

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
May 14, 1987
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 City Clerk in the recitation of the Lord's Prayer.

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

ALSO PRESENT: P. S. Connell, Acting City Manager; City Solicitor; City Clerk; and other members of City staff.

MINUTES

Minutes of the regular meeting of City Council held on April 30, 1987, as well as special meetings held on April 22 and May 6, 1987, 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:
5.2 Case No. 5054 - Development Agreement:
5560-5562 Morris Street
20.1 Appointments

At the request of Alderman Flynn, Council agreed to
add:
20.2 Tax Concessions

At the request of Deputy Mayor Jeffrey, Council agreed
to add:
20.3 Non-Union Employees - Salary Increase

At the request of Alderman Cromwell, Council agreed to
add:
20.4 Assessments vs. Budgets

Council
May 14, 1987

MOVED by Alderman Leiper, seconded by Deputy Mayor Jeffrey that the agenda, as amended, be approved.

Motion carried.

His Worship Mayor Wallace extended a welcome on behalf of members of Council to various staff and students from the J. L. Isley High School present in the public gallery during tonight's meeting.

Municipal Awareness Week - 1987

Alderman Leiper, President of the Municipal Awareness Week Planning Committee, announced that this year's events commence on May 18, and urged members of Council and particularly the general public to participate as much as possible in the festivities.

DEFERRED ITEMS

Mainland South Secondary Planning Strategy, and Associated Municipal Planning Strategy and Land Use Bylaw Amendments

A supplementary staff report, dated May 13, 1987, was submitted.

A public hearing into this matter was held on Wednesday, May 6, 1987.

MOVED by Alderman R. Grant, seconded by Alderman Walker that Council adopt the Mainland South Secondary Planning Strategy as detailed in Appendix IV of the supplementary staff report, dated May 13, 1987.

Responding to a question from Alderman Flynn, Alderman R. Grant advised that, with reference to the question of the appropriateness of the RDB designation for the Williams Lake area, this matter is being referred to the Planning Advisory Committee for further consideration.

Alderman Flynn suggested that, with reference to the May 13 supplementary staff report, all items for which "no action at this time" is recommended be referred to the Planning Advisory Committee for additional consideration and report prior to Council's making a final decision on the matter.

Aldermen Flynn and Crowwell expressed concern regarding Council's late receipt of the May 13 supplementary staff report, suggesting that, owing to the far-reaching implications of the proposed Mainland South Secondary Planning Strategy, it was unreasonable to expect a decision on the matter during this evening's meeting.

Council
May 14, 1987

It was subsequently moved by Alderman Flynn, seconded by Alderman Cromwell that the matter of the Mainland South Secondary Planning Strategy be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, May 28, 1987.

The motion was put and resulted in a tie vote. His Worship Mayor Wallace voted in support of the deferral and declared the motion to defer to be passed.

Alderman O'Malley recommended that staff prepare a paper on the procedures, the reasons for moving in specific directions, the consequence of not acting in those directions, and the procedural alternatives that are available to Council in the matter of the Mainland South Strategy. He added that, in his opinion, there is considerable confusion as to the implications, should Council resolve to act in a manner that was not suggested by the public hearing advertisement, and emphasized that this report should be made available to Council prior to the May 28 meeting.

Alderman Cromwell requested that a list of the items proposed to be referred to the Planning Advisory Committee as a result of the Mainland South deliberations be made available to members of Council well in advance of the May 28 meeting.

The following submissions were received subsequent to the May 6 public hearing:

- Correspondence, dated May 6, 1987, from Mr. and Mrs. Russell Strickland, 26 Marriott Road, Halifax, B3N 1V3;
- Correspondence, dated May 13, 1987, from J. D. Eric Cormier, 27 St. Margaret's Bay Road, Halifax, B3N 1J5;
- Correspondence, dated May 13, 1987, from Mr. J. Purves, Secretary, West Armdale Residential Association.

Case No. 5054 - Development Agreement: 5560-5562 Morris Street

This matter was last discussed during a regular meeting of City Council held on April 30, 1987, and was added to this meeting's agenda at the request of the City Clerk.

An Information Report, dated May 14, 1987, was submitted from the City Solicitor.

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

- 1) the contract development application affecting 5560-62 Morris Street be approved by City Council as per the draft agreement contained in the staff report of January 7, 1987, with the exception that the exterior

Council
May 14, 1987

It was subsequently moved by Alderman Flynn, seconded by Alderman Cromwell that the matter of the Mainland South Secondary Planning Strategy be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, May 28, 1987.

The motion was put and resulted in a tie vote. His Worship Mayor Wallace voted in support of the deferral and declared the motion to defer to be passed.

Alderman O'Malley recommended that staff prepare a paper on the procedures, the reasons for moving in specific directions, the consequence of not acting in those directions, and the procedural alternatives that are available to Council in the matter of the Mainland South Strategy. He added that, in his opinion, there is considerable confusion as to the implications, should Council resolve to act in a manner that was not suggested by the public hearing advertisement, and emphasized that this report should be made available to Council prior to the May 28 meeting.

Alderman Cromwell requested that a list of the items proposed to be referred to the Planning Advisory Committee as a result of the Mainland South deliberations be made available to members of Council well in advance of the May 28 meeting.

The following submissions were received subsequent to the May 6 public hearing:

- Correspondence, dated May 6, 1987, from Mr. and Mrs. Russell Strickland, 26 Marriott Road, Halifax, B3N 1V3;
- Correspondence, dated May 13, 1987, from J. D. Eric Cormier, 27 St. Margaret's Bay Road, Halifax, B3N 1J5;
- Correspondence, dated May 13, 1987, from Mr. J. Purves, Secretary, West Armdale Residential Association.

Case No. 5054 - Development Agreement: 5560-5562 Morris Street

This matter was last discussed during a regular meeting of City Council held on April 30, 1987, and was added to this meeting's agenda at the request of the City Clerk.

An Information Report, dated May 14, 1987, was submitted from the City Solicitor.

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

- 1) the contract development application affecting 5560-62 Morris Street be approved by City Council as per the draft agreement contained in the staff report of January 7, 1987, with the exception that the exterior

Council
May 14, 1987

design of the building shall be in substantial conformity with Plan No. P200/15885 of Case No. 5054; and

- 2) that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the application, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

A discussion ensued, with Alderman O'Malley expressing the opinion that by directing matters of this nature to the Advisory Design Panel and other such bodies for consideration, Council is inappropriately delaying the development approval process and, by so doing, is frightening away a number of potential developers. He emphasized that by adhering to this system, Council has failed in its initial efforts to streamline the approval process, and is also greatly inconveniencing developers who must tie up large amounts of money and time while waiting for the various City bodies to review their application.

In concurring with Alderman O'Malley's remarks, Alderman Flynn asked that copies of the Advisory Design Panel's terms of reference be circulated to members of Council, stating that, in his opinion, Council should be given an opportunity to review those terms in detail.

Alderman R. Grant also requested that members of Council be provided with a copy of the Council resolutions approving the establishment of both the Advisory Design Panel and the Art Allocations Committee.

With reference to the application for 5561-65 Morris Street, Alderman R. Grant asked for advice from the City Solicitor as to the legal ramifications of Council's approving the revised design (Plan No. P200/15885) despite the fact it had not been available for consideration during the January 7 public hearing.

The City Solicitor advised that, in instances of this nature, Council must make a decision as to whether, in its opinion, the revised design incorporates substantial changes to the plans originally submitted and discussed at the public hearing. If so, Mr. Murphy indicated that Council would be advised to hold a second public hearing to afford the public an opportunity to comment on the revised design.

At the request of Alderman Walker, Mr. Boyd Algee, Development Officer, displayed drawings of the original design as well as the revised plans as recommended by the Advisory

Design Panel (and preferred by the applicant). He noted that the revised drawings merely include changes to the building's front configuration with no revisions proposed for the number of units, the structure's overall size or its height.

After some further discussion, the motion was put and passed with Alderman Cromwell abstaining owing to his non-attendance at the January 7 public hearing on this matter.

MOTIONS OF RECONSIDERATION

Motion Alderman Leiper For: Reconsideration of City Council Resolution of April 30, 1987: Case No. 4926 - Development Agreement: 5561-65 Morris Street

Alderman Leiper gave Notice of Motion of Reconsideration concerning Council's previous resolution on the above-mentioned matter during the regular meeting of City Council held on April 30, 1987.

In addressing this matter, Alderman Leiper stated that, in her opinion, Council had not been fully informed when making its decision on April 30. She referred to a letter, dated April 30, 1987, from Mr. Issam Kadray, Asset Management Limited, which indicated that revised elevation plans had been available for Council's inspection during its meeting of April 30. Alderman Leiper emphasized that Mr. Kadray's letter had arrived late and had therefore been placed on members' desks shortly before the meeting commenced. Consequently, it was overlooked during the debate and, in her view, Council had made its decision based on insufficient information.

On that basis, it was moved by Alderman Leiper, seconded by Alderman D. Grant that Council reconsider its motion of April 30, 1987 with regard to Case No. 4926 - Development Agreement: 5561-65 Morris Street.

The motion to reconsider was put and lost with Alderman Cromwell abstaining.

MOTIONS OF RESCISSION

Motion Alderman D. Grant For: Rescission of City Council Resolution of January 29, 1987: Sale of Right-of-Way (Tract of 5397-99 Victoria Road)

Alderman D. Grant gave Notice of Motion of Rescission during the regular meeting of City Council held on April 30, 1987 regarding Council's resolution of January 29, 1987 in conjunction with the sale of right-of-way (tract of 5397-99 Victoria Road).

Council
May 14, 1987

A private and confidential report, dated May 13, 1987, was submitted from the City Solicitor, together with correspondence, dated May 8, 1987 from Ms. M. Heather Robertson of Burchell, MacDougall & Gruchy, solicitors for the South Side Smith Street Homeowners Association.

In addressing the matter, Alderman D. Grant stated that, in her opinion, the staff report of January 12, 1987 did not provide Council with all the information necessary to make an informed decision. She added that at the time when Council's initial decision was made, she, as Alderman for the ward in question, did not realize that the owners on the south side of Smith Street had previously attempted to purchase the laneway, but had been prevented from so doing because of an agreement with Southpoint Apartments and the City of Halifax.

Alderman Grant emphasized that Smith Street, despite its size and narrowness, is heavily used by vehicular traffic, being the throughway for truck and garbage deliveries for the Southpoint Apartments and Lawton Drugs. She noted that several major developments have recently been built in the Smith Street area which have added to the traffic problem and caused considerable disruption to residents during the construction phase.

Alderman Grant distributed photographs of the Smith Street area, indicating that the lane (at the point where cars would travel to and from the Renovest development) is only 10 feet wide in places, and has a dangerous curve at its western end. She added that the lane has been used exclusively by Smith Street residents for over 100 years and was never intended to be used by residents of Victoria Road.

In conclusion, Alderman Grant advised that it is her understanding that, subsequent to Council's decision on January 29, 1987, Renovest Realty Limited has not attempted to purchase the right-of-way nor has it applied for a building permit to develop 5397-99 Victoria Road. Under the circumstances, Alderman Grant suggested that Council's original motion could be legally and morally rescinded, and submitted the following letters in support of her argument:

- Correspondence, dated May 11, 1987, from Mr. Glen Dexter of Stewart, MacKeen & Covert;
- Correspondence, dated May 11, 1987, from Ms. M. Heather Robertson of Burchell, MacDougall & Gruchy.

It was subsequently moved by Alderman D. Grant, seconded by Alderman Crowwell that Council's motion of January 29, 1987 regarding the sale of right-of-way (rear of 5397-99 Victoria Road) be rescinded.

Council
May 14, 1987

Responding to comments made by Alderman Cromwell regarding staff's failure to advise Smith Street residents of the proposed sale, the City Solicitor advised that staff were forced to proceed in this fashion, owing to the necessary confidentiality of the Renovest application.

Alderman R. Grant suggested that Council be given additional time to consider the information brought forward by Alderman D. Grant, and moved, seconded by Alderman O'Malley that the matter be deferred to the next regular meeting of City Council.

The motion to defer was put and lost.

Alderman Dewell, referring to the private and confidential staff report of May 13, noted that the City Solicitor's view is that an enforceable contract now exists between the two parties in question.

With reference to Alderman Dewell's remarks, Alderman O'Malley suggested that Council should be given an opportunity to dialogue in private with the City Solicitor, and moved, seconded by Alderman Walker that the matter be deferred to the next regular meeting of Halifax City Council scheduled for May 28, 1987.

The motion to defer was put and passed.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Minor Variance Approval - Proposed Lot:
321-A Pioneer Avenue

The above-mentioned matter had been deferred from a regular meeting of City Council held on April 30, 1987 at the request of the applicant, Pioneer Enterprises Limited (a hearing into the matter was held on March 26, 1987).

An Information Report, dated April 10, 1987, was submitted.

Alderman Hershaw advised that it was his understanding that the developers in question had revised their application to substitute the construction of six townhouses on Lot 321-A Pioneer Avenue for the initially-proposed 16-unit apartment building.

Mr. Boyd Algee, Development Officer, indicated that while he had only recently received the revised plans from Pioneer Enterprises Limited, it was his opinion that a minor variance would still be required for the lot frontage.

Council
May 14, 1987

The City Solicitor indicated that he would appreciate an opportunity of reviewing the revised plans to ascertain whether, in his opinion, they represent such a substantial change as to require the scheduling of a second hearing.

It was subsequently agreed that the matter be deferred to the next regular meeting of Halifax City Council scheduled for May 28, 1987, pending receipt of additional information from staff.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on May 6, 1987 as follows:

Local Improvement Project - Broadholme Lane

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the petition be accepted, and that the proposed installation of sidewalk, curb and gutter on the southwest side of Broadholme Lane from O'Hara Drive to the existing sidewalk be deleted from the 1987 Capital Budget.

Motion passed.

Local Improvement Project - Joyce Avenue

MOVED by Alderman R. Grant, seconded by Deputy Mayor Jeffrey that, as recommended by the Finance and Executive Committee, the Local Improvement Project described as "New Pavement, Joyce Avenue from Circle Drive to End," including new paving, concrete curb and gutter, sodding and trees, be confirmed by City Council as a 1987 Capital Project subject to Local Improvement Charges.

Motion passed.

Alexandra Centre - Window Replacement

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council extend the contract of Nu Wall Construction Co. Limited to complete the work as described for Tender #85-150, and that funds be made available in Account #222423.20100.AA002 in the amount of \$65,000.

Motion passed.

School Age Child Care (Latchkey Children)

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

1. the Halifax District School Board be requested to consider the preparation of a policy statement concerning school age child care with respect to priority in determining the use of available space within school buildings;
2. the Halifax District School Board be requested to develop a set of guidelines and criteria for use of space in schools for school age child care;
3. the Province of Nova Scotia be requested to establish standards for school age child programs in the Province and to develop mechanisms to monitor such programs in order to ensure that quality care and supervision is provided.
4. the Halifax District School Board Supervisor of Educational Programs be the contact person and liaison between individual schools and organizations or community groups wishing to develop school age child care programs in the schools;
5. because the Province of Nova Scotia has the responsibility for child care programs they should develop guidelines for provision of funding for school age child care programs to enable such programs to serve families from all income levels;
6. the City of Halifax Recreation Department be requested to review its program strategy with respect to before-school, after-school and lunch hour programming in light of the findings of the staff report dated April 23, 1987;
7. in view of the changing nature of the work place, the growing number of parents engaged in part-time or soft work and the increasing number of single parents in our communities, the Province of Nova Scotia support extension of the hours of operation for day care centres; and
8. the Province of Nova Scotia support the establishment of day care services and school age child care services offering intermittent child care for periods when families are in a state of upheaval or disruption (such as hospitalization of a household member, illness, family crisis, short-term employment, etc.).

Council
May 14, 1987

In making this motion, Alderman R. Grant indicated a certain degree of disappointment with the April 23 staff report on this matter, suggesting that it fails to recommend interim measures that could be implemented until the ideal (as put forward in the report) is reached.

Alderman Leiper requested information from staff as to how programs of this nature in other areas are operated and their degree of effectiveness.

Alderman O'Malley asked that the Halifax District School Board be requested to address the matter on a broad basis; i.e., that they be asked to offer a wider scope of possible opportunities for the use of their facilities and staff, rather than providing a categorical answer.

The motion was put and passed.

Review of Ordinance Number 180 - DRIVEWAYS

This matter was forwarded to Council without recommendation from the May 6 meeting of the Finance and Executive Committee.

An Information Report, dated May 11, 1987, was submitted.

Alderman Meagher emphasized that the provisions in Ordinance 180 regarding driveways should, in his opinion, be updated to reflect 1987 standards, and moved, seconded by Alderman O'Malley that a review of Ordinance 180 from that perspective be commenced for all sections of the City of Halifax; and further, that the matter be added to the agenda of the next regular meeting of Committee of the Whole Council scheduled for May 20, 1987.

The Acting City Manager advised that a prompt decision on the Yukon Street property would be helpful, owing to the fact that contractors are preparing to undertake the sidewalk installations on that part of the street within the next several days.

A discussion ensued, with Alderman Meagher proposing a motion that the driveway requested by the owner of Civic Number 6284 Yukon Street be installed.

The Chairman indicated that he had some difficulty with a motion of this nature in view of existing legislation.

The City Solicitor suggested that the Yukon Street question could be resolved in the context of the proposed review of Ordinance 187.

The motion was put and passed.

Gutted Houses - 3171 Robie Street/6587 Quinpool Road

(a) 3171 Robie Street

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, with respect to Civic Number 3171 Robie Street, Council proceed under Section 438 of the City Charter as follows:

- 1) set a date for a hearing at which time an opportunity will be given to the assessed owner of the property to be heard;
- 2) direct that at least 18 days notice of the hearing be given to the assessed owner of the building by registered mail; and
- 3) direct the Building Inspector and the Fire Department to submit reports to Council in respect of the condition of the building, and to have representatives present at the hearing.

The motion was put and passed.

The City Clerk advised that this hearing would form part of the agenda for the meeting of the Committee on Works scheduled for MONDAY, JUNE 8, 1987.

(b) 6587 Quinpool Road

MOVED by Alderman Meagher, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, with respect to Civic Number 6587 Quinpool Road, Council proceed under Section 438 of the City Charter as follows:

- 1) set a date for a hearing at which time an opportunity will be given to the assessed owner of the property to be heard;
- 2) direct that at least 18 days notice of the hearing be given to the assessed owner of the building by registered mail; and
- 3) direct the Building Inspector and the Fire Department to submit reports to Council in respect of the condition of the building, and to have representatives present at the hearing.

The motion was put and passed.

Council
May 14, 1987

The City Clerk advised that this hearing would form part of the agenda for the meeting of the Committee on Works scheduled for MONDAY, JUNE 8, 1987.

96 Rufus Avenue

The above-mentioned matter was forwarded to this meeting of City Council without recommendation.

Referring to the report from the City Solicitor dated May 1, 1987, Deputy Mayor Jeffrey requested information as to whether in 1977 the City had asked that the illegal porch constructed over the second floor landing at 96 Rufus Avenue be removed.

