - Proposed Plan Amendment

A staff report, dated December 10, 1986, was submitted.

MOVED by Alderman Walker, seconded by Alderman R. Grant that the public hearing set for January 7, 1987 with respect to property in the Kelly Street Area be deferred.

Motion passed.

Alderman Cromwell requested a staff report as quickly as possible regarding the legal implications of the steps taken by the Minister of Municipal Affairs in refusing to grant his approval of the proposed Mainland South Secondary Planning Strategy.

Quinpool Centre

A staff report, dated December 10, 1986, was submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the Mayor and the City Clerk be authorized to sign a letter on behalf of the City of Halifax by way of a letter of non-objection and consent to the amalgamation of F. S. Industries Limited and Clarence Development in the form attached to the staff report, dated December 10, 1986.

Fatal Accident (December 31, 1984), Bell Road and Sackville Street

Confidential staff reports, dated December 6 and December 10, 1986, were submitted.

MOVED by Alderman Dewell, seconded by Alderman Downey that the City undertake an action to recover the cost of repairing the Fire Department vehicle and also the loss of use of that vehicle, as suggested in the staff report dated December 10, 1986.

Motion passed.

Request for Change of Name - Public Service Commission of Halifax

Correspondence, dated December 9, 1986, was received from Mr. Paul M. Murphy, solicitor for the Public Service Commission of Halifax.

MOVED by Alderman D. Grant, seconded by Alderman Flynn that the City of Halifax, as sole shareholder, authorize the proposal by the Public Service Commission of Halifax to change its name to Halifax Water Commission.

Alderman Meagher expressed concern that no information had been received from the Commission as to the expenditures necessary (in terms of revising the Commission's stationery, the signs carried by its vehicles, etc.) to effect this change of name.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the matter be deferred to the next regular meeting

of Committee of the Whole Council scheduled for Wednesday, January 7, 1987, pending receipt of a report from the Public Service Commission regarding the financial implications of the proposed name change.

The motion to defer was put and passed with Alderman R. Grant voting in opposition.

Request from Recreation Committee (Alderman Leiper)

The abovementioned item was added to the agenda at the request of Alderman Leiper on behalf of the Recreation Committee.

MOVED by Alderman Leiper, seconded by Alderman Meagher that Council indicate to the Recreation Committee its willingness to consider an advertising policy for recreational facilities to be prepared by that Committee.

Noting that sufficient information on the matter was not presently available to Council, it was moved by Alderman Flynn, seconded by Alderman Cromwell that the request from the Recreation Committee be deferred to the January 7 meeting of Committee of the Whole Council.

The motion to defer was put and lost.

Responding to remarks made by Alderman Leiper, Alderman Cromwell stated that it had been his understanding that the matter of an advertising policy had been scheduled for discussion on January 7 so that Council could decide at that time whether input would be sought from various outside sources.

Alderman Flynn suggested that the request from the Recreation Committee would not merit a formal resolution of Council, since undoubtedly the Committee will be contacted for its views by City staff during the preparation of an advertising policy for City-owned land.

Alderman R. Grant, in supporting the original motion, commended the members of the Recreation Committee for their willingness to undertake this project. He further suggested that in conjunction with its preparation of an advertising policy, Council should take under advisement the report prepared several years ago by a committee chaired by former Alderman D. LeBlanc.

The original motion was put and passed.

Alderman Flynn requested that the recently established Committee on the Rules of Order of Council be asked to consider the kinds of matters which may be added to the agendas of regular Council meetings.

Halifax Housing Authority (Alderman O'Malley)

This matter was added to the agenda by Alderman O'Malley who requested information from the City Manager as to the owner of the capital assets of the Halifax Housing Authority.

The City Manager indicated that he would research the matter and submit his findings at a later date.

Referring to Council's previous deliberations on the matter, Alderman O'Malley indicated that he had been deeply offended by the letter recently received from the Halifax Housing Authority regarding Council's stated concerns on the implementation of coin-operated laundry facilities in public and seniors housing. The Alderman stated his opinion that the Housing Authority had been very callous in its decision to implement this policy, particularly because of the hardships it imposes on its tenants, many of whom are recipients of social assistance or are on fixed incomes.

On this basis, it was moved by Alderman O'Malley, seconded by Alderman Walker that a letter be sent on behalf of Halifax City Council to the Minister of Housing for the Province of Nova Scotia asking him to request the Housing Authority to reconsider its position on the matter of coin-operated laundry facilities in its public housing.