The City Solicitor indicated that he would investigate the matter and submit a supplementary report to Council.

The Deputy Mayor suggested that, if at all possible, action should be taken to have both the sundeck and the porch removed, but, in the interim, MOVED, seconded by Alderman Leiper that staff be authorized to commence an action in the Supreme Court, Trial Division, pursuant to Section 108 of the Planning Act, seeking an order for removal of the sun deck, a penalty in the nature of a fine plus costs of the action.

1987 Charter Amendments

MOVED by Alderman E. Grant, seconded by Alderman Downell that, as recommended by the Finance and Executive Committee, Council approve the 1987 amendments proposed for the Halifax City Charter (pertaining to aldermanic expenses) as set forth in the staff report dated May 1, 1987.

Motion passed.

Cost-Sharing Government Work Programs

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the City of Halifax provide interim financing, subject to the cost-sharing arrangements, for the projects as outlined in the staff report dated April 29, 1987 as they become available to the City of Halifax during 1987.

Motion passed.

Council
May 14, 1987

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on May 6, 1987, as follows:

Award of Tender #86-124: Crescent Avenue Pumping Station and Forcemain

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

1. Tender # 86-124 for the Crescent Avenue Pumping Station and Forcemains be awarded to D. A. Lanthier Construction Company Limited for \$74,000 and with a total project cost of \$89,000;
2. Funding Authorized from Account No. 20400 DD025;
3. Funding Transfers be approved as follows:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
DD017 to DD025	Upgrade Sanitary Sewer Roach's Pond	\$14,000

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Adoption of New Ordinance Number 131, Respecting the Construction and Occupancy of Buildings - SECOND READING

This matter was given First Reading during a regular meeting of Halifax City Council held on April 30, 1987.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that, as recommended by the Finance and Executive, the new Ordinance Number 131, Respecting the Construction and Occupancy of Buildings (as attached to the staff report dated April 9, 1987) be given SECOND READING.

Motion passed.

Ordinance Number 181, Respecting the Establishment of the Spring Garden Road Business Improvement District Commission - SECOND READING

This matter was given First Reading during a regular meeting of Halifax City Council held on April 30, 1987.

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Ordinance 181, Respecting the Establishment of the

Council
May 14, 1987

Spring Garden Road Business Improvement District Commission (complete with amendments as contained in the private and confidential staff report dated May 4, 1987) be given SECOND READING.

Motion passed.

Ordinance Number 182, Respecting the Establishment of the Barrington Street Business Improvement District Commission -
SECOND READING

This matter was given First Reading during a regular meeting of Halifax City Council held on April 30, 1987.

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Ordinance 182, Respecting the Establishment of the Barrington Street Business Improvement District Commission (complete with amendments as contained in the private and confidential staff report, dated May 4, 1987) be given SECOND READING.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on May 6, 1987, as follows:

Amendment to the Municipal Development Plan - Neighbourhood Shopping Facilities

This matter was forwarded to Council without recommendation.

A supplementary staff report dated May 13, 1987 was submitted.

Alderman Cromwell addressed the matter indicating that he had just received the requested report on his desk this evening and had not had an opportunity to review the report.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that consideration of this matter be deferred to the next meeting of the Committee of the Whole Council to be held on Wednesday, May 20, 1987.

Motion passed.

Schedule "K" Contract - Clayton Park West - Case No. 5006 -
SET DATE FOR PUBLIC HEARING

An information report dated April 30, 1987 entitled 'Traffic Problems Generated by Mainland North Development', was submitted.

His Worship addressed the matter requesting that Alderman Leiper explain her understanding of the form the proposed meeting on traffic problems in the Mainland South was to take.

Alderman Leiper addressed the matter indicating that she understood the meeting to be a joint council and staff meeting. Alderman Leiper indicated that the problems with traffic in the Mainland North were very well explained in the April 30, 1987 information report distributed to Council. Alderman Leiper suggested that the initial discussion in relation to this matter should be held at the June 17, 1987 meeting of the Committee of the Whole Council.

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

1. Set a date for a public hearing to consider approval of Stage I of the lands of Clayton Developments (owned and under option) as shown on Plan No. P200/15810 and approval of Stage II, Phase I of Clayton Park West, a 112 acre parcel as shown on Plan No. P200/15834 and as detailed in the April 23, 1987 staff report;
2. Consider the use of landscaped 'islands' at the ends of the cul-de-sac streets provided they are of low maintenance design;
3. Approve the cost sharing formula for the construction of Street K; and
4. Set a date for a meeting to discuss the traffic problems in the Mainland North including the staff report which was recently distributed in relation to this matter.

A short discussion ensued with Alderman Leiper indicating that the traffic problem in Mainland North was no small problem and that is why she suggested the first discussion on the matter take place at the June 17, 1987 Committee of the Whole. Alderman Leiper indicated that she would like the initial meeting to discuss this matter to be convened prior to June 30, 1987 and further proposed that, in light of the complexity and size of the proposal, the development proposal be forwarded to the Planning Advisory Committee for comment and report to Council.

Council
May 14, 1987

A further short discussion ensued with Alderman Hamshaw noting that a meeting with the area residents had been held at which time the developer had apprised the residents of the proposal for the site.

A further lengthy discussion ensued and it was MOVED in amendment by Alderman Leiper, seconded by D. Grant that the motion be amended to provide that the development proposal be referred to the Planning Advisory Committee for comment and report prior to the public hearing.

The Motion to amend was put and lost.

The Main Motion was put and passed.

The City Clerk, advising that it was his understanding that Council wished to hold the public hearing in September, indicated that the date set for the public hearing was set as Wednesday, September 9, 1987 beginning at 7:30 p.m.

A short discussion regarding the delay in holding the public hearing ensued with Alderman Leiper indicating that the residents in the area would prefer that the public hearing not be held during the summer months as many people would be away.

It was agreed that Wednesday, September 9, 1987 be set as the date for the public hearing.

The City Clerk noted that a location has not been confirmed in relation to this public hearing and suggested that it would be held in one of the schools in the area.

Alderman Flynn suggested that Halifax West High School be the location for the public hearing and the City Clerk indicated that he would attempt to retain Halifax West for the public hearing and report to Council accordingly.

Alderman O'Malley referred to the meeting to be held in relation to traffic problems in the area and suggested that this meeting should be convened prior to the end of June. Alderman O'Malley further suggested that His Worship be requested to arrange this meeting, to which Council agreed.

The Acting City Manager, in trying to determine the focus of the meeting, asked if the information report dated April 30, 1987 was to form the basis of discussion at the meeting.

Members of Council indicated that this report would be the basis of discussion and in response to a question from Council, Mr. Connell indicated that the traffic study carried out by the developer was generally contained in the submitted report.

Alderman Leiper addressed the matter noting that contained within the report were five points suggesting ways to alleviate the traffic problems and requested that staff enlarge upon these points. Alderman Leiper further requested that up to date traffic counts for the area be provided to Council.

Alderman O'Malley requested that staff provide Council with comparative traffic counts throughout the city in relation to residential streets of a similar nature.

Alderman Meagher addressed the matter suggesting that this meeting should consider all traffic problems within the City noting that they were inter-related.

His Worship indicated that a city wide consideration of traffic problems would take some time and suggested that Council should deal with the Mainland North traffic problem initially and then move onto other areas of the City.

Alderman Meagher indicated that Council must ensure that traffic problems in the rest of the city are addressed in the future.

MISCELLANEOUS BUSINESS

City Auditor General's 1986 Annual Report

A document entitled 'City of Halifax City Auditor General Annual Report, 1986' was submitted.

MOVED by O'Malley, seconded by Alderman Flynn that the document entitled 'City of Halifax City Auditor General Annual Report, 1986, be tabled for study.

Alderman O'Malley indicated that in tabling this report he would like to ensure that it is understood that this is to allow Council an opportunity to study the document and that the City Auditor General would, at a later date, make a presentation to Council in regards to the report.

His Worship indicated that such a presentation could be made at a Committee of the Whole Council meeting and noted that this would follow from the tabling of the report.

Motion passed.

QUESTIONS

Question Alderman Hamshaw re: Removal of Bus No. 16 (Wedgewood/Bridgeview from Service

Alderman Hamshaw referred to a newspaper article which had appeared in yesterday's newspaper regarding the removal of Bus No. 16 from service noting that this bus served the Wedgewood/Bridgeview area. Alderman Hamshaw indicated that this matter had not been brought to the attention of the Halifax Transit Advisory Committee of which he was Chairman.

Alderman Hamshaw indicated that he did not want this bus removed from service and noted that he had received a number of calls as a result of this article. Alderman Hamshaw requested further information in relation to this matter.

His Worship indicated that further information regarding this matter would be obtained.

Question Alderman Flynn re: Northwest Arm Channelway

Alderman Flynn referred to correspondence received from Mr. Peckford of Ports Canada Police and indicated that the correspondence advised that a two hundred foot wide "No Moorings Area" would be established from Hens and Chickens to the end of the Northwest Arm. Alderman Flynn noted that this area would be established under the authority of Ports Canada and that a draft proposal has already received approval from the Yacht Clubs, Ports Canada and the Harbour Master. Alderman Flynn further indicated that a map was to be prepared for circulation.

Alderman Flynn asked who would be doing the policing of this and noted that it was his understanding that Ports Canada would be reducing their police force. Alderman Flynn suggested that the Halifax Police Force would be required to help out in the policing of this area. Alderman Flynn then asked how the non-yacht club members would be notified of the restricted area noting that not all boat owners were members of a yacht club. Alderman Flynn indicated that there were at least four boats moored in the middle of the Arm.

Alderman Flynn further asked how Ports Canada intended upon removing the moorings and whether this responsibility would be placed upon the yacht owner or would Ports Canada remove the moorings if the yacht owner failed to comply with the restriction. Alderman Flynn asked who would be doing the policing on a day to day basis to ensure that the channelway is clear. Alderman Flynn suggested that this responsibility could not be left to the yacht club members as they were at guilty of blocking the channel as the individual boat owners.

Alderman Flynn then asked if Ports Canada intended to implement an extensive advertising campaign through the various forms of media to advise the boat owners that there has to be a two hundred foot wide channel open down the Arm and that they must stay within the moorings. Alderman Flynn asked if Ports Canada were going to put buoys down to indicate the channel and notify the boat owners they can moor within these buoys.

Alderman Flynn indicated there were many questions and the boating season was now in full force. Alderman Flynn requested a response to his questions.

His Worship indicated that a response would be sought.

Question Alderman Flynn re: Possible Removal of Buses not
Realizing the 40% Payback

Alderman Flynn referred to reports in the newspaper regarding the removal of buses from service which were not realizing the 40% payback and noted that this possibility greatly disturbed him. Alderman Flynn noted that it has been said that it is great to get the politics out of transit service, however, he noted that Council must have some concern for those persons who would lose this service if the buses were removed from service.

Alderman Flynn indicated that he would like to know if the removal of buses from service would come before Council for approval before they are removed from service or if this decision would be made by a majority vote of Metropolitan Authority.

Question Deputy Mayor Jeffrey re: 47 Coronation Avenue

Deputy Mayor Jeffrey referred to a building at 47 Coronation Avenue which was built some months ago illegally and indicated that he was aware that an order had been issued to tear the building down. Deputy Mayor Jeffrey noted, however, that the roof of this building was covered with tar board and paper which is now blowing around the neighbourhood and causing a disturbance during the night.

Alderman Jeffrey requested that staff visit the property and ensure that this building is properly secure in order that it not be any further of an irritant to the people in the area.

Question Deputy Mayor Jeffrey re: Letter to Resident - Dog
Licenses

Deputy Mayor Jeffrey referred to a letter received by resident in relation to her application for a dog license noting that this individual had forwarded a cheque in the amount of \$15.00 to the City in payment of her dog license. Deputy Mayor Jeffrey noted that the resident had received a very abrupt response indicating that the City required \$22.50 to license her dog and that if the amount was not issued to the city by the end of April her name would be given to the Animal Control Officer to issue a summons.

Deputy Mayor Jeffrey indicated that he did not feel this was the proper way for a city staff member to correspond with the public and noted that the letter was in fact a handwritten memo. Deputy Mayor Jeffrey indicated that he would like this letter returned to the author and that the author forward a letter to the individual apologizing for the manner in which the response was given.

His Worship the Mayor retires from the meeting and Deputy Mayor Jeffrey takes the Chair.

Question Alderman Walker re: Safety of Children - Buses

Alderman Walker referred to a recent newspaper article which indicated that the coroner in Quebec was investigating the death of three school children and noted that he was concerned due to the closure of the Dalhousie School. Alderman Walker noted that the children in the primary classes of that school would be travelling by bus in the coming school year.

Alderman Walker indicated that he would like staff to inquire of Metropolitan Transit what precautions they take in relation to transportation of school children. Alderman Walker indicated that he would like to ensure that a similar incident does not occur in Halifax and noted that the coroner in Quebec was recommending that the bus be equipped with a wide angle convex tilted mirror on the left front bumper to monitor the entire front of the bus. Alderman Walker further indicated that the coroner had called for unfolding arms from the front bumper which would stick out guiding children away from the front of the bus and within the view of the bus driver.

Alderman Walker indicated that he would like staff to inquire from Metropolitan Transit if they had any plans to obtain this equipment in light of the number of children who would be travelling on the buses this fall.

Question Alderman Dewell re: Official Naming - Ardmore Park

Alderman Dewell referred to the establishment of Ardmore Park and asked if it was required that this park be officially named by Council. Alderman Dewell indicated that if an official naming was necessary, he would like the matter to be placed on the agenda of the next meeting of the Committee of the Whole Council accompanied by an appropriate staff report recommending the official naming of the park.

Question Alderman Dewell re: Comments re Removal of Bus Service

Alderman Dewell referred to the comments made by various Aldermen in relation to newspaper articles indicating that certain bus service was to be removed and noted that the newspaper articles were not complete. Alderman Dewell indicated that the meeting at which this matter was discussed was only held yesterday and no decisions had been made in regard to the removal of bus service.

Question Alderman O'Malley re: Unsaightly Premises

Alderman O'Malley referred to a difficulty he was experiencing with an unsightly premise in his area and referred to the request some time ago that legislation be produced

allowing building inspectors to issue tickets in relation to unsightly premise violations and the ability to compound these tickets if action is not taken. Alderman O'Malley asked if staff was working on developing that legislation and how close they were to reporting to Council on the matter.

The City Solicitor addressed the matter indicating that his department had written to the Attorney General's Office in this regard and had received a response requesting additional information. The City Solicitor indicated that staff had then compiled statistical information regarding the number and types of violations and noted that this information was recently forwarded to the Attorney General. The City Solicitor indicated that he believed a progress report would be coming before Council in the near future.

Alderman O'Malley requested that in the interim that staff take more rapid action in sending in City workers to clean up the site. Alderman O'Malley suggested that the practice of the City cleaning the site and then billing the owners had become an accepted practice.

The City Solicitor indicated that he would review what was happening in this regard, as well as, the law and report to Council accordingly.

Alderman O'Malley requested that this review establish a reasonable time frame considering both the content and intent of the law. Alderman O'Malley noted that not only was the owner of the unsightly property penalized but, as well the residents having to endure the unsightly property.

Question Alderman Meagher re: Painting of Crosswalk Lines

Alderman Meagher referred to complaints he had received last year in relation to the paint on crosswalks being slippery when wet or oily and asked if any attempt was being made to add an abrasive to the paint to reduce this condition.

The Acting City Manager indicated that staff was experimenting with adding an abrasive to the paint used to paint crosswalks, however, this experimentation was not successful. The Acting City Manager noted that staff was aware of the problem and would do everything possible to alleviate the situation.

Question Alderman Meagher re: Park - Windsor Street

Alderman Meagher referred to Council's approval of a park on Windsor Street across from St. Patrick's High School and asked when work would begin on this park.

The Acting City Manager indicated that he did not have this information at this time and would report in writing to the Alderman.

Question Alderman Meagher re: Subdivision and Amalgamation of Properties

Alderman Meagher indicated that in the past properties which were to be subdivided or amalgamated were brought before Council for consideration and noted that recently a number of properties have been subdivided or amalgamated within the City. Alderman Meagher indicated that these subdivisions and amalgamations were allowing the construction of apartment buildings on the lots without any notice being given to the neighbourhood.

Alderman Meagher asked if consideration of subdivisions and amalgamations was contained within the Planning Act and if there was any way in which Council could once again require these matters to come to a public hearing.

The City Solicitor noted that some action was taken in relation to this matter after the Dalhousie incident and noted that he would have to review the matter. The City Solicitor indicated that at one time lot consolidations came before Council.

Question Alderman Meagher re: Beaufort School - Division Line

Alderman Meagher referred to a recent report which indicates that the School Board has designated the division line for the Beaufort School as Quinpool Road and suggested that the division line should more properly be Chebucto Road and North Street. Alderman Meagher indicated that this division line would consider the natural flow toward that area. Alderman Meagher requested that the Aldermanic representative on the School Board bring this matter to the attention of the Board and suggest that the Board change the catchment area.

Question Alderman O'Malley re: Gas Leak - Robie Street

Alderman O'Malley referred to the most recent gas leak on Robie Street and noted that he had been apprised of the situation by the City Manager and had visited the site. Alderman O'Malley indicated that he had been assured that this leak would not reach the proportions of the leak on Chebucto Road and requested an update regarding the matter asking if there was any further danger involved and what action was to be taken.

The Acting City Manager indicated that it was reported today that the Fire Department was on the site monitoring the situation and it appears that the difficulty resulted from the piping system from the tank to the pump island. The Acting City Manager went on to note that the entire area was saturated with gasoline and the tanks are now evacuated. The Acting City Manager indicated that the procedure followed was to flood the area and pump out the mixture of gas and water which resulted in saturated ground. The Acting City Manager indicated that the ground would have to be removed and noted that this might require going into the street in the manhole area on Bliss Street.

The Acting City Manager further noted that due to the configuration of the sewers in the area the leak was isolated to that one manhole. The Acting City Manager indicated that he had been informed that it was now safe and that there were no dangerous readings in the area. The Acting City Manager noted, however, that there was still a lot of work to do to clean up the area.

Alderman O'Malley referred to the recent discussion on the Chebucto Road experience and noted that questions had been put forward regarding legislation to correct what is obviously a default in design from years gone by. Alderman O'Malley indicated that he had been advised that this was being studied by the Department of the Environment and that there would probably be regulations coming forward.

Alderman O'Malley asked what form of safety check is presently being utilized on underground tanks of that type and what degree of security is given that this will not happen at any station throughout the city at any time. Alderman O'Malley asked whether the City mandates or could mandate, through law, that on a regular basis, as determined by the Engineering Department, the tanks be pumped and that an air pressure test be put on the tanks and lines. Alderman O'Malley noted that the test would build the air pressure to such a level to indicate that the lines are in a sturdy condition and a leak was not likely occur.

Alderman O'Malley asked what other method could be used to determine if a leak is likely to occur and noted that a dip stick method for which the owner is responsible is not satisfactory. Alderman O'Malley asked if there was presently an air pressure inspection carried out in the City.

The Acting City Manager indicated there was no formal procedure in place and no regular, sophisticated established set of rules. The Acting City Manager went on to note that the Department of the Environment has developed such rules and the City's Legal Department has had some involvement in the development of these rules. The Acting City Manager went on to note that the mandatory dip stick measuring of the tanks on a

daily basis and a mandatory pressurized test on a regular basis such as once a year or every six months would alleviate the problem. The Acting City Manager went on to note that another solution would be the establishment of above ground tanks with protective enclosures.

Alderman O'Malley noted that his concern was that there were a multitude of tanks throughout the City in various states of deterioration and there were no satisfactory tests to ensure a leak does not occur. Alderman O'Malley asked if the City could, through a City Ordinance, mandate such tests on a quarterly or six month basis.

The Acting City Manager indicated that he believed this information was coming forth from the Legal and Fire Departments, as well as, the Emergency Measures Organization. The Acting City Manager further noted that he believed this would take place fairly quickly and would probably be a Provincial regulation.

Alderman O'Malley indicated that he did not think the City should wait for a Provincial regulation and suggested that the City should generate its own Ordinance particularly in view of the density of the City. Alderman O'Malley indicated that the City should develop their own Ordinance providing for mandatory pressurized tests.

Question Alderman Downey re: Gas Leaks

Alderman Downey referred to the discussion this evening on the recent gas leaks and noted that he had brought this matter up at a Council meeting in April. Alderman Downey indicated that although the City was taking steps in this regard, the situation was extremely serious at this point. Alderman Downey further noted that he had experienced a leak in his area some four to five years ago. Alderman Downey stressed the seriousness of the situation and indicated that he would like a report in regard to the action to be taken from the Fire Chief the next time he comes before Council.

Question Alderman Downey re: Cost-Sharing Government Work Programs

Alderman Downey referred to the cost-shared government work programs approved by Council this evening and asked how many would be employed in relation to this program and what specific programs were involved. Alderman Downey indicated that he would like this information by the next meeting of the Committee of the Whole Council.

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

May 14, 1987

Brussels St.

Question Alderman D. Grant re: Sidewalk - Russell Street

Alderman D. Grant referred to concerns which had been expressed to her by residents of Russell Street regarding the condition of their sidewalk and noted that she had forwarded these concerns in writing to the Director of Engineering and Works. Alderman D. Grant noted that the residents of Russell Street had been assured in 1985 that their sidewalk would be replaced, however, since that time the only repair done to the sidewalk had been in the form of asphaltting.

Alderman D. Grant indicated that the sidewalk was presently 70% deficient, however, there were no plans to replace the sidewalk in 1987. Alderman D. Grant requested a written report regarding why the sidewalk has not been replaced in light of the promise made to the residents.

Question Alderman D. Grant re: Ace Towing

Alderman D. Grant referred to her question at the last meeting of Council regarding Ace Towing and noted that she had received a report from the Police Department indicating that no complaints had been received since the contract was awarded. Alderman D. Grant noted that she was aware that Deputy Mayor Jeffrey and Alderman O'Malley had both received complaints and indicated that she had not only received complaints but, had witnessed infractions in relation to parking at the site.

Alderman D. Grant noted that she had received complaints that trucks were being left running for long periods of time during the night and that work was occurring in the garage at night. Alderman D. Grant indicated that she has also asked the Police Department to supervise this site on the weekends. Alderman D. Grant requested that staff investigate the possibility of acquiring a location for the storage of vehicles in order that it not be necessary to tow vehicles to this site. Alderman D. Grant further indicated that Ace Towing has indicated some desire to pursue the possibility of moving to the Halifax Industrial Park and requested that the City Solicitor investigate this possibility with Ace Towing.

Question Alderman D. Grant re: Unloading of Grain from Ships

Alderman D. Grant referred to a situation experienced in her ward recently due to the unloading of grain from a ship in the harbour during a period to time when the wind was blowing on shore and noted that residents in the south end had been first covered in a layer of dust from flour and then in dust from grain. Alderman D. Grant indicated that this situation had resulted in some health problems for the area residents and noted that a report from City staff indicated that some of these ships did not have a dust suppressant system.

May 14, 1987

Alderman D. Grant requested that staff contact NOSCO Marine requesting that if the wind is blowing on shore, the grain ships not be unloaded. Alderman D. Grant further indicated that she would like a letter to go forward to the Federal Government supporting a dust suppressant system using mineral oil dispensing system.

ADDED ITEMS

Appointments

A report dated May 14, 1987 from His Worship Mayor Ron Wallace was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Leiper that Council approve the following appointments:

Natal Day Committee:

Alderman Deborah Grant
Alderman Alfred Hamshaw
Doug Mitchell
John Bulley
Monica Lapkoff
Lawrence Zimmering
Bernie Hum
Helen Graham
Don Buck

Term to October 30, 1987.

Committee on Concerns of Elderly

Arnold Grantham - Ward 4

Term to expire May 14, 1988

Tax Concessions - Alderman Flynn

Alderman Flynn referred to an article which appeared in this evening's Mail Star which indicated that Municipal Affairs Minister, David Nantes had introduced an amendment to the Municipal Grants Act that will outlaw municipal property tax exemptions but will continue to allow them to offer exemptions on equipment and machinery tax. Alderman Flynn indicated that he felt this was the most regressive piece of legislation to be introduced in some time and noted that previously Provincial and Federal subsidies for industrial parks had been granted in relation to the development of industrial parks in other parts of the Province. Alderman Flynn indicated that no such subsidies had been available to Halifax in the development of its industrial park.

Alderman Flynn then referred to the DRIE legislation noting that this legislation is such that Halifax is not eligible for tax concessions from the Federal Government in relation to industrial development. Alderman Flynn went on to note that IEL, a creature of the Department of Development, now competes with the Halifax Industrial Park. Alderman Flynn noted that if the right to grant tax concessions is removed from the authority of the municipal units, Halifax will not be able to compete with other areas of the Province in relation to industries coming into the City.

Alderman Flynn indicated that before legislation of this nature is approved by the Province the Minister of Municipal Affairs, the Minister responsible for the Department of Development and all other Ministers should approach the Federal Government to remove the tier system under DRIE and make all municipalities in this Province equal. Alderman Flynn suggested that if all municipalities were competing on an equal basis, Halifax would not need tax concessions to bring industry into the City. Alderman Flynn noted that tax concessions compensated for monies that the Federal Government is giving to encourage industry to locate in areas other than Halifax.

Alderman Flynn further noted that he was very disturbed that no response with regard to this matter has been made by the Members of the Legislative Assembly representing Halifax. Alderman Flynn indicated that he felt this legislation was being proposed specifically to the detriment of the City noting that Halifax had received no support whatsoever in developing their Industrial Park. Alderman Flynn indicated that Council should make it very clear they are not in favor of this legislation under the present circumstances.

MOVED by Alderman Flynn, seconded by Alderman O'Malley

that:

1. the Province of Nova Scotia actively solicit the Government of Canada to remove the tier system of Federal Grants for Industrial Development and treat all municipalities equally; and
2. the Minister of Municipal Affairs rescind his motion to outlaw the property tax exemptions.

Alderman O'Malley addressed the matter indicating that Alderman Flynn has outlined the most devastating piece of legislation that could be conceived in terms of the well being of the City of Halifax. Alderman O'Malley referred to the long years of work carried out by the Industrial Commission to broaden the tax base of the City of Halifax in order that enough revenues can be generated to provide services within the City at a reasonable level. Alderman O'Malley indicated that should this legislation be approved it would be an almost catastrophe for the city and would stifle the broadening of the tax base and reduce employment opportunities in the city.

May 14, 1987

Alderman O'Malley indicated that although he supported Alderman Flynn's motion, he felt that a delegation of Council and staff should immediately address the legislature and the Law Amendments Committee outlining the catastrophic effect this legislation would have on the City of Halifax. Alderman O'Malley further indicated that he felt the Office of the Mayor should bring this matter to the attention of the public using all forms of the media.

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

MOVED by Alderman O'Malley, seconded by Alderman Walker that a delegation of Council and staff headed by His Worship the Mayor immediately address the legislature and the Law Amendments Committee outlining the catastrophic effect this legislation would have on the City of Halifax.

His Worship addressed the matter indicating that the Bill has been introduced in the Legislature and given First Reading. His Worship noted that the procedure of Second Reading and a referral to the Law Amendments Committee would take some 10 days. His Worship indicated that the City would have an opportunity to address this legislation at the Law Amendments Committee. His Worship further noted, in defence of the area MLA's, that they would not and should not speak out in relation to any matter without first ascertaining the position of the municipalities.

Alderman O'Malley addressed the matter indicating that he did not feel the City should wait to address this matter at the Law Amendments Committee but, should make immediate representation to the Province.

The motion was put and passed.

Non-Union Employees - Salary Increase - Deputy Mayor Jeffrey

This matter was added to the agenda at the request of Deputy Mayor Jeffrey. A private and confidential staff report dated May 13, 1987 was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Leiper that Halifax City Council approve a 3.5% increase effective January 1, 1987 and a further 3.5% increase effective January 1, 1988 on the salary ranges for all non-union employees, with the exception of those positions covered by the Pay Evaluation System; the salary ranges for the latter positions to be reviewed and updated by a Salary Evaluation Consultant in 1987, and again in 1988, and any recommended increases in these ranges will be effective January 1, 1987 and January 1, 1988.

Motion passed.

May 14, 1987

Assessments versus Budgets - Alderman Cromwell

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

Alderman Cromwell addressed the matter referring to the recent Provincial reassessment of properties and noted that certain residents in the Halifax area had experienced dramatic increases in their assessments. Alderman Cromwell further noted that Council had just completed the budget process and had attempted to address the concerns of the city's residents. Alderman Cromwell noted that the hardest hit were those persons on fixed income or low incomes, however, consideration must be given to those persons who had an increase of \$500.00 or more in their tax bill. Alderman Cromwell indicated that he was not quite sure that the present tax system was equitable and whether or not Council was doing the best job possible for the residents of the city.

Alderman Cromwell indicated that another budget process was fast approaching and noted that it was paramount that Council determine whether it is satisfied with the financial administration of the City including the Boards and Commissions of the City. Alderman Cromwell indicated that perhaps Council should have an update in relation to administration of the City and determine from that update if changes are required. Alderman Cromwell indicated that Council must determine if it is satisfied with the number of staff employed within the City.

Alderman Cromwell went on to note that he was not completely satisfied that enough time is spent considering the budget. Alderman Cromwell suggested that it was time for another departmental review which would determine the number employed with the City and if there is an increase in employees or whether additional manpower is required. Alderman Cromwell went on to suggest that in addition to this review, the residents of the City should be made aware of the scope and variety of services provided by the City and which their tax dollars fund.

11:50 p.m. The meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR TOM JEFFREY
CHAIRMEN

E. A. KERR
CITY CLERK

*K/sg

HEADLINES FOR CITY COUNCIL MINUTES
of 05/14/87

MINUTES

	.... 292
APPROVAL OF ORDER OF BUSINESS	.... 292
Municipal Awareness Week - 1987	.... 293
DEFERRED ITEMS	
Mainland South Secondary Planning Strategy and Associated MPS and Land Use Bylaw Amendments	.... 293
Case No. 5054 - Development Agreement: 5560-5562 Morris Street	.... 294
MOTIONS OF RECONSIDERATION	
Motion Alderman Leiper Re: Reconsideration of City Council Resolution of April 30/87 - Case No. 4926 - 5561-65 Morris....	296
MOTIONS OF RESCISSION	
Motion Alderman D. Grant re: Rescission of City Council Resolution of Jan. 29/87: Sale - Right of Way - Victoria Rd....	296
PUBLIC HEARINGS, HEARINGS, ETC	
Appeal of Minor Variance Approval - Proposed Lot: 321-A Pioneer Avenue	.... 298
AGENDA - FINANCE AND EXEC COMM	
Local Improvement Project - Broadholme Lane	.... 299
Alexandra Centre - Window Replacement	.... 299
Local Improvement Project - Joyce Avenue	.... 299
Local Age Child Care (Latchkey Children)	.... 300
Review of Ordinance Number 180 - Driveways	.... 301
1987 Charter Amendments	.... 303
Cost-Sharing Government Work Programs	.... 303
40 Stefan Avenue	.... 303
AGENDA - COMMITTEE ON WORKS	
Board of Tender #86-124 - Crescent Avenue Pumping Station and Forcemain	.... 304

HEADLINES FOR CITY COUNCIL MINUTES
of 05/14/87

REP. - COMM. OF WHOLE COUNCIL

Adoption of New Ordinance No. 131, Respecting the Construction and Occupancy of Buildings - SECOND READING	.... 304
Ordinance 181 - Respecting the Establishment of Spr. Grdn. Str. Business Improvement District Commission - SECOND READ.	.... 304
Ordinance No. 187 Respecting the Establishment of the Barr. Str. Business Improvement District Comm. - SECOND READING	.... 305

REPORT - CITY PLANNING COMM.

Amendment to the Municipal Development Plan - Neighbourhood Shopping Facilities	.... 305
Schedule "K" Contract - Clayton Park West - Case No. 1006 - SET DATE FOR PUBLIC HEARING	.... 306

MISCELLANEOUS BUSINESS

City Auditor General's 1986 Annual Report 308
---	----------

QUESTIONS

Question Alderman Barklaw re: General of Bar No. 16 (Hedgewood/Bridgerview) from Service	.... 308
Question Alderman Flynn re: Northwest Air Channel	.... 309
Question Alderman Flynn re: Possible Removal of Buses not Requiring the 40% Payback	.... 310
Question Deputy Mayor Jeffrey re: 47 Coronation Avenue	.... 310
Question Deputy Mayor Jeffrey re: Letter to Resident - Dog Enclosure	.... 310
Question Alderman Walker re: Safety of Children - Buses	.... 311
Question Alderman Malley re: Unsanitary Premises	.... 311
Question Alderman Dewell re: Official Naming - Address	.... 311
Question Alderman Dewell re: Comments re Removal of Bus Service	.... 311
Question Alderman Meagher re: Jointing of Crosswalk Lines	.... 312
Question Alderman Malley re: Gas Leak - Robie Street	.... 313
Question Alderman Meagher re: Park - Windsor Street	.... 313
Question Alderman Meagher re: Head of School - Division Line	.... 313
Question Alderman Downey re: Gas Leaks	.... 315
Question Alderman Downey re: Joint Starting Government	.... 315
Question Alderman D. Grant re: Age Grouping	.... 316
Question Alderman D. Grant re: Cleaning of Stair from	.... 316
Question Alderman D. Grant re: Sidewalk - Allen ^{Allen} Street	.... 316

HEADLINES FOR CITY COUNCIL MINUTES
of 05/14/87

ADDED ITEMS
Appointments

Tax Concessions - Alderman Flynn	.... 317
Non-Union Employees - Salary Increase - Deputy Mayor Jeffrey	.... 317
Agreements versus Budgets - Alderman Cronwell	.... 319
	.... 320

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Handwritten:
Joseph Howe School
Gymnasium
Halifax, Nova Scotia
May 20, 1987
7:30 p.m.

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

PRESENT: Deputy Mayor T. Jeffrey, Acting Chairman; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Leiper, Flynn, and Hamshaw.

ALSO PRESENT: M. E. Donovan, Acting City Solicitor; S. Gauthier, Acting City Clerk; and other members of City staff.

ADDED ITEMS

The following items were added to the agenda from the Committee of the Whole Council held on May 20, 1987:

1. License Agreement: 7063 Quinpool Road
2. 1987 Legislation

License Agreement: 7063 Quinpool Road

MOVED by Alderman Flynn, seconded by Alderman Grant
that, as recommended by the Finance and Executive Committee, a twenty-year license agreement be granted to Mr. and Mrs. Joseph Fleming, 7063 Quinpool Road, over the land shown on the sketch attached to the May 13, 1987 staff report as "FP" and according to the terms of the draft license agreement also attached to that report, providing that Clause (9) of that agreement is amended so that any new owners of the property in question do not have to reapply to Council to have the license continued.

Motion Passed.

1987 Legislation

Moved by Alderman D. Grant, seconded by Alderman Flynn
that, as recommended by the Finance and Executive Committee, Council approve the 1987 amendments proposed for the Halifax City Charter (pertaining to the Industrial Park Sale of Land Account), as set forth in the staff report dated May 19, 1987.

Motion Passed

Peninsula North Secondary Planning Strategy, and Associated
Municipal Planning Strategy and Land Use Bylaw Amendments

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

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

Mr. John Heseltine of the City's Planning Division advised that this public hearing is to consider the Peninsula North Secondary Planning Strategy, noting that the Strategy has been under development for a very long period of time. He reported that the first public meetings, to develop the strategy, took place in 1979. Since that time, Mr. Heseltine pointed out, there have been meetings in the neighborhood, a review by the Planning Advisory Committee, a number of Planning Advisory Committee public meetings for the area as a whole (after which the plan was referred to Council), and one public hearing which was held on January 21, 1987.

Mr. Heseltine went on to describe each section of the plan using zoning maps of the area. Mr. Heseltine stated that the plan will be implemented through land use bylaw amendments which are contained in the last group of white pages in the document which has been distributed.

In his remarks, Mr. Heseltine gave the reason for this public hearing reporting that this plan essentially was presented previously at the January 21, 1987 Public Hearing; it was, however, amended following the Public Hearing by Council during its meetings of March 26, 1987 and April 22, 1987. Mr. Heseltine outlined the amendments that were made at those two meetings indicating there were a total of 10.

The changes to the plan and the description of the plan outlined by Mr. Heseltine are as follows:

1. In the High Density Residential Area on Agricola Street rezonings have been limited to R-2B. Rezoning to R-3 is no longer facilitated by Policy 1.5.3.;
2. The north side of Russell Street across from ATV is to be zoned R-2 rather than C-2B;
3. The lands around the Armouries that were to be zoned R-3 are now proposed to be R-2;
4. The properties at 2540 Maynard Street and 2530 Göttingen Street, which are occupied by low-rise apartment buildings will be zoned R-2B;
5. The Pilcher's Flowers store at 2776 Windsor Street will be zoned C-2A and designated "Minor Commercial";

6. The property at 2045 Harvard Street, on the corner of Harvard and Yale, will retain its C-2 Zone and be designated "Major Commercial";
7. Policies 6.1 and 6.1.1 dealing with changes to Barrington Street have been amended to remove references to "widening";
8. Schedule "Q" has been adopted for all C-2B and C-3A Zones to allow landowners in these areas to change to high-density residential and commercial uses or to alter existing buildings beyond the limits proposed for the Bylaw. Changes will only be permitted by Development Agreement, however, and must be consistent with new Policy 3.5.1.;
9. Piercey's Supplies, the Lion's Head, and ATV will retain their present C-2 and C-3 Zones, and will also be covered by Schedule "Q";
10. Policy 6.5 concerning alteration of Chebucto Road has been deleted.