The motion was put and passed.

Alderman Downey expressed regret that Council had not been officially advised of the Authority's decision in this matter, and suggested that it (the Authority) be invited to meet with Council in a public forum to discuss various alternatives to the implementation of coin-operated machines.

Relocation of Dominion Metals Limited to 829 MacLean Street
(Alderman D. Grant)

The abovementioned matter was added to the agenda by Alderman D. Grant who (referring to the petition presented to Council earlier in the meeting on behalf of various Ward One residents) expressed her opposition to the relocation of Dominion Metals Limited from Kempt Road to 829 MacLean Street.

In her remarks, Alderman Grant indicated her understanding that two years ago the Canadian National Railway gave notice to Dominion Metals to vacate the Kempt Road site so that it could be used by the Halifax Industrial Commission for a commercial use. She emphasized that it has taken that period of time for the company to resolve to relocate.

She also noted that CN had requested the Federal Department of the Environment to test the soil on the Kempt Road site, adding that an interim report from the Department has indicated slight concentrations of PCB's as well as contamination of the soil as a result of lead seepage.

Distributing photographs of the proposed MacLean Street site, Alderman Grant emphasized that area residents are extremely concerned about the potential relocation of Dominion Metals to their neighborhood. She added that, as Alderman for the ward in question, she had not been advised of the relocation until some time after the occupancy and development permits were issued by City staff, noting that in circumstances such as this she felt that greater communication between staff and members of Council is warranted.

Alderman Grant expressed appreciation to City staff who, she noted, had given this application detailed consideration. She noted that the original permits had been revoked and replacement ones issued which imposed various conditions: the use of the site is to be contained completely by the building; no outside activities are to be permitted (including the exterior storage of scrap metal); and tractor truck deliveries are to be restricted to three per week.

She noted, however, that area residents are very much in opposition to this relocation despite the conditions imposed on Dominion Metals by the terms of its development agreement with the City. Alderman Grant mentioned, in particular, concerns with regard to the increase in small truck traffic and environmental pollution as well the fact that, in their opinion, the use is not compatible with the surrounding residential neighbourhood.

Alderman Grant advised that it was her understanding that up until December 1, 1986, Dominion Metals had had an option on a site in the Burnside Industrial Park which, in her opinion, would have been a much more appropriate site than that proposed for MacLean Street.

On the basis of the foregoing, Alderman D. Grant proposed a motion that:

- 1) the City Solicitor be requested to review the possibility of amending Ordinance 155, Respecting the Establishment of Truck Routes, to:
 - (a) restrict or confine truck traffic accessing property south of Atlantic Street in the Industrial Zone; and
 - (b) prohibit local deliveries by trucks between the hours of 7:00 p.m. and 9:00 a.m. in the stated area;

- 2) City staff be requested to contact the Provincial Department of the Environment to discuss the regulations respecting industrial use of lands under the Environmental Protection Act, particularly as it pertains to Section 28(1)(a), "that no person shall be able to commence an undertaking that will or is likely to cause pollution;"
- 3) City staff be requested to ensure that no pollution will occur on the land or in the air or that noise pollution will occur to the detriment of the aesthetic qualities of the existing environment;
- 4) the Chief of Police be requested to refuse permission of a change of location for Dominion Metals Limited (under the provisions of the Junk Dealers Ordinance) until Council has indicated its approval;
- 5) Council go on record as indicating its opposition to the proposed location of Dominion Metals Limited from Kempt Road to MacLean Street, and that it use its influence, where possible, to prevent this from occurring.

Alderman Cromwell indicated that he would second Alderman Grant's motion.

A discussion ensued and, at the request of the Chairman, Alderman D. Grant restated her motion.

While indicating that he had been prepared to second the motion, Alderman Cromwell suggested that, under the circumstances, an official motion was perhaps not required since any member of Council could seek this type of information from City staff.

In the discussion which followed, Alderman R. Grant recommended that Item (5) of the proposed motion be withdrawn.

His Worship indicated that a formal motion had not been placed on the floor, but advised Alderman D. Grant that members of Council have no objection to her proceeding with her investigation of the matter.

There being no further business to be discussed, the meeting was adjourned at 11:15 p.m.