Alderman Dewell inquired as to what exactly Schedule Q permits. Mr. Heseltine advised that Schedule Q covers the industrial areas that are proposed to be zoned C-3A or C-2B. The Alderman further questioned if Schedule Q will affect the residential areas. Mr. Heseltine, in response, stated that the core area, as outlined on the zoning map, is exclusively industrial-commercial, and that Schedule Q will allow Council to permit owners of industrial buildings to redevelop as residential uses through the development agreement process. Alderman Dewell inquired if Schedule Q will allow opting out of the zoning and development by agreement on R-3 and R-2 properties. Mr. Heseltine stated it would not after the plan was approved but it could, in areas which are proposed to be zoned C-2B, include some properties which are now residential in their use.

In a response to a question from Alderman O'Malley, Mr. Heseltine stated that this Plan change had been advertised in the newspaper, although reference had not been made to specific lot numbers. He further noted that these property owners had not received formal notification, although the advertisement does refer to Plan amendments. Mr. Heseltine advised that the properties in question pertain to are 3043, 3047 and 3049 Robie Street; 5781 - 5787 Russell Street (on the north side of that street); and all properties on the west side of Agricola Street between Russell Street and Sullivan Street.

Alderman Cromwell questioned where the particular building on Charles Street stands with regard to rezoning it from R-3 to R-2 back to R-2B. Mr. Heseltine noted that staff had made a mistake in their report, but did provide a supplementary report indicating that that property did have an R-2B type building on it and noting that its rezoning is proposed as R-2.

Mr. Stephen Johnson, representing the interests of Garson Holdings Limited, addressed Council, noting that his client presently owns properties located at 6350-6100 Almon Street consisting of a large warehouse commercial-type building of approximately 90,000 square feet. Mr. Johnson circulated copies of a letter addressed to his attention, dated May 20, 1987, from Mr. Charles Hardy of Pat King Appraisals.

Mr. Johnson, in his presentation, advised that the Garson Holdings property, is presently zoned C-3 and that the proposed amendments would result in a rezoning to C-3A. He requested that the property remain as C-3 rather than C-3A, emphasizing that the owners feel there would be significant repercussions by changing the zoning to C-3A, basically because it would limit the uses that it is not limited to under C-3.

Mr. Johnson noted that the letter from Mr. Hardy states a number of reasons why the down-zoning from C-3 to C-3A will have a serious effect on the value and development potential of the subject property. Mr. Johnson asked that Council take into consideration the negative effect these amendments will have on Garson Holdings.

Mr. Johnson further suggested that Schedule Q would not be appropriate due to the number of changes Garson Holdings may want to make in the future. He pointed out that Garson Holdings has been a good corporate citizen in the past and has developed numerous parcels of land within the City without having problems with rezonings. Mr. Johnson again requested that Council approve the proposal from Garson Holdings to remain as C-3.

In response to a question from Alderman O'Malley, Mr. Johnson clarified that they are suggesting that it would be more appropriate for Garson Holdings to be under the C-3, rather than the C-3A, zone and covered by Schedule Q.

Alderman Dewell inquired as to whether eight units would fit on a 5,000 square foot lot. Mr. Heseltine advised that it might be possible with some difficulty. Alderman Dewell also expressed concern with regard to the R-2A uses for the South End and the Peninsula North areas, inquiring as to whether there was not a motion from Council recently which eliminated the R-2A use in Peninsula North. Mr. Heseltine reported that there was a motion that eliminated R-2A from R-3 zones in general.

Alderman Meagher expressed concern with regard to the fact that Council has lost the power to hold public hearings in relation to lot consolidations, noting that it was his understanding that staff can deal with lot consolidations automatically. He further emphasized the fact that neighbors have no input into the consideration of lot consolidations and do not know an application has been made until the houses are torn down. It was Alderman Meagher's concern that this is a great weakness in the present system.

Alderman D. Grant made reference to a motion, moved by her seconded by Alderman Meagher, and passed unanimously in Council, stating that Council would not consider R-2A developments in any other area except the South End. Alderman Grant explained that Council had been of the opinion that the R-2A zonings caused considerable problems in the South End of the City, and as a result the Planning Advisory Committee will be holding a public meeting on June 9, 1987 to look at the whole question of R-2A zoning and to try and make amendments to that zone so that they will not have the problems with in-fill housing.

Mr. Campbell, Senior Planner, pointed out that the R-2A development proposed under the Peninsula North Plan is significantly different from the as-of-right development that can occur in the South End. He further explained that the South End Plan zones areas R-2A as-of-right so that the landowners can come in and get a permit. The Peninsula North Plan, Mr. Campbell stated, permits R-2A developments only through contract and with specific controls.

Mrs. Elizabeth Pacey, a resident of 6269 Yukon Street, made a presentation on behalf of Heritage Trust of Nova Scotia, emphasizing that Heritage Trust is particularly concerned about the Citadel North area bounded by Gottingen, Cogswell, North Park, Agricola and North Streets. She suggested that this concern is justified since this area has the highest concentration of 19th century structures in the City. Another major point of concern described by Mrs. Pacey is the height permit attached and stacked-attached apartments to 50 feet. She felt that the economic advantages of retention of existing structures are strong enough that retention will prevail in a fair economic climate, but, if the City's legislation gives preference to demolition and new construction, valuable older buildings will be lost. Ms. Pacey suggested that the development pressure that is put on the historic Citadel North area could be relieved if the stacked-attached housing height limit was reduced to 35 feet. She also suggested that this could be done as a minor change and would not require another public hearing.

Ms. Mary Dykstra, residing at 2024 Creighton Street, addressed Council and noted that although some fine tuning must be made to the Plan presently before Council, she was in favor of adopting it with no further delay. Ms. Dykstra indicated that there are problems with the Plan which need review, but urged Council to respond to the needs of the residents in this historic area.

Mr. Raymond Hewett, 6251 Yukon Street, addressed Council expressing concern with the fact that he repeatedly has to attend public hearings such as this to protect his property and asked that a standard be put down.

Mr. Chuck Norris, representing Palmer Refrigeration on King Street, requested clarification on Schedule Q. Mr. Norris inquired if Schedule Q would allow his company an avenue to expand in spite of their previous restrictions to which Mr. Heseltine responded in the positive.

Ms. E. Boyer, owner of property located at 5688 North Street addressed Council expressing concern with regard to new construction in the area, and urged the City to consider a total plan for Peninsula North.

Mr. Louis Toulany, 2405 Agricola Street, stated his opposition to the proposed down-zoning of his properties.

Mr. Stephen Townsend, Chairman of the Citadel North Neighborhood Association and a resident of 2039 Creighton, addressed Council on behalf of the Association. Mr. Townsend advised that the Association is mainly concerned with the area bound by Agricola, Cogswell, Gottingen and North Streets and encourages the designation of R-2 Medium-Density zoning throughout their residential streets. Mr. Townsend requested that City Council have the Zoning Bylaw simplified so that lay people can easily understand its requirements.

Ms. Charmaine Wood of 2656 Belle Aire Terrace spoke on the necessity of environmental control in her area, particularly as expressed in Policy 3.3.1 of the Planning Strategy. Ms. Wood indicated that her main concern is that the policy is limited to exclusive industrial and business use areas. She stated that existing environmental problems have proven that residential areas near commercial establishments also need protection against the pollution which industries might create and gave as examples smoke from Brother's Meats and odor from Oland's Brewery. For this reason, Ms. Wood requested that the application of Policy 3.3.1. be extended to include mixed use areas and areas where residential and commercial industrial adjoin each other. She stated that City staff had disregarded this request in its previous recommendations to Council. Alderman R. Grant advised that the reason it was not dealt with is because the policy is directed towards developing ordinances after the plan is adopted.

Mr. Chris Files, 2575-77 Creighton Street, spoke in favor of the R-2 zoning in this area.

Mr. Alan Ruffman, 282 Ferguson Cove, addressed Council expressing concern regarding the reference to the realignment of Barrington Street in the Plan and a motion by former Alderman Sullivan which stated ". . . shall improve Barrington Street in its present road bed and shall provide a sidewalk down both sides". He recommended that this policy be reactivated, that Barrington Street be improved, and that a sidewalk be added.

Mr. Ruffman suggested a recommendation with respect to pollution control. Acting Chairman Deputy Mayor Jeffrey asked that Mr. Ruffman confine his remarks to those topics on the agenda. At this point, Mr. Ruffman was asked to take his seat.

A resident from 6060 Cedar Street addressed the Committee, expressing concern with regard to placing a 14-unit apartment building on an R-2 site. The gentleman was advised that a report from staff on this matter would be coming forward at a future date.

Alderman D. Grant asked the Acting City Solicitor, Ms. Donovan, whether Mr. Ruffman should be allowed to address the topic with respect to sewage under the policies relating to the environment. Ms. Donovan suggested that it would be appropriate for Mr. Ruffman to continue his remarks on the subject, providing that he kept his comments quite general.

Mrs. Brenda Shannon, 1542 Oxford Street, distributed a map to members of Council respecting the proposed zonings. Mrs. Shannon gave a brief overview of the map, and expressed concern with regard to the impact of the actual or potential for such development on small homes which would make it virtually impossible to sell them for residential purposes. Mrs. Shannon requested that the zoning be left as it is (C-2) and that the properties be put under Schedule Q rather than create the limbo status for them which, she suggested, the proposed R-2 would do.

Ms. Joanne Cook, resident of 6171 Duncan Street and Director of the Community Planning Association, addressed Council as a resident of the area, emphasizing the importance of putting a plan in place for Peninsula North.

Ms. Cook stated her opposition to the broad institution of Schedule Q. She did not feel it was right to go with a schedule with open contracts. Ms. Cook also expressed concern with regard to the possible realignment of Barrington Street.

Mr. Phillip Pacey, 6269 Yukon Street, addressed Council on behalf of the Halifax Home Owners Association. Mr.

Pacey stated that that Association, at the January 21, 1987 Public Hearing, supported the brief prepared by the Community Planning Association, the Citadel North Association, and some 30 other groups and individuals, noting that it was his opinion that this brief contains possible solutions to many of the problems that are being discussed at this evening's hearing.

In his remarks, Mr. Pacey stated that there are still a number of points which were addressed in the previous brief which have not yet been addressed, noting, in particular, that one change, addressed by Council at its March meeting, was the question of Quinpool Centre, adding that there are apartment buildings in the rear portion of the Quinpool Centre Shopping Centre. That area on the maps displayed by staff, Mr. Pacey pointed out, is shown as High-Density Residential which would permit the owners of that property to request a rezoning to R-3 (high-rise apartment). Mr. Pacey felt that the City does not have any policies to protect that from happening.

Mr. Pacey also expressed concern with regard to Schedule Q describing the provisions in it as being very vague. The areas around the Armouries were also of concern to Mr. Pacey. It was his opinion that this should be changed to Medium-Density Residential, since, he suggested, this was the intent of Council's motion in March. Another of his concerns related to the policies regarding the realignment of Barrington Street; Mr. Pacey stated that the Association would like to see that policy dropped or considerably changed.

In conclusion, Mr. Pacey described a number of minor points regarding zoning provisions, and distributed copies of a table showing comparisons of proposed zoning requirements.

Mr. Chris Files inquired if there was any particular reason why the area between Charles, North, Creighton, and Gottingen Streets was proposed to be designated as high-density. Mr. Heseltine advised that there was a contract application in 1982 for a high-density residential development approved by Council for this particular site. Mr. Files suggested that the 1982 decision on a contract zoning probably does not apply any more, noting that the Peninsula North area (especially between Cogswell, North, Agricola, and Gottingen Streets) has changed dramatically since that time. He therefore recommended that the zoning for this area be changed.

Mr. Larry Lamont, 2033 Maynard Street, made a presentation to Council addressing what he felt is a certain planning loophole. He suggested that a neighborhood can be affected greatly by whether new construction is undertaken, or whether existing buildings are renovated and refurbished. Mr. Lamont reported that it is becoming increasingly common to see owners being granted building permits to renovate their houses, who then proceed to demolish the structures and build new ones

in their place. He stated there is an obvious loophole in the bylaws which permits demolitions to be called "renovations." Mr. Campbell advised that staff and the Planning Advisory Committee are reviewing this concern at the moment.

Ms. Sheila MacKenzie, 2327 Maynard St., addressed Council, inquiring as to why Schedule Q has been put in place, and suggesting that the insertion of Schedule Q could radically change the whole Plan for the area.

Mr. Ruffman addressed Council again recommending that a new policy be added to the Environmental Policies section and stating that the City should move as quickly as possible to treat the sewage produced from the Peninsula North area to the secondary treatment level as presently required by Federal and Provincial regulations.

Correspondence regarding the proposed Peninsula North Secondary Planning Strategy was received from the following:

Letter, dated May 28, 1987, from Franklyn W. Cordon, Blois, Nickerson, Palmeto & Bryson, P.O. Box 2147, Halifax, B3J 3B7;

Letter, dated May 28, 1987, from James E. Reardon, 1600 Chestnut Street, Halifax, B3H 3T2;

Map, submitted by Mrs. Brenda Shannon;

Table, submitted by Phillip Pacey, 6269 Yukon St, Halifax.

Letter, dated May 28, 1987, from Charles J. L. Hardy, Pat King Appraisals, 1891 Brunswick Street, Suite 200, Halifax, B3J 2G8.

It was moved by Alderman Meagher, seconded by Alderman Cromwell that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for May 28, 1987.

Motion passed.

The meeting was adjourned at 10:00 p.m.

HEADLINES

License Agreement: 7863 Quinpool Road	324
1987 Legislation	324
Peninsula North Secondary Planning Strategy, and Associated Municipal Planning Strategy and Land Use Bylaw Amendments	325

DEPUTY MAYOR T. JEFFREY
CHAIRMAN

S. GAUTHIER
ACTING CITY CLERK

/s/d

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
May 28, 1987
8:00 P. M.

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

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

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

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

Expression of Sympathy: Family of the Late William
(Fred) Armitage

On behalf of Halifax City Council, His Worship extended a message of sympathy to the family of the late William (Fred) Armitage, a retired member of the Halifax Police Department with 35 years of service, who passed away on Tuesday, May 26, 1987.

Presentation - Retirement Scroll:

- Former Inspector Edgar Malay (Halifax Police Department)
- Corporal Gladwin Bowes (Halifax Police Department)

His Worship Mayor Wallace, on behalf of members of Council and the City of Halifax, presented retirement scrolls to Former Inspector Edgar Malay (a 35-year employee) and to Corporal Gladwin Bowes (with 36 years of service) in recognition of their long-term contribution to the City.

A welcome was also extended to members of the Malay and Bowes family, with a corsage being presented to Mrs. Bowes by Alderman Ron Cromwell.

In his remarks, Chief Blair Jackson emphasized that it had been an honor and a privilege to work with Inspector Malay and Corporal Bowes, noting that he had learned a considerable amount from them both.

Presentation - Retirement Scroll:

- Lieutenant Lawrence Hiltz (Halifax Fire Department)
- Lieutenant Joseph Nickerson (Halifax Fire Department)

On behalf of members of City Council and the City of Halifax, His Worship presented retirement scrolls to Lieutenant Lawrence Hiltz, retiring after 32 years of service, and to Lieutenant Joseph Nickerson with 31 years of service. A corsage was also presented to Mrs. Nickerson by Alderman Graham Downey.

Chief Donald Swan commended Lieutenants Hiltz and Nickerson on their dedication to the City, referring to them as "great smoke-eaters" and respected members of the Fire Department.

MINUTES

Minutes of the regular meeting of Halifax City Council held on May 14, 1987 and of a special meeting held on May 23, 1987 were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Discharge of Agreement - 5538 Inglis Street
- 20.2 Dogs in Playgrounds (Alderman Walker)
- 20.3 R-2A Review - Land Use Bylaw
- 20.4 Statement of Revenue and Expenditure
- 20.5 Design and Construction Agreement: Interchange to Service Bayers Lake Industrial Park
- 20.6 Advertising Policies: Recreational Facilities (Alderman Leiper)

The City Clerk further noted that Deputy Mayor Jeffrey had requested that added Item 20.7 (Executive Assistant to City Council - Deputy Mayor Jeffrey) be considered as Item 10.0 under the Finance and Executive Committee, to which Council agreed.

At the request of Alderman D. Grant, it was agreed that the matter pertaining to "R-2A Review - Land Use Bylaw," previously added by the City Clerk as Item 20.3, be included instead under Deferred Items as Item 5.0.

- add: At the request of Alderman Flynn, Council agreed to
20.8 School Board French Core Program
20.9 Report Re: Snow Removal
- add: At the request of Alderman Leiper, Council agreed to
20.10 Council Meeting Date: Consideration of
Mainland North Traffic Problems
- add: At the request of Alderman Walker, Council agreed to
20.11 Bicycles on Sidewalks
- add: At the request of Alderman R. Grant, Council agreed to
20.12 Elizabeth Sutherland Stairway
- add: At the request of Alderman O'Malley, Council agreed to
20.13 Provincial Bill: Amendment to the Municipal
Grants Act

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

Motion carried.

DEFERRED ITEMS

R-2A Review - Land Use Bylaw

At the request of Alderman D. Grant, it had been agreed that the above-mentioned item would be dealt with at this point in the meeting's agenda.

A staff report, dated May 27, 1987, was submitted.

MOVED by Alderman D. Grant, seconded by Alderman Meagher that Council set a date for a public hearing to consider amendments to the R-2A and R-2AM (General Residential Conversion and Townhouse Zone) provisions of the Land Use Bylaw, which will generally have the effect of:

- reducing the maximum size of additions in terms of both ground cover and height;

- allowing buildings that are uncharacteristically small to be enlarged to a neighbourhood standard; and
- allowing expansion to take place only to the rear of existing buildings, except in those cases where the existing building is located on the rear portion of the lot.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, JULY 22, 1987 at 7:30 p.m. in the Gymnasium of the Joseph Howe School, 2557 Maynard Street, Halifax.

Motion Alderman D. Grant Re: Rescission of City Council Resolution of January 29, 1987: Sale of Right-of-Way (Rear of 5397-99 Victoria Road)

This matter was last discussed at a regular meeting of Halifax City Council held on May 14, 1987 at which time it was deferred to provide members of Council an opportunity to discuss the matter privately with the City Solicitor.

Reiterating her remarks made during the May 14 regular meeting of Council and emphasizing that, in her opinion, Council was inadequately informed when they made their initial decision on the matter as to the implications of this sale, it was moved by Alderman D. Grant, seconded by Alderman Cromwell that the resolution made by Halifax City Council on January 29, 1987, regarding the sale of right-of-way (rear of 5397-99 Victoria Road), be rescinded.

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

Correspondence, dated May 28, 1987, was received from Mr. Stephen J. Smith, President of the South Side Smith Street Homeowners Association. In addition, a letter, also dated May 28, 1987, was submitted from Ms. M. Heather Robertson (Burchell, MacDougall & Gruchy).

Mainland South Secondary Planning Strategy, and Associated Municipal Planning Strategy and Land Use Bylaw Amendments

The above matter had been deferred from a regular meeting of Halifax City Council held on May 14, 1987.