HEADLINES FOR CITY COUNCIL MINUTES
of 12/11/86

MINUTES

	....	708
APPROVAL OF ORDER OF BUSINESS		
	....	708
DEFERRED ITEMS		
Rezoning - Portions of Claremont Street and Regent Road, and Street Closure	....	709
PUBLIC HEARINGS, HEARINGS, ETC		
Appeal of Variance Refusal - 1064 Bland Street (Case No. 5137)	....	710
Appeal of Variance Refusal - 25 Bayview Road (Case No. 5171)	....	710
Hearing - Recommended Heritage Property - 1544 Summer Street	....	711
PETITIONS AND DELEGATIONS		
Petition Alderman D. Grant re: Relocation - Dominion Metals Limited to 829 MacLean Street	....	712
REPORT - FINANCE AND EXEC COMM		
Halifax Commonwealth Bid Committee Report - 1994 Common- wealth Games	....	712
Current Borrowing Resolution	....	713
Interest Rate on Local Improvement Charges	....	713
Sunday Openings	....	713
Recommendation to Purchase Additional Compute Capacity - Metropolitan Transit	....	714
Continuing Expenditures in 1987 - Social Planning Sundries	....	714
Date for Hearing - Nominated Heritage Properties: 1350-52-54-56 Queen Street	....	715
Residential Rehabilitation Assistance Program (RRAP)	....	715
Transfer of Capital Funds to Rockingham Fire Hall Renovation Project	....	716
Request to Fly City of Halifax Flag - Canada Trust	....	716
Commendation - Heritage Advisory Committee: Founders Square, Prince and Hollis Street	....	716
REP.- COMM. OF WHOLE COUNCIL		
Recommendation Audit Committee - Diagnostic Audit for Capital Projects Administration (TO BE TABLED)	....	717
Proposed Ordinance to Amend License Fees - SECOND READING	....	717

HEADLINES FOR CITY COUNCIL MINUTES
of 12/11/86

REPORT - CITY PLANNING COMM.	
Case No. 5161 - Amendment to Land Use Bylaw: Semi-Detached Dwellings	.... 717
Lease - 2555-65 Gottingen Street and 5458-62 North Street	.... 718
Case No. 5180 - Contract Development: 255-65 Gottingen St. and 5458-62 North Street (SET DATE FOR PUBLIC HEARING)	.... 718
Northeast Corner of Kearney Lake Road and Bicentennial Highway - MPS and Land Use Bylaw	.... 718
MISCELLANEOUS BUSINESS	
Street Closure and Conveyance - Rockingstone Road (Portion) - SET DATE FOR PUBLIC HEARING	.... 719
Start-Up Grant - Phoenix House	.... 719
Requested Authorization for Insurance Settlement	.... 719
Case No. 5209 - Contract Development: 2507 Brunswick Street (McCully House)	.... 720
Sale of Grosvenor Lots (Tender #86-139)	.... 720
QUESTIONS	
Question Alderman R. Grant re: Woodwise Program	.... 721
Question Alderman Leiper re: Halifax Police Department Safe Driving Program	.... 721
Question Alderman Leiper re: City of Kitchener Resolution	.... 721
Question Alderman D. Grant re: Snow Removal from Streets	.... 721
Question Alderman Cromwell re: Use of Halifax Hall	.... 722
Question Alderman Downey re: Federal Building Site	.... 722
Question Alderman Downey re: Skating Facilities	.... 722
Question Alderman OMalley re: Area Adjoining Seaview Park	.... 722
Question Alderman Walker re: Christmas Treet at Armdale Rotary	.... 723
Question Alderman R. Grant re: Rep. from Lakes and Waterways Advisory Committee - Proposed Relocation of Race Track	.... 723
Question Alderman Meagher re: Relocation of Government Office - City of Dartmouth	.... 723
Question Alderman Walker re: Citizenship Court	.... 723
Question Alderman Walker re: Security Precautions - City Hall	.... 723
Question Alderman Walker re: Firearms Course	.... 723
Question Alderman Dewell re: R-2 Zoning Provisions	.... 724
Question Alderman Dewell re: Increased Penalties - Break and Enter	.... 724

HEADLINES FOR CITY COUNCIL MINUTES
of 12/11/86

NOTICE OF MOTIONS

Notice of Motion Alderman Cromwell re: Proposed Amendment
to Ordinance 137, the Deferred Payment of Tax Ordinance 724