A supplementary staff report, dated May 19, 1987, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Walker that Council adopt the Mainland South Secondary Planning Strategy and Land Use Bylaw amendments as contained in Appendix IV of the May 13, 1987 staff report, and refer the following items to the Planning Advisory Committee:

- (1) Sobey's Lands at Catamaran Road Pond;
- (2) Holding Zone and area west of MacIntosh Run at Herring Cove Road;
- (3) Environmental Policies
- (4) Commercial Uses - Purcell's Cove Road
- (5) Deadman's Island
- (6) Williams Lake Area
- (7) the matter of the Fairmount Subdivision, the Melville Avenue Property, and the Crown Drive Property (as outlined in the letter dated April 27, 1987 from Mr. Kenneth Butler, President, Butler Brothers Limited)

With reference to Item (7) above, Alderman O'Malley inquired as to whether Item 15.1 (slated for discussion later in the agenda) will be compromised in any way by the proposed referral. Mr. W. B. Campbell, Senior Planner, advised that while Item 15.1 pertains only to transportation issues, Mr. Butler's letter concerns land use planning matters such as whether the Fairmount Subdivision in its entirety should be included as part of the Mainland South Secondary Planning Strategy.

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

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

- 1) His Worship forward a letter to the Minister of Municipal Affairs on behalf of Halifax City Council requesting written clarification as to the scope of Council's authority regarding the adoption of municipal planning strategies and secondary strategies, particularly with regard to submissions to public hearings and Council's flexibility therein; and
- 2) City staff also be requested to submit a report containing their views on the matter.

Motion passed.

Submissions were received from the following subsequent to the May 6 public hearing:

- Correspondence, dated May 19, 1987, from Mr. Alan Ruffman, President, Geomarine Associates Limited, P. O. Box 41, Station "M," Halifax, B3J 2L4;

- Correspondence, dated May 20, 1987, from Mr. Ronald Richards, Dawnstar Developments Inc., 2851 John Street, Suite One, Markham, Ontario, L3R 5R7;

- Correspondence, dated May 21, 1987, from Dr. J. A. Martin, 16 Dentith Road, Halifax, B3R 2H9;

- Correspondence, dated May 22, 1987, from Ms. Abby Littwitz, Real Estate Sales Counsellor, Central Trust Company, Bayers Road Shopping Centre, Halifax, B3L 2C2; and

- Correspondence, dated May 26, 1987, from Mr. Alan Ruffman, President, Geomarine Associates Limited, P. O. Box 41, Station "M," Halifax, B3J 2L4.

Peninsula North Secondary Planning Strategy, and Associated
Municipal Planning Strategy and Land Use Bylaw Amendments

A public hearing on this matter was held on Wednesday, May 20, 1987.

An Information Report, dated May 26, 1987, was submitted.

MOVED by Alderman Meagher, seconded by Alderman
Cromwell that the matter of the Peninsula North Secondary Planning Strategy be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, June 11, 1987, or until a supplementary staff report is available.

In seconding this motion of deferral, Alderman Cromwell requested further information from staff as to the origins and implications of the proposed Schedule "Q," as well as the reason why the property located at 5677 Charles Street is now being proposed for R-2 zoning.

Alderman Meagher referred to a number of matters he wished to see addressed in the forthcoming supplementary staff report. In his remarks, the Alderman made reference to comments made during the May 20 public hearing to the effect that the Generalized Future Land Use Map does not accurately reflect Plan objectives, nor does it portray the Quinpool Road development as being under a schedule, as previously requested, but rather is being proposed for high-density uses. Alderman Meagher also referred to concerns raised during the public hearing regarding as-of-right lot consolidations; he suggested such consolidations can lead to an abuse of the Plan's objectives in some areas, and asked staff to address these concerns.

Alderman Leiper requested clarification from staff as to why the property located at 2867 Isleville Street has been included under the proposed Schedule "Q."

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

The following submissions were received subsequent to the May 28 public hearing on Peninsula North:

- Correspondence, dated May 18, 1987, from Carolyn and Peter Wallace, 5672 Woodhill Street, Halifax, B3K 1G9;
- Correspondence, dated May 19, 1987, from Mr. Alan Gray, 6251 Duncan Street, Halifax, B3L 1K4;
- Correspondence, dated May 25, 1987, from Mr. Stephen A. Johnston of Anderson, Huestis and Jones, 44 Portland Street, Dartmouth, B2Y 3Z6.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Minor Variance Approval: Proposed Lot -
321-A Pioneer Avenue

This matter was last discussed during a regular meeting of City Council held on May 14, 1987 at which time it was deferred owing to information newly received that the property owner in question had revised his development application.

An Information Report, dated May 21, 1987, was submitted, confirming that the owner had withdrawn his original application for the construction of 16 units, and had reapplied for a lot frontage variance to permit a 6-unit townhouse development.

On the recommendation of the City Solicitor, it was agreed that no further action be taken on the matter.

PETITIONS AND DELEGATIONS

Petition Deputy Mayor Jeffrey Re: Drug Stores
Va. Grocery Stores

Deputy Mayor Jeffrey submitted a petition carrying the signatures of 6,431 individuals in opposition to the practise of permitting grocery items to be carried by drug stores, thereby cutting into the livelihood of the small corner grocery stores.

In submitting this petition, the Deputy Mayor requested that a copy be forwarded to the office of the Provincial Attorney General.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, May 28, 1987 as follows:

Executive Assistant to City Council (Deputy Mayor Jeffrey)

This matter had been added as Item 10.8 by Deputy Mayor Jeffrey during the setting of the meeting's agenda.

A draft of an Administrative Order regarding the position of Executive Assistant to Halifax City Council was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman O'Malley that Council create an Administrative Order to establish immediately the position of Executive Assistant to Halifax City Council as outlined in the proposed Administrative Order; that funding for this position be in the amount of \$40,000 annually and that it be added to the 1987 Operating Estimates of Halifax City Council; and that Mr. Alan Waye be transferred into this position effective immediately under the terms and conditions as set forth in the foregoing proposed Administrative Order.

In making this motion, the Deputy Mayor emphasized that, throughout the proposed Administrative Order, the word "Council" refers to "the full complement of Aldermen, but excludes the Office and Staff of the Mayor's Office."

Alderman Flynn advised that he would not be supporting this motion, indicating that, in his opinion, the suggested salary was exorbitant, particularly when he felt what is most needed in the Aldermen's Office is additional secretarial staff, rather than an Executive Assistant.

Noting, however, that the proposed motion would appear to be unanimously supported by his fellow Aldermen, Alderman Flynn moved, seconded by Alderman Dewell that the motion presently on the floor be amended to read "Aldermen" wherever the word "Council" appears.

The motion to amend was put and lost.

Requesting the Deputy Mayor to assume the Chair, His Worship addressed Council indicating that he had no difficulty with the overall intention of the motion (i.e., to acquire an Executive Assistant for the Aldermen). Mayor Wallace emphasized, however, that if the word "Council" is used throughout the Administrative Order, the public, who rightly consider the Mayor a member of Council, will be confused, and urged that the motion be amended to more accurately reflect its intent.

Council
May 28, 1987

His Worship returned to the Chair, with Deputy Mayor Jeffrey assuming his usual seat on Council.

The motion was put and passed, with Alderman Flynn voting in opposition.

The City Solicitor advised that the proposed Administrative Order must be given First and Second Readings before it can be formally adopted (First Reading was subsequently given later in the meeting's agenda).

9:15 p.m. - Alderman D. Grant retires from the meeting.

Audit Committee Report - 1986 Financial Statements
(Thorne, Ernst & Whinney)

This matter was last discussed at a Special Meeting of Committee of the Whole Council held on Wednesday, May 27, 1987 at which time a report dated May 25, 1987 was submitted from Mr. E. G. Walsh of Thorne, Ernst & Whinney as well as an Information Report, dated May 22, 1987.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the document entitled "Audited Financial Statements, City of Halifax (December 31, 1986)," as submitted by Thorne, Ernst & Whinney, be tabled.

Motion passed.

Date for Hearing - Nominated Heritage Property:
Princess Place Rowhousing (SET DATE FOR HEARING)

MOVED by Alderman Meagher, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, City Council consider the inclusion of the buildings located at 2323, 2325, 2327, 2329, 2333, 2335, 2336 and 2337 Princess Place (Princess Place Rowhouses) 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 requested hearing would be scheduled for WEDNESDAY, JULY 22, 1987 at 7:30 p.m. in the Gymnasium of the Joseph Howe School, 2557 Maynard Street, Halifax.

Council
May 28, 1987

(* AMENDED BY CITY COUNCIL - JUNE 11, 1987 *)

Regatta Point - Northwest Arm Pathway

This matter was last discussed at the May 20 meeting of the Finance and Executive Committee at which time a further staff report was requested.

A supplementary staff report, dated May 22, 1987, was submitted.

Alderman Walker referred to a petition in his possession signed by 108 individuals in opposition to the extension of the walkway from Regatta Point to the Purcell's Cove Road, and moved, seconded by Alderman O'Malley that Council not approve the staff recommendation regarding this matter, that the City not proceed with the construction of the walkway at this time, * and that staff continue their negotiations with representatives of the St. George Greek Orthodox Church. *

Alderman Flynn requested clarification as to the intent of the motion, noting that it was his opinion that the City had made a commitment several years ago to the construction of the Northwest Arm walkway. The Alderman asked if the present motion would have the effect of negating that commitment, pointing out the negative implications it would have for the Regatta Point portion of the walkway which has already been provided for by the developers.

Alderman Flynn indicated that, in his opinion, those individuals who had signed the petition were not opposed to the concept of the walkway, but merely required additional information as to its design and the buffering that will be involved to separate the walkway from adjacent properties. He recommended that, rather than terminating this project completely, staff should continue to dialogue with area residents to attempt to reach an acceptable compromise so that a walkway to be enjoyed by all Haligonians can be provided.

The motion was put and passed.

Memorial Tank - Halifax Commons

This matter had been forwarded without recommendation from the May 20 meeting, owing to the absence of the Alderman for Ward 4.

MOVED by Alderman Meagher, seconded by Alderman Downey that the memorial tank, presented to the City of Halifax by the Halifax Rifles Armoury Association on June 2, 1968, be returned to the Association for its relocation on a Department of National Defence site.

Motion passed.

Regatta Point - Northwest Arm Pathway

This matter was last discussed at the May 20 meeting of the Finance and Executive Committee at which time a further staff report was requested.

A supplementary staff report, dated May 22, 1987, was submitted.

Alderman Walker referred to a petition in his possession signed by 108 individuals in opposition to the extension of the walkway from Regatta Point to the Purcell's Cove Road, and moved, seconded by Alderman O'Malley that Council not approve the staff recommendation regarding this matter, and that the City not proceed with the construction of the walkway at this time.

Alderman Flynn requested clarification as to the intent of the motion, noting that it was his opinion that the City had made a commitment several years ago to the construction of the Northwest Arm walkway. The Alderman asked if the present motion would have the effect of negating that commitment, pointing out the negative implications it would have for the Regatta Point portion of the walkway which has already been provided for by the developers.

Alderman Flynn indicated that, in his opinion, those individuals who had signed the petition were not opposed to the concept of the walkway, but merely required additional information as to its design and the buffering that will be involved to separate the walkway from adjacent properties. He recommended that, rather than terminating this project completely, staff should continue to dialogue with area residents to attempt to reach an acceptable compromise so that a walkway to be enjoyed by all Haligonians can be provided.

The motion was put and passed.

Memorial Tank - Halifax Commons

This matter had been forwarded without recommendation from the May 20 meeting, owing to the absence of the Alderman for Ward 4.

MOVED by Alderman Meagher, seconded by Alderman Downey that the memorial tank, presented to the City of Halifax by the Halifax Rifles Armoury Association on June 2, 1968, be returned to the Association for its relocation on a Department of National Defence site.

Motion passed.

Encroachment License - 1649 Barrington Street: Canopy

The above matter was forwarded to Council without recommendation.

A supplementary report, dated May 21, 1987, was submitted.

MOVED by Alderman Downey, seconded by Alderman Cromwell that Council approve the encroaching canopy over the Barrington Street sidewalk at 1649 Barrington Street for a total of 36.25 square feet.

Motion passed.

Ardmore Park - Oxford Street

MOVED by Alderman Dewell, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the park area on the west side of Oxford Street between Berlin Street and Almon Street be officially designated as "Ardmore Park."

Motion carried.

9:30 p.m. - The meeting adjourned for a brief recess.

9:40 p.m. - The meeting reconvened with Deputy Mayor Jeffrey in the Chair and the same members being present, with the exception of His Worship Mayor Wallace.

Saint Mary's University Huskies Stadium - Contract

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

1. City Council authorize the Mayor and City Clerk to sign the contract with Saint Mary's University for up to one thousand (1,000) hours of facility time at a cost of fifty-nine dollars per hour (\$59.00/hour); and
2. payment of twenty-nine thousand, five hundred dollars (\$29,500.00) be paid July 1, 1987, and the remaining balance up to an amount of twenty-nine thousand, five hundred (\$29,500.00) be paid on December 1, 1987, with funds being available in Account Number 122606-J0132-ZA327 (Recreation - Sport and Subsidies).

Motion passed.

Council
May 28, 1987

Waterfront Development Corporation

At the request of Alderman Cromwell, it was agreed that this matter would be deferred to later in the evening when His Worship Mayor Wallace could be present.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on May 20, 1987 as follows:

Park Lane Project - Case No. 5167: Appeal Against Director of Engineering & Works - Driveways (Ordinance 180)

This matter had been forwarded to Council without recommendation in order to allow the City Solicitor to research the matter.

An Information Report, dated May 28, 1987, was submitted from D. F. Murphy, City Solicitor.

Mr. Murphy advised that, as a result of discussions between staff and Mr. Hyndman of Park Lane Developments Limited, it had been decided that the matter could be resolved administratively.

On the recommendation of the City Solicitor, it was moved by Alderman Downey, seconded by Alderman Mcagher that the matter be tabled.

Motion passed.

Award of Tender #87-55: Crackscaling Streets

MOVED by Alderman Walker, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, City Council award Tender #87-55 to A-Patch Systems Inc. for the unit price of \$0.75/m until the allocated funds of \$60,000.00 in Account No. D1626 have been expended.

Motion passed.

Award of Tender #87-53: Upgrading of Streets (Reurfacing)

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

1. City Council approve the streets program proposed by the Engineering and Works Department shown in Appendices "A" and "B" of the May 5, 1987 staff

report, and funded in the 1987 Approved Operating Budget;

2. authority be granted to award Tender #87-53 to Municipal Contracting for a total bid price of \$428,030.00;
3. authority be granted to proceed with the upgrading (resurfacing) of the indicated streets until the allocated funds of \$460,000.00 in Account No. D1626 have been expended; and
4. authority be granted under Section 201(1) of the City Charter to make additional expenditures for Public Service Commission of Halifax work, such as the lifting of valves which will be recovered from the Commission.

Motion passed.

Award of Tender #87-54: Slurry Sealing of Paved Streets

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

1. City Council approve the streets program proposed by the Engineering and Works Department in Appendices "A" and "B" of the staff report dated May 12, 1987, and funded in the 1987 Approved Operating Budget;
2. authority be granted to award Tender #87-54 to Atlantic Colas Limited for a total bid price of \$100,087.42; and
3. authority be granted to proceed with the slurry sealing of the indicated streets until the allocated funds of \$110,000.00 in Account No. D1626 have been expended.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, May 28 as follows:

Council
May 28, 1987

Case No. 5278 - Subdivision Approval: Fairmount Subdivision
(PUBLIC MEETING)

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, the matter of the Fairmount/Springvale Access Study be forwarded to a public meeting (preferably to be held during the first or second week of June at Major Stevens Junior High School); and further, that material relating to the report previously submitted by CBCL Limited be made available to members of the public at that time.

The motion was put and passed.

It was further agreed that the City Clerk would advise the date and location of the requested public meeting at a future time.

MOTIONS

Executive Assistant to Halifax City Council:
Administrative Order - FIRST READING

This matter was initially discussed earlier in the meeting as Item 10.0 of the Finance and Executive Committee.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman O'Malley that the Administrative Order proposed to establish the position of Executive Assistant to Halifax City Council (as submitted on May 28, 1987) be given First Reading.

The motion was put and passed with Alderman Flynn voting in opposition.

MISCELLANEOUS BUSINESS

Appointments

It was agreed that this matter be deferred until Mayor Wallace could be present.

QUESTIONS

Question Alderman R. Grant re: Non-Union Raise Increase

Alderman R. Grant referred to Council's motion of May 15, 1987 approving the 3.5 percent salary increase for non-union employees and to Council's motion respecting the Stipend for Council. Alderman R. Grant asked when members of Council could expect to receive the increase.

Council
May 28, 1987

Mr. B. G. Smith, Director of Finance, advised that the increase can be anticipated within three weeks' time (Friday, June 19, 1987).

Question Alderman R. Grant re: Issuing of Occupancy Permits

Alderman R. Grant referred to the issuing of occupancy permits before terms of contract are met. He reported an instance where an apartment building was built in his area recently and is now being occupied without it having met all the terms of the contract (which were put in at the request of residents), noting that the fencing and other matters have not been completed.

The Alderman inquired if it would be possible to have all terms of a contract met before a building is occupied.

The Chairman advised that a report would be sent to the Alderman on the subject.

Question Alderman Cromwell re: Neighborhood Stores

Alderman Cromwell referred to the matter of neighborhood stores. He requested a report stating whether a particular occupant of one premises could enlarge his particular premises.

Question Alderman Cromwell re: Traffic Speed Zones in Proximity of Schools

Alderman Cromwell referred to the letter dated May 15 from the Department of Transportation respecting traffic speed zones in proximity of schools. Alderman Cromwell indicated he disagreed with the position put forth in the letter and asked for a further report from staff. As well, he requested that the item to be added to the agenda of the next Committee of the Whole Council meeting.

Question Alderman O'Malley re: Quality of Animal Shelter in the City of Halifax

Alderman O'Malley referred to the quality of animal shelter in the City, stating that he had received a number of phone calls respecting this matter. He requested a report on the quality of animal shelter in the City of Halifax and whether it adequately meets the standards which are normally set up for this kind of activity.

Question Alderman O'Malley re: Minutes - Apartheid, South Africa

Alderman O'Malley asked that he be provided with copies of Council minutes respecting Council's refusal to enter into discussions on the matter of Apartheid in South Africa.

Question Alderman Leiper re: Tennis Courts' Schedules

Alderman Leiper inquired as to whether a notice could be placed at the City's tennis courts indicating when the courts will be in use for tennis lessons so that when members of the public turn up and discover the Courts busy, they will realize there is no point in waiting because the courts are being used for lessons.

His Worship indicated that this request would be referred to the Recreation Department.

Question Alderman Flynn re: Garbage and Snow Clearing - Regent Street

Alderman Flynn referred to the minutes of April 15 where he requested a staff report identifying all private roads/streets within the City's boundaries and their ownership, as well as a cost estimate of taking them over as official City streets and providing the usual services. He reported that the minutes reflected the fact that the matter of garbage and snow clearing had been deferred pending receipt of a report from Staff.

Alderman Flynn reported that he received a report outlining cost estimates but did not receive information in relation to other non-standard streets in the City which receive the service that this particular street does not receive.