ADDED ITEMS

Kelly Street Area - Proposed Plan Amendment 724

Quinpool Centre 724

Fatal Accident (December 31, 1984), Bell Road and Sackville
Street 725

Request for Change of Name - Public Service Commission of
Halifax 725

Request from Recreation Committee (Alderman Leiper) 726

Halifax Housing Authority (Alderman OMalley) 727

Relocation of Dominion Metals Limited to 829 MacLean Street
(Alderman D. Grant) 727

HIS WORSHIP MAYOR RON WALLACE
ALDERMAN N. MEAGHER
CHAIRMAN

E. A. Kerr
City Clerk

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Abandonment	
Abandonment - Easements: 16 and 20 Dakin Drive	34
Access Road	
Access Road - Seaview Park	10
Accident	
Fatal Accident (December 31, 1984), Bell Road and Sackville Street	725
Account	
Question Alderman Jeffrey re: Forum Commission Request Establishment of an Equipment Reserve Account	527
Accounts	
Signing Authority on Equipment Replacement Accounts Royal Bank, Bank of Commerce & Scotia Bank Computer Data Centre Write Off of Accounts	623
	12
Ace Towing	
Question Alderman D. Grant re: Ace Towing	188
Acorn Road	
Question Alderman R. Grant re: Status - Acorn Road Turn-About	124
Question Alderman R. Grant re: Acorn Road	42
Acorn Road	480
Acorn Road	522
Question Alderman R. Grant Re: Road Elevations - Acorn Road	407
Acquisition	
Questions Alderman Jeffrey re: Acquisition - Alma Crescent	183
Question Alderman Jeffrey re: Acquisition - Frederick Avenue and Hillcrest Avenue	184
Acquisition - 9 and 11 Dentith Road (Portions)	588
Acquisition - Land at Barrington and Blowers Streets	619
Acquisition - Parcel W, Pioneer Avenue	553
Acquisition - Lot 63B, Withrod Drive	586
Acquisition of Parcel AB-1, 246 Bedford Highway	525
Acquisition of 160 Parking Meters	447
Acquisition - Alma Crescent and Dutch Village Road	362
Acquisition - 2413 Barrington Street (Marcotte Property)	362
Acquisition - Parcel WC1 and Easement WC, River Road	362
Acquisition - Alma Crescent and Dutch Village Road	398
Acquisition of Block P.C. - Cowie Hill	251

City Council Index

Acquisition of Parcel K1-A, 56 Old Sambro Road	88
Acquisition - Canadian National Railway Lands, Bedford Highway	138
Acquisition of Parcel H-4C, Civic No. 27 Princeton Avenue	33
Act	
Question Alderman OMalley re: Holidays Act	691
administration	
Recommendation Audit Committee - Diagnostic Audit for Capital Projects Administration (TO BE TABLED)	717
Administrative Order	
Consideration of Administrative Order for Executive Services SET DATE FOR MEETING - Alderman OMalley	495
Advertising	
Classified Advertising - Volume Control	34
Advisory Committee	
Motion from Advisory Committee on Devonshire Centre	253
Notice of Motion Alderman Cronwell re: Reconsideration of May 15/86 Council - Advisory Committee, Devonshire Centre	260
Aged	
Aged Living Alone - Alderman Walker	664
Agenda	
Question Alderman OMalley Re: Aldermanic Agenda Packages for Meetings of Committee of the Whole and City Council	409
Agreement	
Motion Alderman Meagher re: Reconsideration of City Council Agenda Items 10.1 and 10.2 - September 11, 1986	551
Case No. 4991 - Discharge of Contract Development Agreement and Rezoning: Lot B-1 (Bedford Highway)	508
Ports Canada Agreement - H-158	585
Case No. 4747 - Lots A-2, A-3: Knightsbridge Subdivision (Application for Amendment to Stage II, Schedule "K" Tax Agreement - The Bay Parking Garage	575
Case No. 4747 - Amendment to Development Agreement, Stage II, Schedule "K" - Knightsbridge Subdivision	523
Case No. 4124 and 012/4 Tax Agreements - Sheraton Hotel	582
Case No. 4991 - Discharge of Contract Development Agreement Rezoning - Lot B-1 Bedford Highway	523
Case No. 4586 - Contract Development Agreement: Melville Ridge	517
Canadian National Railway - Pipe Crossing Agreement	453
Provincial/City Construction Cost-Sharing Agreement No. 38	361
Amendment to Development Agreement - Prison Lands	196
Case No. 4973 - Discharge of Contract Agreement - 29 Rufus Avenue (11 Birch Street)	195
	141