Alderman Flynn requested a further report and an indication whether or not the City is continuing to make collection on other private streets in the City of Halifax.

Mr. Calda advised that a report is being finalized and will be on the agenda for the next Committee of the Whole.

Question Alderman Downey re: Cost Sharing for Government Work Programs

Alderman Downey referred to the staff report on cost-shared government work programs. He pointed out that the report stated that 35 people would be employed as a result of this Program. Mr. Calda advised that other programs will be coming on stream. Alderman Downey inquired how they select the programs. Mr. Calda advised that they apply for whatever programs that are available according to their needs and indicated that he would provide further information for Alderman Downey with respect to how many have been hired and are anticipated to be hired.

Question Alderman R. Grant Re: Forest Fire in Ward 7

Alderman R. Grant referred to the forest fire which took place in his area and requested that a letter be sent from the Mayor, on behalf of City Council, to both the Police and Fire Departments complimenting them on their proficiency and cooperation in controlling the fire. He also requested that a letter be sent to the J. L. Ilsley High School thanking the high school students who volunteered and came to put out some of the smoldering fires.

ADDED ITEMS

Discharge of Agreement - 5538 Inglis Street

A staff report dated May 22, 1987 respecting discharge of agreement for 5538 Inglis Street was submitted.

MOVED by Alderman Cromwell, seconded by Alderman O'Malley that the development agreement for 5538 Inglis Street, entered into on the 8th day of April 1981 and filed at the Registry of Deeds in Book 3480 at Page 775, be discharged.

Motion Passed.

Dogs in Playgrounds - Alderman Walker

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

Alderman Walker addressed Council indicating that it had come to his attention that there was a problem in his Ward with people walking their dogs in the playgrounds without having any respect for the children who play on these grounds.

Alderman Walker requested that staff be directed to erect signs in the playgrounds in all the City playgrounds stipulating that dogs or animals are not to enter the playgrounds.

10:00 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Jeffrey assuming his usual seat on Council.

Statement of Revenue and Expenditure

A staff report dated May 25, 1987 with a summary statement attached respecting revenue and expenditure for the four months ended April 30, 1987 was submitted.

Council
May 28, 1987

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that the Statement of Revenue and Expenditure for the four months ended April 30, 1987 be tabled.

Motion passed.

Alderman R. Grant inquired as to when the review between City Council and staff would take place respecting new avenues for potential sources of revenue.

Design and Construction Agreement - Interchange to Service Bayers Lake Industrial Park

A staff report dated May 27, 1987 respecting the design and construction agreement for the interchange to service Bayers Lake Industrial Park was submitted.

Alderman Leiper pointed out that a number of questions were raised the last time Council spoke about the interchange service and a report, which has not been received, was requested with respect to funding. On that point, it was moved by Alderman Leiper, seconded by Alderman O'Malley that any recommendation on this matter be deferred.

Alderman Flynn emphasized that this Agreement is essential to the Bayers Lake Industrial Park noting that it is one of the prerequisites in that total development. He reiterated the fact that it is most important that the design and the construction of the interchange is proceeded with.

Alderman O'Malley addressed the matter explaining that the item on the agenda specifies design and construction agreement. He indicated, if this item dealt with the specific design, he would support it, but stated that he is not prepared to go ahead with a construction agreement until all the ramifications of funding have been worked out.

Mr. Calda advised that he confirmed to the Department of Transportation that Council agreed to a 2.5 million dollar cost for this interchange and noted, that in order for them to start even a survey, approval of this agreement is required.

The motion to defer was passed.

Advertising Policies - Recreational Facilities - Alderman Leiper

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

Council received copies of a report dated May 26, 1987 from the Chairman of the Recreation Committee respecting the advertising policy for recreational facilities.

Council
May 28, 1987

Alderman Leiper referred to an application to construct a press box at the Wanderers Grounds, but advised that the applicant agreed to wait until Council had an opportunity to consider a recreation advertising policy.

MOVED by Alderman Leiper, seconded by Deputy Mayor Jeffrey that City Council defer any decision on the press box application until Council has had an opportunity to consider the policy on advertising.

Motion passed.

School Board French Core Program - Alderman Flynn

Alderman Flynn advised that he has received many letters of correspondence and telephone calls from concerned parents with regard to the CORE Program, particularly in grades primary to two. He reported the the parents feel that there has been very little parent/public participation in decisions of the school board.

MOVED by Alderman Flynn, seconded by Alderman Meagher that the School Board be advised that Halifax City Council is not in favor of the discontinuance of the Primary, Grade 1 and Grade 2 French CORE Programs.

Alderman Dewell clarified that he seconded a motion of deferral respecting french school programs at a Board meeting, in order to study better ways of implementing greater exposure of French in later years while maintaining the status quo in the earlier years. He further suggested that it may be useful to hold a Committee of the Whole from time to time with members of the School Board to discuss controversial issues that arise noting that it is imperative that they be made formally aware of Council's standpoint.

Alderman O'Malley went on to stress the importance of having a a consultative process, when major program implications are about to take place, between the public, the Parents' Association and the School Board, noting that the public should not be called in after the recommendations are made to the Board.

After discussion, MOVED in amendment by Alderman Cromwell, seconded by Alderman Meagher that Council would like to see the French Core Program enhanced.

The Amendment to the motion was passed.

The motion, as amended, was passed.

Council
May 28, 1987

Report Re: Snow Removal - Alderman Flynn

Alderman Flynn made reference to the information report received by Council and suggested that Council meet with Staff to discuss the report respecting snow removal.

MOVED by Alderman Flynn, seconded by Alderman Cromwell that the Mayor choose a committee of two or three Aldermen to meet with City staff to discuss the information report regarding snow removal.

Motion passed.

Council Meeting Date - Consideration of Mainland North Traffic Problems - Alderman Leiper

Alderman Leiper advised that, in a motion passed unanimously at the last Council Session, Council agreed to hold a meeting to discuss the traffic problems in Mainland North before June 30.

MOVED by Alderman Leiper, seconded by Alderman O'Malley that Council set June 29, 1987 as the date for the meeting to discuss the Mainland North Traffic and request that Staff, at that time, outline the 4 solutions which were outlined in their reports and later produced into a report on the feasibility of a connector between Dunbrack and Bedford.

Alderman Leiper asked that Staff produce the technical outlines of how they would set about implementing these solutions and also that staff speak with the Province and establish the likelihood of cost sharing with the Province on each of the solutions.

Motion passed.

Bicycles on Sidewalks - Alderman Walker

Alderman Walker expressed concern with regard to bicycles on sidewalks noting that many of these bicycles are without lights and are driven by adults. He suggested that bicycles be required to acquire licenses for identification purposes.

Alderman Walker requested that this matter be brought to the attention of the Halifax City Police Department.

Elizabeth Sutherland Stairway - Alderman R. Grant

Alderman R. Grant advised that Council passed a motion sometime ago requesting that the School Board make a decision with respect to the Elizabeth Sutherland Walkway. Alderman

Council
May 28, 1987

R. Grant explained that the motion requested that the School Board contact the residents of Thornhill Subdivision or hold a public meeting at the School to discuss any decision they make respecting the walkway. He reported that the School Board made a decision in April of this year without contacting the residents.

Alderman R. Grant suggested that Council acquire copies of the minutes of the May 27, 1987 meeting of the Parent Teachers' Association and the School Board. He reported that, at that meeting, the Elizabeth Sutherland's School Parent Teachers Association made a presentation about the walkway.

MOVED by Alderman R. Grant, seconded by Deputy Mayor Jeffrey that the City Clerk contact the City of Halifax's appointees to the Halifax City District School Board and ask them, at the request of Halifax City Council, to attend the parent teacher meeting on June 1, 1987 at 8:00 p.m. at the Elizabeth Sutherland School to discuss the stairway and to view the site.

Motion passed.

Provincial Bill - Amendment to the Municipal Grants Act:
Alderman O'Malley

Alderman O'Malley referred to the last meeting of Council advising that Alderman Flynn introduced the knowledge that the Minister of Municipal Affairs had introduced a first reading of the Bill to amend Section 14A of the Municipal Tax Grants Act. Subsequent to that time, Alderman O'Malley indicated that Council has had two confidential reports from Staff on this matter and felt that Council has not had the opportunity to study the implications of this Bill fully for the City of Halifax.

MOVED by Alderman O'Malley, seconded by Alderman Flynn that Council request the Minister of Municipal Affairs that the amendment to the Bill be deferred or alternately, if the amendment is passed, that proclamation of the amendment not take place until such time that City Council has had an opportunity to give an in-depth study to the ramifications of this Bill and its affects on the industrial growth pattern and to make a subsequent presentation to the Government on this matter.

Motion carried.

MISCELLANEOUS BUSINESS

Appointments

The above-mentioned matter was deferred to this point in the meeting's agenda so that Mayor Wallace could be in attendance.

A memorandum, dated May 27, 1987, was submitted from His Worship Mayor Wallace.

Alderman Dewell, while emphasizing that the problem has not arisen to date, inquired as to whether Council would have any recourse in an instance involving a Council-appointed member of a board or commission who was proving unsatisfactory

The City Solicitor suggested that the membership requirements for the City's various boards and commissions could be reviewed from this perspective and a solution recommended.

Captain William Spry Centre

MOVED by Alderman Walker, seconded by Alderman R. Grant that the following individuals be appointed to the Board of Directors of the Captain William Spry Centre:

Mr. Archibald A. Grandy
Mrs. Cyril Morgan
(Terms to expire June 1, 1989)

Mrs. Leah O'Neill
(Term to expire July 1, 1989)

The motion was put and passed.

Halifax-Dartmouth Port Development Commission

MOVED by Alderman Meagher, seconded by Alderman O'Malley that Mr. Donald LeBlanc be appointed to the Halifax-Dartmouth Port Development Commission for a one-year term to expire June 1, 1988.

Motion passed.

Waterfront Development Corporation

This matter was deferred from earlier in the meeting's agenda (Item 10.8 of the Finance and Executive Committee) so that His Worship Mayor Wallace could be present.

Council
May 28, 1987

Alderman Cromwell referred to an Information Report, dated May 13, 1987, from Mr. P. S. Connell, Acting City Manager, which indicated that the Minister of Development had agreed earlier in the year that a public meeting should be held to consider the future objectives of the Waterfront Development Corporation.

Alderman Cromwell further noted that staff are now preparing a report on the matter to be considered by the City's Planning Advisory Committee, prior to a public meeting. He emphasized that, in his opinion, a City-sponsored public meeting and a PAC review of this matter would constitute a waste of time owing to the fact that the Waterfront Development Corporation is a Crown Corporation and therefore not answerable to the City for its actions. Alderman Cromwell acknowledged, however, that the public is very much interested in the direction the WDC is planning to take concerning future developments, and urged that the idea of a public meeting be pursued with the WDC taking the initiative in this regard.

On that basis, the Alderman requested that His Worship Mayor Wallace forward another letter to the Waterfront Development Corporation and to the Minister of Development encouraging the convening of a public meeting.

NOTICES OF MOTION

Notice of Motion Alderman Meagher Re: Amendments to
Ordinance 170

Alderman Meagher gave Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, June 11, 1987, he intends to propose a motion to amend the properties listed under Schedules "A" and "B" of Ordinance 170, Respecting Partial Tax Exemption for Certain Properties.

There being no further business to be discussed, the meeting was adjourned at 10:55 p.m.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR T. JEFFREY
CHAIRMEN

E. A. KERR
CITY CLERK

*K/mm

Council
May 28, 1987

Alderman Cromwell referred to an Information Report, dated May 13, 1987, from Mr. P. S. Connell, Acting City Manager, which indicated that the Minister of Development had agreed earlier in the year that a public meeting should be held to consider the future objectives of the Waterfront Development Corporation.

Alderman Cromwell further noted that staff are now preparing a report on the matter to be considered by the City's Planning Advisory Committee, prior to a public meeting. He emphasized that, in his opinion, a City-sponsored public meeting and a PAC review of this matter would constitute a waste of time owing to the fact that the Waterfront Development Corporation is a Crown Corporation and therefore not answerable to the City for its actions. Alderman Cromwell acknowledged, however, that the public is very much interested in the direction the WDC is planning to take concerning future developments, and urged that the idea of a public meeting be pursued with the WDC taking the initiative in this regard.

On that basis, the Alderman requested that His Worship Mayor Wallace forward another letter to the Waterfront Development Corporation and to the Minister of Development encouraging the convening of a public meeting.

NOTICES OF MOTION

Notice of Motion Alderman Meagher Re: Amendments to Ordinance 170

Alderman Meagher gave Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, June 11, 1987, he intends to propose a motion to amend the properties listed under Schedules "A" and "B" of Ordinance 170, Respecting Partial Tax Exemption for Certain Properties.

There being no further business to be discussed, the meeting was adjourned at 10:55 p.m.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR T. JEFFREY
CHAIRMEN

E. A. KERR
CITY CLERK

*K/mm

HEADLINES

Expression of Sympathy: Family of the Late William (Fred) Armitage	334
Presentation: Retirement Scrolls	334
MINUTES	335
APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS ..	335
DEFERRED ITEMS	336
R-2A Review - Land Use Bylaw	336
Motion Alderman D. Grant Re: Rescission of City Council Resolution of January 29, 1987: Sale of Right-of-Way (Rear of 5397-99 Victoria Road)	337
Mainland South Secondary Planning Strategy, and Associated Municipal Planning Strategy and Land Use Bylaw Amendments	337
Peninsula North Secondary Planning Strategy, and Municipal Planning Strategy and Land Use Bylaw Amendments	339
PUBLIC HEARINGS, HEARINGS, ETC.	340
Appeal of Minor Variance Approval: Proposed Lot - 321-A Pioneer Avenue	340
PETITIONS AND DELEGATIONS	340
Petition Deputy Mayor Jeffrey Re: Drug Stores Vs. Grocery Stores	340
REPORT - FINANCE AND EXECUTIVE COMMITTEE	341
Executive Assistant to City Council (Deputy Mayor Jeffrey)	341
Audit Committee Report - 1986 Financial Statements (Thorne, Ernst & Whinney)	342
Date for Hearing - Nominated Heritage Property: Princess Place Rowhousing (SET DATE FOR HEARING)	342
Regatta Point - Northwest Arm Pathway	343
Memorial Tank - Halifax Commons	343
Encroachment License - 1649 Barrington Street: Canopy	344
Ardmore Park - Oxford Street	344
Saint Mary's University Huskies Stadium - Contract	344
Waterfront Development Corporation	355
REPORT - COMMITTEE ON WORKS	345
Park Lane Project - Case No. 5167: Appeal Against Director of Engineering & Works - Driveways (Ordinance 180)	345
Award of Tender #87-55: Cracksealing Streets	345

HEADLINES (CONT'D)

Award of Tender #87-53: Upgrading of Streets (Resurfacing)	345
Award of Tender #87-54: Slurry Sealing of Paved Streets	346
REPORT - CITY PLANNING COMMITTEE	346
Case No. 5270 - Subdivision Approval: Fairmount Subdivision (PUBLIC MEETING)	347
MOTIONS	347
Executive Assistant to Halifax City Council: Administrative Order - FIRST READING	347
MISCELLANEOUS BUSINESS	355
QUESTIONS	347
Question Alderman R. Grant Re: Non-Union Increase	347
Question Alderman R. Grant Re: Issuing of Occupancy Permits	348
Question Alderman Cromwell Re: Neighborhood Stores	348
Question Alderman Cromwell Re: Traffic Speed Zones in Proximity of Schools	348
Question Alderman O'Malley Re: Quality of Animal Shelter in the City of Halifax	348
Question Alderman O'Malley Re: Minutes - Apartheid: South Africa	348
Question Alderman Leiper Re: Tennis Courts' Schedules	349
Question Alderman Flynn Re: Garbage and Snow Clearing - Regent Street	349
Question Alderman Downey Re: Cost-Sharing for Government Work Programs	349
Question Alderman R. Grant Re: Forest Fire in Ward 7	350
ADDED ITEMS	350
Discharge of Agreement - 5538 Inglis Street	350
Dogs in Playgrounds - Alderman Walker	350
Statement of Revenue and Expenditure	350
Design and Construction Agreement: Interchange to Service Bayers Lake Industrial Park	351
Advertising Policies - Recreational Facilities: Alderman Leiper	351
School Board French Core Program - Alderman Flynn	352
Report Re: Snow Removal - Alderman Flynn	353
Council Meeting Date: Consideration of Mainland North Traffic Problems - Alderman Leiper	353
Bicycles on Sidewalks - Alderman Walker	353

HEADLINES (CONT'D)

Elizabeth Sutherland Stairway - Alderman R. Grant	353
Provincial Bill - Amendment to the Municipal Grants Act: Alderman O'Malley	354
MISCELLANEOUS BUSINESS	355
Appointments	355
NOTICES OF MOTION	356
Notice of Motion Alderman Meagher Re: Amendments to Ordinance 170	356

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
June 8, 1987
5:00 P. M.

A special meeting of Halifax City Council (Public Hearing) was held at this time.

PRESENT: His Worship Mayor R. Wallace; Deputy Mayor T. Jeffrey; and Aldermen Cromwell, Downey, Meagher, Dewell, R. Grant, Walker, Leiper, Fynn, and Hamshaw.

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

Amendment to the Land Use Bylaw - Commercial Recreation Uses

A public hearing was held at this time to consider amendments to the Peninsula and Mainland portions of the City's Land Use Bylaw to permit "Commercial Recreation Uses in the C-2A (Minor Commercial) Zone, as well as to include in the Bylaw a definition of "Commercial Recreation Uses."

The City Clerk advised that while the hearing had originally been advertised for Halifax Hall on the Second Floor of the City Hall building, he had just been assured by the Commissionaire on duty that there were no handicapped individuals wishing to attend.

Under the circumstances, and on the recommendation of the City Clerk, it was agreed that the public hearing on this matter would proceed in the Council Chamber.

Mr. Michael Hanusiak, Planner II with the Development and Planning Department, gave a brief outline of the points covered in the staff report dated February 23, 1987.

With reference to the proposed definition of "commercial recreation use," Mr. Hanusiak noted that bingo halls and amusement centres have been excluded because they are considered to be more of an entertainment nature than of an active athletic pastime.

Deputy Mayor Jeffrey noted that the amendments in question are being proposed in order to accommodate certain kinds of uses in the City's commercial zones. He referred to a

bottle exchange operation located within his ward, and asked for information as to whether a reverse sort of strategy could be used to remove the present zoning classification, thereby preventing the business from renewing its license.

The City Solicitor advised that, while he would investigate the case in question on the Deputy Mayor's behalf, it was his opinion that merely removing the zoning designation would not prevent a use from continuing. He noted that by so doing, the bottle exchange, for example, simply becomes a non-conforming use and can continue to operate. He added, however, that by removing the existing zoning classification, additional bottle exchanges would be disallowed.

Alderman Dewell expressed concern that several of the uses proposed under the definition of commercial recreation could be expanded to an intensity that would negatively impact on adjoining residential neighbourhoods, giving as an example "martial art schools" which sponsor regular and heavily-attended demonstrations.

With reference to Alderman Dewell's remarks, Mr. Hanusiak acknowledged that while there are always exceptions, the majority of the uses proposed under the commercial recreation definition pertain to a reasonably light intensity of use and should have little impact on the surrounding neighbourhoods.

There were no persons present in the public gallery wishing to address Council on this matter and no correspondence was received.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Walker that the matter be forwarded to City Council without recommendation.

The motion was put and passed.

HEADLINES

Public Hearing Re: Amendment to the Land Use
Bylaw - Commercial Recreation Use 360

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E. A. KERR
CITY CLERK

*K

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
June 11, 1987
8:00 P. M.

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

The meeting was called to order with members of Council joining the City Clerk in the recitation of the Lord's Prayer.

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

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

Presentation - Retirement Scroll:

Mr. Anthony Baldwin, Department of Engineering and Works

On behalf of members of Council and of the City of Halifax, His Worship Mayor Wallace presented a retirement scroll to Mr. Anthony (Bud) Baldwin, a member of the Parks and Grounds Division of the Engineering and Works Department with 39 years' service with the City.

A welcome was also extended to members of the Baldwin family with a corsage being presented to Mrs. Baldwin by Alderman R. Cromwell.

MINUTES

With reference to Page 343 of the May 28 City Council minutes ("Regatta Point - Northwest Arm Pathway"), Alderman Flynn suggested that the motion moved by Alderman Walker and seconded by Alderman O'Malley had been intended not only to direct that construction of the walkway not be proceeded with at this time, but also to include a request to staff that negotiations with representatives of the St. George Greek Orthodox Church be continued, to which Council agreed.

The Minutes of the regular meeting of Halifax City Council held on May 28, 1987 (as amended by Alderman Flynn) and of a special meeting held on Monday, June 8, 1987 were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

delete: At the request of the City Clerk, Council agreed to
2(a). Presentation - Chairman of the Sir Samuel
Cunard Bicentennial
10.3 Halifax Tourist Bureau - Permanent Home

add: At the request of the City Clerk, Council agreed to
20.1 Meeting: Mainland North Traffic
(Alderman Leiper)
20.2 Building Permit: 1580 Barrington
Street - City Club (Alderman O'Malley)
20.3 Date and Location of Public Meeting -
Development and Access: Fairmount
Subdivision
20.4 Acquisition of Parcel K-1A,
Old Sambro Road
20.5 Design and Construction Agreement:
Interchange to Service Bayers Lake
Industrial Park

to add: At the request of Alderman R. Grant, Council agreed
20.6 Tendering Committee Report
- Recommendation Number 14

add: At the request of Alderman O'Malley, Council agreed to
20.7 Appointment of New Auditor General

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

Motion carried.

DEFERRED ITEMS

Commercial Recreation Uses

A public hearing on this matter was held on Monday,
June 8, 1987.

MOVED by Alderman Cromwell, seconded by Alderman
Downey that the Peninsula and Mainland portions of the Land Use
Bylaw be amended as follows:

- 1) By adding immediately after Section 1(g), but before
Section 1(h) of both portions of the Bylaw, the
following definition:

- (ga) Commercial Recreation Use means a building or part of a building in which a recreational activity is performed and for which a membership or instruction fee is charged, and, without limiting the generality of the foregoing, shall include weight-lifting and/or fitness centres, boxing or racket sport clubs, martial arts schools and dance studios, but shall not, for the purpose of this Bylaw, include bingo halls or amusement centres.
- 2) By adding immediately after Section 59A(1)(la), but before adding Section 59A(1)(m) in the Peninsula portion of the Land Use Bylaw, the following:

(lb) commercial recreation uses.

- 3) By adding immediately after Section 38A(a)(la), but before Section 38A(1)(m) of the Mainland portion of the Land Use Bylaw, the following:

(lb) commercial recreation uses.

The motion was put and passed with Alderman O'Malley abstaining owing to non-attendance at the June 8 public hearing.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Minor Variance Refusal - 3191 Agricola Street

A staff report, dated May 19, 1987, was submitted.

Mr. E. Boyd Algee, Development Officer, addressed Council, noting that an application had been made for a minor variance at 3191 Agricola Street to permit the addition of a split-level deck at the rear of the existing single-family dwelling. He added that this application had been refused owing to the scope of the variance (reducing the distance of the dwelling from the lot line from the required 4 feet to .75 feet), and because the variance requested is general to the properties in the immediate area. Mr. Algee also advised that at this point in time the project has been almost totally completed.

Mr. Jerome O'Brien, owner of the property located at 3191 Agricola Street, advised Council that, in contemplating the addition of the deck in question, he had made application to the City for a building permit and had been given to understand that the necessary permit would be mailed to him within a matter of days. Having received no further notice from the City, Mr. O'Brien stated that the project had been commenced; however, when a notice arrived in the mail, advising him that a minor variance application would be needed, he emphasized that work had immediately ceased.

Council
June 11, 1987

Mr. O'Brien noted that his intention had not been to violate the Land Use Bylaw nor to proceed illegally, emphasizing that he had commenced his project in good faith and on the basis of the impression he had received during his conversation with City staff. He added that the new deck represented an improvement to his property (serving as a replacement for a former structure which was badly rotted) and that, to his knowledge, none of his neighbours had expressed opposition to the proposed structure.

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

Alderman O'Malley presented a petition signed by property owners and residents in the area immediately surrounding Mr. O'Brien's property in which it was specified that, in the opinion of the petitioners, the proposed deck will not in any way be "unsightly, hazardous or depreciative of neighbouring property value," and that, under the circumstances, no objections were being raised.

In his remarks, Alderman O'Malley emphasized that, in his opinion, a 4 foot setback from the property line would be impossible as well as inappropriate in this location, and moved, seconded by Alderman R. Grant that the decision of the Development Officer be overturned, and that the request for a minor variance be granted.

The motion was put and passed.

PETITIONS

Petition Alderman Cromwell Re: Residents of Connaught Avenue
Concerning Power Line Proposal by NSPC and MT&T

Alderman Cromwell submitted a petition signed by approximately 37 residents of Connaught Avenue in the area between Quinpool Road and Jubilee Road in opposition to the power line proposed to be constructed in the median on Connaught Avenue between Chebucto and Jubilee Roads.

In submitting this petition, Alderman Cromwell noted that it was his understanding that City staff will be following the matter up with representatives of the Nova Scotia Power Corporation.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Monday, June 8, 1987 as follows:

Council
June 11, 1987

Review of Ordinance Number 180 - Driveways

This matter had been forwarded to Council without recommendation.

Noting that he would be giving a Notice of Motion on this matter later in the meeting, Alderman Meagher moved, seconded by Alderman Walker that the matter be deferred to the next regular meeting of City Council scheduled for Thursday, June 25, 1987.

Motion passed.

Digitization of Property Parcels Within the City:
Cost-Sharing Proposal

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

- 1) authorize the signing of a contract (attached in draft form to the May 22, 1987 staff report) between the City and LRIS whereby the City agrees to complete the digitization of fifty (50) percent of the property parcels in the City, subject to clarification of clauses 8, 10 and 11 related to the ownership of and cost of access to the data; and
- 2) approve negotiation by staff with LRIS for the supply of the work based on the terms and condition set out in the above-noted contract and technical specifications at an estimated cost of \$67,500.00 (funding to be made available from Capital Account No. 222420-20330-CR023).

The motion was put and passed.

Halifax Tourist Bureau - Permanent Home

This matter had been deleted by the City Clerk during the setting of the meeting's agenda (deferred to next regular meeting of Committee of the Whole Council scheduled for June 17, 1987).

Independent Food Stores

Following is the recommendation from the June 8 Finance and Executive Committee regarding this matter:

That City Council request the Provincial Attorney General to take the necessary legislative steps to bring the unfair competition (posed by drug stores with regard to corner grocery stores) to an end, thus assuring a reasonable opportunity for these small store owners to make a living and to provide this valuable service to our citizens.

Alderman Hamshaw advised that he has recently received several telephone calls (primarily from senior citizens) in opposition to the motion made by the Deputy Mayor during the June 8 meeting of Committee of the Whole Council.

Alderman Flynn also noted that he had received calls similar to those directed to Alderman Hamshaw (namely, from individuals who had indicated their appreciation for the convenience and, in some cases, economy of doing their Sunday shopping at one of the larger drug stores). In his remarks, Alderman Flynn made reference to the fact that corner grocery stores have traditionally competed with drug stores through their sale of over-the-counter pharmaceuticals, adding that, in his opinion, Council would be ill-advised to make recommendation to the Province on a matter such as this. Alderman Flynn stated that in opposing this sort of competition, the City would be interfering with the basic concept of the free enterprise system, and, on that basis, indicated that he would not be supporting the motion.

Alderman Dewell noted that some service stations are now selling a variety of goods that have little, if anything, to do with gasoline or automotive products, suggesting that the motion, as proposed by Deputy Mayor Jeffrey, could lead to legislation mandating in specifics the type of merchandise that can be sold by the various categories of retail outlets.

Alderman Cromwell also indicated his opposition to the motion, concurring with Alderman Flynn in that, from his perspective, Council (by adopting this resolution) would be interfering to a substantial extent in private enterprise. He emphasized that, in his opinion, the market itself will eventually eliminate the present difficulties between the corner stores and the drug stores, and that to take the sort of action proposed by the motion would set a dangerous precedent.

Alderman O'Malley stated that, in his opinion, the right to open a drug store above and beyond regular store opening hours is based on the necessity to dispense pharmaceuticals on a 24-hour basis in the assistance of illness. He emphasized that, on that basis, it did not seem inconsistent, in his view, for Council to request the Province to legislate that drug stores remaining open on Sundays and holidays be prevented from dispensing goods other than pharmaceuticals.

Council
June 11, 1987

Alderman Dewell noted that at one time the City had mechanisms (based on the amount of floor space and/or proportion of total dollar value devoted to the sale of specific goods) by which it could determine how a retail outlet could be categorized. He suggested that Council should ascertain whether these regulations are still valid and, if so, whether enforcement of these requirements would help to alleviate the current difficulties between drug and corner stores. He noted that there are some instances in which stores which sell a variety of merchandise are required to cordon off sections of their premises on Sundays or holidays, according to how they (the stores) are classified.

In conclusion, Alderman Dewell recommended that the Deputy Mayor amend his motion to request that research into this matter be undertaken.

Alderman Cromwell, referring to remarks made earlier by Alderman O'Malley, emphasized that the motion forwarded from the Finance and Executive Committee does not stipulate that this "unfair competition" is occurring on Sundays and on holidays, and instead insinuates that it pertains to every day of the week. He therefore suggested that the preamble, as given by Deputy Mayor Jeffrey during the June 8 Committee of the Whole Council meeting, be included in the motion.

After some further discussion, it was moved by Deputy Mayor Jeffrey, seconded by Alderman Meagher that the following resolution be approved by Halifax City Council:

WHEREAS a petition (signed by 6,000 citizens of the City) has been submitted by the Independent Food Stores Association to Halifax City Council;

AND WHEREAS the Independent Food Stores Association is, as its name implies, a group of small store operators (these small stores are often referred to as corner stores and lately sometimes referred to as "Mom and Pop" stores);

AND WHEREAS these small stores are a valuable resource to the City and its citizens, providing employment for a great number of people and a real service to our citizens by opening long hours and rendering service on Sundays and holidays, fulfilling a real need for people who immediately need a loaf of bread, a pound of butter, some milk and similar items necessary for the functioning of a well-run home;

AND WHEREAS their existence is being threatened by a recent phenomenon where drug stores, which are permitted to open on Sundays and holidays, are offering unfair competition by operating small supermarkets as part of the drug store operation;

Council
June 11, 1987

THEREFORE, BE IT RESOLVED THAT Halifax City Council endorse the petition received at its regular meeting on May 28, 1987 and containing approximately 6,000 signatures, and request the Attorney General that he take the necessary legislative steps to bring this unfair competition to an end, thus assuring a reasonable opportunity for these small store owners to make a living and provide this valuable service to our citizens.

The motion was put and passed.

Tendering Committee

MOVED by Alderman R. Grant, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, Alderman R. Grant be requested to liaise with Council and staff concerning conflicts in the current tendering process, and that, should difficulties arise, the Tendering Committee be reactivated.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Monday, June 8, 1987 as follows:

MAPC Report on Pollution Control for Halifax Harbour

MOVED by Alderman R. Grant, seconded by Alderman Flynn that, as recommended by the Committee on Works, the report submitted to the June 8 meeting of the Committee on Works be referred to staff for a report, and that the matter come before Council for further debate after the staff report has been submitted.

Motion passed.

Award of Tender #87-03: Sunnybrae Avenue and Willett Street - New Storm Sewer

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Flynn that, as recommended by the Committee on Works, Tender #87-03 (pertaining to a new storm sewer on Sunnybrae Avenue and Willett Street) be awarded to Harbour Construction Limited for the unit prices quoted, a bid price of \$256,780.00, and a total project cost of \$309,000.00 (a transfer of \$29,000.00 is to be authorized from Account #DB008 to Account #DB052).

The motion was put and passed.

Award of Tender #87-04: Birkdale Crescent -
Storm Sewer Renewal

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Committee on Works, Tender #87-04 (pertaining to storm sewer renewal on Birkdale Crescent, Civic Nos. 14-16) be awarded to Harbour Construction Company Limited for the unit prices quoted, a bid price of \$64,370.00, and a total project cost of \$77,000.00 (funding to be authorized from Account Number DB008).

Motion passed.

Award of Tender #87-17 - Sidewalk Renewals

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Committee on Works, Tender #87-17 for sidewalk renewals in the areas listed below be awarded to Municipal Contracting Limited for the unit prices quoted, a bid price of \$253,514.50, and a total project cost of \$303,000 (a funding transfer is to be approved in the amount of \$35,000 from Account Number CB400 to Account Number CB228):

- Summer Street (W) - College to University
(Account Number CB228)
- Coburg Road (S) - Henry to Edward
(Account Number CB147)
- Jubilee Road (S) - Henry to Edward
(Account Number CB174)
- Cedar Street (N) - Vernon to Garden
(Account Number CB150)
- Preston Street (E) - Jubilee to Watt
(Account Number CB203)
- Preston Street (W) - Cornwall to York
(Account Number CB202)
- Pepperell Street (S) - Preston to
Seldon (Account Number CB196)
- Quinpool Road (S) - Preston to
Oxford (Account Number CB207)
- Norwood Street (S) - Oxford to
Cambridge (Account Number CB188)

The motion was put and passed.

Award of Tender #87-19 - Sidewalk Renewals

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that, as recommended by the Committee on Works, Tender #87-19 for sidewalk renewals in the areas listed below be awarded to Armdale Construction Company Limited for the unit prices quoted, a bid price of \$211,120.00, and a total project cost of \$254,000.00:

- Beech Street (W) - Oak to Chebucto
(Account Number CB145)
- Elm Street (E) - Quinpool to Oak
(Account Number CB164)
- Quinpool Road (S) - Beech to Rosebank
(Account Number CB206)
- Poplar Street (E) - Quinpool to Oak
(Account Number CB199)
- Poplar Street (W) - Quinpool to Oak
(Account Number CB200)

The motion was put and passed.

Award of Tender #87-21 - Sidewalk Renewals

MOVED by Alderman Hamshaw, seconded by Alderman Flynn
that, as recommended by the Committee on Works, Tender #87-21 for sidewalk renewals in the areas listed below be awarded to G. & R. Kelly Enterprises Limited for the unit prices quoted, a bid price of \$57,863.00.75, and a total project cost of \$68,000 for Items 1 and 3 (a funding transfer of \$8,000.00 to be approved from Account Number CB400 to Account Number CB172):

- (1) Dudley Street (N) - Connolly to Oxford
(Account Numbers CB159 and CB160)
- (3) Joseph Howe Drive (E) - Elliot to
Spruce (Account Number CB172)

The motion was put and passed.

Naming of New Private Lanes Within Melville Ridge
Development Project

MOVED by Alderman Walker, seconded by Alderman R. Grant that, as recommended by the Committee on Works, City Council approve the naming of a lane within the Melville Ridge Development Project running off Herring Cove Road to be "Shoreham Lane;" and approve the naming of a lane within the Melville Ridge Development Project running off Purcell's Cove Road to be "Ramagate Lane" (City Council's decision to name these private lanes in no way commits the City to accept these private roadways as City streets now or in the future).

Motion passed.

Encroachment License - Olympic Gardens: 2304 Hunter Street

MOVED by Alderman Downey, seconded by Alderman Dewell
that, as recommended by the Committee on Works, Council approve

- Beech Street (W) - Oak to Chebucto
(Account Number CB145)
- Elm Street (E) - Quinpool to Oak
(Account Number CB164)
- Quinpool Road (S) - Beech to Rosebank
(Account Number CB206)
- Poplar Street (E) - Quinpool to Oak
(Account Number CB199)
- Poplar Street (W) - Quinpool to Oak
(Account Number CB200)

The motion was put and passed.

Award of Tender #87-21 - Sidewalk Renewals

MOVED by Alderman Hamshaw, seconded by Alderman Flynn
that, as recommended by the Committee on Works, Tender #87-21
for sidewalk renewals in the areas listed below be awarded to
G. & R. Kelly Enterprises Limited for the unit prices quoted, a
bid price of \$57,863.00.75, and a total project cost of \$68,000
for Items 1 and 3 (a funding transfer of \$8,000.00 to be
approved from Account Number CB400 to Account Number CB172):

- (1) Dudley Street (N) - Connolly to Oxford
(Account Numbers CB159 and CB160)
- (2) Ralston Avenue (E) - Bayers to Bayers
(Account Number CB209)
- (3) Joseph Howe Drive (E) - Elliot to
Spruce (Account Number CB172)

The motion was put and passed.

Naming of New Private Lanes Within Melville Ridge
Development Project

MOVED by Alderman Walker, seconded by Alderman R.
Grant that, as recommended by the Committee on Works, City
Council approve the naming of a lane within the Melville Ridge
Development Project running off Herring Cove Road to be
"Shoreham Lane;" and approve the naming of a lane within the
Melville Ridge Development Project running off Purcell's Cove
Road to be "Ramsgate Lane" (City Council's decision to name
these private lanes in no way commits the City to accept these
private roadways as City streets now or in the future).

Motion passed.

Encroachment License - Olympic Gardens; 2304 Hunter Street

MOVED by Alderman Downey, seconded by Alderman Dewell
that, as recommended by the Committee on Works, Council approve

Council
June 11, 1987

a permanent encroachment of the brick veneer and metal siding to the Olympic Gardens building of approximately 59.38 square feet on Cunard Street, and approximately 28.38 square feet on Hunter Street.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting on Monday, June 8, 1987 as follows:

Pit Bull Terriers

It was agreed that, as recommended by the Safety Committee, staff prepare a report with regard to the possibility of establishing a Dangerous Animal Ordinance, which would include pit bull terriers in its restrictions so that there will be regulations that will protect the public from being threatened by this particular animal, or other similar animals.