City Council Index

Centralized Banking Agreement - City of Halifax and Public Service Commission of Halifax	589
Hanover Agreement - Main Avenue Seniors Public Housing	620
Reciprocal Pension Agreement - City of Dartmouth	683
Discharge of Agreement - 1546 Dresden Row	459
Local No. 143 - Collective Agreement	102
Case No. 4128 - Agreement - 5265 Tobin Street	15
Agreements	
Notice of Motion Alderman Meagher re: Reconsideration of Agenda Items 10.1 and 10.2 City Council - September 11/86	530
Agricola Street	
Appeal of Variance Refusal - 2825 Agricola Street	313
Question Alderman Downey re: Street Cleaning - North Cogswell and Agricola Street	379
Question Alderman OMalley re: Snow - Agricola Street	66
Contract Development - Case No. 5053 - 3055 Agricola Street	471
Case No. 5053 - Contract Development: 3055 Agricola Street	478
Case No. 5053 - Contract Development: Olands Breweries Ltd. 3055 Agricola Street - SET DATE FOR PUBLIC HEARING	406
Aide	
Question Deputy Mayor Jeffrey Re: Security - Aldermens Aide (Third Floor Location)	689
Akins Cottage	
Apex Developments Limited - Akins Cottage	317
Alderman D. Grant	
Presentation - Municipal Awareness Week - Alderman D. Grant and M. Leiper	204
Alderman Leiper	
Presentation - Municipal Awareness Week - Alderman D. Grant and M. Leiper	204
Aldermanic	
Appointments	640
Appointments - Aldermanic	632
Appointment	640
Aldermen	
Question Alderman R. Grant re: Aldermanic Parking Passes	144
Question Alderman R. Grant re: Reception - Present and Past Aldermen	124
Question Deputy Mayor Jeffrey Re: Security - Aldermens Aide (Third Floor Location)	689

City Council Index

Alex Street	
Question Alderman Jeffrey re: Intersection of Central Avenue and Alex Street	123
Alexandra Centre	
Award of Tender No. 85-150 - Alexandra Centre - Window Replacements	508
Allocation	
Question Alderman Jeffrey re: Capital Budget Allocation Public Garden Canteen Washrooms	329
Allowance	
Resolution - FCM - De-Indexing of Family Allowance	117
Question Alderman Jeffrey re: Allowance - Persons in Homes for Special Care	330
Funeral Allowance Policy - Indigent Persons	117
Alma Crescent	
Acquisition - Alma Crescent and Dutch Village Road	362
Alma Crescent	
Questions Alderman Jeffrey re: Acquisition - Alma Crescent	183
Acquisition - Alma Crescent and Dutch Village Road	398
Award of Tender No. 86-21 - Alma Crescent Storm Sewer, and New Curb and Gutter	93
Alternatives	
Alternatives & Assistance for those Engaged in Prostitution	10
Alvina Nursery	
Question Alderman R. Grant re: Alvina Nursery, Herring Cove Road	496
amendment	
Proposed Ordinance to Amend License Fees - SECOND READING	717
Amendment to the Municipal Planning Strategy and Land Use Bylaw - Peninsula North Secondary Planning Strategy	640
Municipal Development Plan Review - Proposed Amendments to Municipal Development Plan and Land Use Bylaw	594
Land Use Bylaw Amendment - (Mainland Area) - R-3 (Multiple Dwelling) Zone	518
Notice of Motion Alderman D. Grant re: City Council Res. Nov. 13/86 - Request for Plan Amend. Morris and Queen Sts.	663
Motion of Reconsideration - Alderman D. Grant Re: Request For Plan Amendment, Morris Street at Queen Street	672
Case Nos. 4926 and 5054 - Request for Plan Amendment - Morris Street at Queen Street	646
Kelly Street Area - Proposed Plan Amendment	724
Request for Plan Amendment - Morris St. at Queen St.: Planning Adv. Committee Report (SET DATE FOR PUBLIC HEARING	625
Land Use Bylaw Amendment (Mainland Area) - R-3 (Multiple Dwelling) Zone	510
Land Use Bylaw Amendment - R-2A Uses in R-3 Zones - South End Area	521
Proposed Amendment to Ordinance Number 179, the Residential Parking Permit Ordinance - FIRST READING	406