Traffic Speed Zones in Proximity of Schools

MOVED by Alderman Cromwell, seconded by Alderman Meagher that, as recommended by the Safety Committee:

WHEREAS there are in the City of Halifax portions of highways near schools which are regularly crossed by children and upon which it is unsafe for vehicles to travel at more than 40 kilometers an hour given the proximity of children;

IT IS THEREFORE RESOLVED that the Council of the City of Halifax request the Provincial Traffic Authority to approve requests of the local traffic authority for Halifax to erect signs fixing a maximum rate of speed of 40 kilometers per hour in school areas.

Alderman Leiper indicated her understanding that unless a recommendation such as this was endorsed by his municipal counterpart, the Provincial Traffic Authority was often reluctant to take action.

Alderman Leiper then proposed an amendment to the motion, which was seconded by Alderman Cromwell that City Council request the City's Traffic Authority to recommend Council's motion to the Traffic Authority for the Province of Nova Scotia.

Council agreed that the proposed amendment be included in the motion.

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

It was further moved by Alderman Meagher, seconded by Alderman Cromwell that the municipal Traffic Authority be given the authority to place "Children Playing" signs on streets which are heavily populated with small children.

Alderman O'Malley suggested that some consideration should also be given to placing warning signs in areas surrounding churches and community facilities (such as the Metro Centre) which experience large volumes of pedestrian traffic (particularly in terms of seniors and children) at specified periods.

Alderman O'Malley also referred to his previous request for a "Caution - Deaf Child" sign in the vicinity of Lynch and Vestry Street, noting that, at the time, he was advised by staff that such a sign was not permitted under the Canadian Traffic Standards and was therefore not applicable in the City of Halifax.

The Alderman noted that on a recent visit to Dartmouth he had noted two such signs ("Caution - Deaf Child Present") posted on Mount Edward Road, and asked for information as to why similar signs cannot be installed in Halifax. He emphasized that if these signs are permissible, he would like one installed as quickly as possible on the corner of Lynch and Vestry Streets.

The motion was put and passed.

Ashburn Golf Course

Following is the recommendation on this matter from the June 8 Safety Committee:

that a letter be forwarded to the Ashburn Golf Course requesting that they install mesh fencing, similar to that erected at the Brightwood Golf Course, in order that the homes and cars of the Springvale area may be afforded some protection.

Deputy Mayor Jeffrey indicated that, on the basis of his recent inspection of the Ashburn premises, he wished to amend his June 8 motion.

It was therefore moved by Deputy Mayor Jeffrey, seconded by Alderman Leiper that a letter be forwarded to the Ashburn Golf Course asking that they consider a mesh fence similar to that erected at the Brightwood Golf Course, and that they return their comments for Council's information.

The motion was put and passed.

Council
June 11, 1987

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Administrative Order - Executive Assistant to Halifax City
Council - SECOND READING

This matter was given First Reading at the City Council meeting held on May 28, 1987. A confidential report from Mr. D. F. Murphy, Q. C., City Solicitor dated June 8, 1987 was submitted. Also submitted was a report directed to members of Council from Alderman G. O'Malley dated June 9, 1987.

Deputy Mayor Jeffrey referred to the importance of this particular Administrative Order and the absence of Alderman D. Grant from this meeting and suggested that consideration of the matter should be deferred pending a full complement of Council. Deputy Mayor Jeffrey further noted that as he would not be present at the next meeting of Council, he would like to defer the matter to the July 16, 1987 meeting of City Council.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman O'Malley that consideration of this matter be deferred to the City Council meeting to be held on Thursday, July 16, 1987.

Alderman Leiper addressed the matter suggesting that, in light of the deferral, the Administrative Order should be referred to the sub-committee established to review the structure of the Alderman's Office. Alderman Leiper noted that the Committee could undertake an extensive assessment of the Administrative Order before it comes back to Council for Second Reading.

A further short discussion ensued with Deputy Mayor Jeffrey indicating that he did not agree with the referral to the sub-committee regarding the structure of the Alderman's Office.

After a further short discussion regarding the appropriate procedure to be followed in dealing with this matter the motion to defer was put and passed with Aldermen Cromwell and Leiper voting against the motion.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on June 8, 1987, as follows:

Central On-Site Water and Sewer Systems, and Bluestone Estates
- Case No. 4621 - Planning Advisory Report

Following is the recommendation of the City Planning Committee:

Council
June 11, 1987

"That a date be set for a Public Hearing to consider the amendment of the Municipal Planning Strategy (and the proposed MSSPS) and the Land Use Bylaw to permit residential development with private central on-site water and sewer systems.

A supplementary staff report dated June 10, 1987 was submitted.

The City Manager referred to the June 10, 1987 staff report noting that the motion to set a date for a public hearing created a number of practical problems in relation to exactly what Council wished to consider at this hearing. The City Manager indicated that Council must now give direction to staff in this regard prior to the advertising for the public hearing.

Alderman Walker addressed the matter noting that Council had only received this report this evening and he had not had an opportunity to review the report and MOVED, seconded by Alderman R. Grant that the setting of a date for a public hearing be deferred to the next meeting of the Committee of the Whole Council in order that members of Council might have an opportunity to review the submitted report.

Alderman Leiper addressed the matter noting that this matter was referred to the Planning Advisory Committee in September of 1986 and since that time a number of lengthy public meetings had been held with many representations being made in opposition to this proposal. Alderman Leiper further noted that the Planning Advisory Committee had unanimously recommended that Council not consider the proposed amendments. Alderman Leiper indicated that she questioned whether the Planning Advisory Committee was being used as a decision delaying instrument and noted that such actions by Council were unfair to the citizens volunteering to serve on City committees.

In conclusion, Alderman Leiper indicated that in view of the previous public meetings on this matter she would not support another public hearing into the matter.

The motion to defer was put and passed.

Home Occupations - Planning Advisory Committee Report

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, no changes be made to the existing home occupations provisions of the Land Use Bylaw, but that in the matter of enforcement and prosecution, staff be instructed to investigate ways and means of speeding up Bylaw enforcement.

Alderman Flynn addressed the matter referring to an instance in his Ward where an individual was charged with an illegal occupancy in February and noted that the matter had only come to court in June. Alderman Flynn further indicated that a decision on the matter had been delayed until September. Alderman Flynn expressed concern regarding almost seven months of practically no action noting that the alleged illegal use was permitted to continue. Alderman Flynn noted that this was an infringement upon a residential area of a commercial use.

Alderman Flynn asked how the City could get the authority to issue an order closing illegal uses down immediately rather than allowing them to continue to operate until the court deems to hear the case. Alderman Flynn indicated that such uses were disruptive and annoying to residents, as well as, downgrading to the value of residential property.

Alderman R. Grant addressed the matter indicating that he had received a question regarding R-1 uses and noted that an individual had questioned him as to why the City disallowed in-law suites in R-1 zones yet allowed home occupations. Alderman R. Grant indicated that one example given was allowing a dentist to operate from his home which would create traffic in the neighbourhood. Alderman R. Grant asked why home occupancies were permitted in R-1 zones while in-law suites were not.

His Worship suggested that this was a matter that the Alderman should pursue at another time.

The motion was put and passed.

MOTIONS

Proposed Amendments to Ordinance Number 170 respecting Partial Tax Exemption - FIRST READING

Alderman Meagher gave Notice of Motion of his intention to propose a motion to amend the properties listed under Schedules "A" and "B" of Ordinance 170, Respecting Partial Tax Exemption for Certain Properties at the May 28, 1987 meeting of City Council.

A staff report dated June 3, 1987 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Leiper

that:

1. Council approve the continuance of Ordinance 170 for the 1987 and that the rates of reduction of tax provided for in the Ordinance remain unchanged from 1986;

2. those organizations qualifying in 1986 be approved for continuance of inclusion under Ordinance for 1987, with the following changes:

DELETIONS

SCHEDULE "A"

Canadian Cancer Society 1485 South Park Street	- Residential Only (Ord. 170 does not apply)
Golden Age Social Centre 201-212 Herring Cove Road	- The #201 only being deleted. Now being listed as <u>212</u> only
Nova Scotia Society for the Prevention of Cruelty 5731-37 McCully Street	- No longer exists
Roman Catholic Episcopal Corp. 1546, 1548 Barrington Street	- Building Sold
Theatre Arts Guild 1133 Tower Road	- Not Listed. Listed only as 6 Parkhill Road

SCHEDULE "B"

Atlantic Karate Club 28 Herring Cove Road	- Moved
Duke of Kent Masonic Bldg. Co. 2 Bradford Street	- Building Sold
Mayflower Soc. & Benevolent Club 5523 Cornwallis Street	- No longer exists
Maritime Conservatory of Music 5920 Gorsebrook Avenue	- Not taxed

3. the following organizations be designated to qualify under the Ordinance for 1987:

SCHEDULE "A" - (50% REDUCTION)

Family Service of Support	- Room 101, 2156 Brunswick St.
Spryfield Lions Aquatic Centre (A/C 534833)	- 10 Kidston Road

SCHEDULE "B" - (25% REDUCTION)

Club 55 (A/C 170537)	- 2330 Gottingen Street
-------------------------	-------------------------

- Gilbert & Sullivan Society (A/C 530761) - Room 13A-B-C-D Ocean Terminals Port of Halifax
- Italian-Canadian Cultural Assoc. (A/C #148763) - 2629 Agricola Street
- Royal Canadian Naval Assoc. (A/C 148738) - 2623 Agricola Street
- Society for Art Presentation (A/C 515759) - Rooms 302, 303, 305,
- 2156 Brunswick Street

4. the following organizations and property be rejected for inclusion under the Ordinance

- Ecphore Exhibition Suite 204, 1585 Barrington St. - Not taxed.
- Long Term Services for Youth 2385 Hunter Street - Residential (Ord. 170 does not apply)
- Progress Centre for Early Intervention 5868 Spring Garden Road - Business Occupancy Only (Ord. 170 does not apply)
- Society for the Rehabilitation of Alcoholics 1374 Robie Street - Residential (Ord. 170 does not apply)

5. Council seek the approval of the Minister of Municipal Affairs for this Ordinance, as proposed for 1987; and

6. Council approve FIRST READING of the amendments to Ordinance 170 as outlined above.

Motion passed.

QUESTIONS

Question Deputy Mayor Jeffrey re: Sewer Development - Rockwood Avenue

Deputy Mayor Jeffrey referred to the calls he had received regarding sewer development which is taking place on Rockwood Avenue and requested a report outlining what is planned in this regard for that area.

Question Deputy Mayor Jeffrey re: Expropriation - Dutch Village Road and Percy Street

Deputy Mayor Jeffrey referred to an ongoing expropriation at Dutch Village Road and Percy Street and asked what staff was doing on this matter. Deputy Mayor Jeffrey

indicated that it was his understanding that the matter was in the courts and requested a report updating him on what was happening.

Question Deputy Mayor Jeffrey re: Update - Renovation of City Hall

Deputy Mayor Jeffrey referred to the renovation of city hall and asked when the Alderman could expect to move into their offices on the third floor. Deputy Mayor Jeffrey indicated that he would like a report in this regard including what the cost of renovation has been to date and what other costs could be expected.

His Worship indicated that a meeting in relation to City Hall renovation would be held within the next few days and that the report from this meeting would respond to the Deputy Mayor's questions.

Question Alderman Flynn re: Northwest Arm Channelway

Alderman Flynn referred to a response he had received in relation to his concerns regarding the Northwest Arm Channelway from the Chief of Police regarding the involvement of City of Halifax Police being involved in enforcement in this regard. Alderman Flynn noted that the report indicated that City of Halifax police would advise Ports Canada Police of any violations they observe and the violations would then be addressed by Ports Canada Police.

Alderman Flynn asked if, during the summer months, the Arm Patrol could act as a policing mechanism that could advise Ports Canada of any illegal moorings in the Northwest Arm. Alderman Flynn noted that he has been in touch with Captain Bell in regard to policing of the Northwest Arm and he intended upon having further discussions with him on this matter.

Question Alderman Flynn re: Building Permits

Alderman Flynn referred to Building Permits noting that this was the busy building period and referring to the case before Council this evening in relation to building permits. Alderman Flynn went on to note that there had been a backlog of Building Permits and asked if the backlog had been cleared. Alderman Flynn noted that he was receiving complaints with regard to what residents see as an unusual delay in the issuing of building permits.

Mr. Matthews, Director of Development and Planning, addressed Council indicating that the backlog had not been cleared up and noted that staff approved by Council to carry out this task had just come on stream. Mr. Matthews indicated that there were still delays and when these are brought to the attention of staff they attempt to correct the situation. Mr. Matthews indicated that it would take the summer, at least, to deal with the backlog.

Alderman Flynn suggested that, recognizing the backlog and the necessity to train people, staff should adopt a more lenient attitude in relation to the issuance of straightforward building permits.

Mr. Matthews indicated that he would prepare a written report in this regarding noting that this would be advantageous on one level, however, it might create difficulties at another level.

The City Manager indicated that if staff was aware of particular difficulties they could reshuffle priorities to handle these situations.

Question Alderman Walker re: Sidewalks Owned by the City in Relation to Snow Removal

Alderman Walker indicated that he had requested a report detailing all sidewalks owned by the City and for which the City was responsible in terms of snow removal. Alderman Walker indicated that this would aid Aldermen in responding to questions as to who is responsible for the clearing of sidewalks. Alderman Walker referred to difficulties he had in relation to this last winter and requested that such a report be prepared and distributed to Council prior to the snow season.

Question Alderman Walker re: Water Cut-off for Construction

Alderman Walker referred to an incident in his area whereby the residents had been advised that water would be cut-off between 9 a.m. and 4 p.m. due to construction and noted that the water had in fact been off until after 6 p.m. Alderman Walker indicated that in situations where water must be cut off to allow for construction a time limit should be placed on the contractor and it should be ensured that he abides by this time limit.

Question Alderman Walker re: Obscenities Located on Buildings and Fences

Alderman Walker referred to obscenities which are located on buildings and fences throughout the City and requested that staff look into ensuring that such obscenities are not a long lasting situation. Alderman Walker suggested that the owner should be responsible to remove these obscenities within a reasonable length of time or that the City remove these and charge the owner for doing so.

Question Alderman Walker re: Sidewalk and Street - Purcell's Cove Road

Alderman Walker referred to the poor state of the sidewalks and streets on the Purcell's Cove Road by the Chocolate Lake Community Centre and Saint John the Baptist

Church and suggested that the contractor working in that area be requested to install a driveway for his use and restore the street and sidewalk. Alderman Walker indicated that both the street and sidewalk were in very poor condition.

Question Alderman Dewell re: Ball Hockey - Ardmore Park Multi-Purpose Centre

Alderman Dewell referred to complaints he had received that balls, originating from ball hockey games in the multi-purpose centre at Ardmore Park, had broken windows across the street from this facility. Alderman Dewell indicated that he had contacted the appropriate staff with these complaints and had further requested a report regarding what preventive measures would or had been taken. Alderman Dewell indicated that he had not received this report and requested that he be provided with a report regarding corrective measures which may be taken by the multi-purpose centre.

Question Alderman Dewell re: Sale of Land - Military Property Windsor Street

Alderman Dewell referred to concerns expressed to him regarding the sale of military property in the Windsor Park area to a) the City b) the Province or c) to the private sector for a use other than military. Alderman Dewell indicated that he was aware that this property has not be purchased by the City, however, the situation was causing growing concern for residents in the area.

Alderman Dewell indicated that it was his understanding that Council had rezoned the property some time ago to Park to prevent the sale of the property for other than military use. Alderman Dewell requested a report as to whether this zoning was in place and whether it would prevent development of the property unless it came before Council. Alderman Dewell also asked whether the military was permitted to rent their housing units or any other portion of their property to private industry for any other use.

Question Alderman Hamshaw re: Authority of Council to Establish Traffic Lights

Alderman Hamshaw requested that the City Solicitor provide him with a report as to whether Council had the authority to install traffic lights at intersection which they believe to be dangerous or would the Traffic Authority have the authority to overrule this decision.

The City Solicitor indicated that he would respond in written form.

Alderman Hamshaw noted that this question arose from concerns expressed regarding traffic at a public meeting held in relation to the Rocco development. Alderman Hamshaw indicated that no information with regard to traffic had been given at that meeting.

The City Manager addressed the matter suggesting that perhaps the best way to proceed was to determine what was planned for the intersection and whether or not lights were to be installed. The City Manager noted that perhaps a legal report in this regard would not be necessary.

Alderman Hamshaw indicated that he would like a response in relation to what was planned prior to the public hearing and the City Manager assured him that this information would be available prior to the public hearing.

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

Question Alderman Meagher re: Lot Consolidation and Lot Subdivision

Alderman Meagher referred to a report he had received from the City Solicitor advising that it was not within the authority of Council to have jurisdiction over lot consolidation and lot subdivisions and noted that grave concern was being expressed regarding persons developing in a neighbourhood without any of the residents in the neighbourhood having prior knowledge of the development. Alderman Meagher referred to one gentleman who had to obtain permission from all his neighbours to construct a 24 ft. addition to the rear of his house while across the street a large apartment was built as-of-right without the neighbourhood having knowledge of or input to the development.

Alderman Meagher indicated that he felt Council has lost control of neighbourhood development and noted that residents in an area had the right to know what was being proposed for that area. Alderman Meagher indicated that on two separate occasions in his Ward properties had been consolidated/subdivided, buildings torn down and new development erected and the residents of the area had no prior knowledge of this development. Alderman Meagher requested that the City Solicitor look into this problem and determine if any authority can be obtained to ensure that residents know about developments in their areas. Alderman Meagher indicated that notification of area residents, a public hearing or some other method of advising residents should be authorized. Alderman Meagher indicated that the present situation was unsatisfactory and noted that he would like some method of relieving the present problem.

Question Alderman Meagher re: Arrival of John Hughes -
Dartmouth Yacht Club

Alderman Meagher referred to the upcoming arrival of John Hughes at the Dartmouth Yacht Club and asked if City Council was proposing to make a presentation to or hold a reception honoring Mr. Hughes. Alderman Meagher pointed out that Mr. Hughes was a fine sailor and had just completed an around the world sail.

Alderman Walker noted that he believed all Aldermen had received an invitation to a reception honoring Mr. Hughes and further indicated that a presentation should be made to Mr. Hughes on behalf of the City of Halifax.

Question Alderman R. Grant re: Traffic Warrants

Alderman R. Grant referred to traffic warrants and asked when these warrants are met whether the city was required to install traffic signals. Alderman R. Grant further asked if traffic warrants are not met can the City decide to install them irregardless. Alderman R. Grant asked if in the case of traffic warrants not being met, the City was permitted any flexibility.

Question Alderman R. Grant re: City Maps

Alderman R. Grant referred to a school in his area which upon requesting city maps had received the required number from Tourism Halifax. Alderman R. Grant noted, however, that these maps did not include Ward 7. Alderman R. Grant asked why these maps did not include Ward 7 and further requested that this matter be rectified immediately or if that is not possible, when new maps are printed.

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

Alderman R. Grant asked when a meeting to discuss the outstanding Commission on City Government recommendations would be held.

Question Alderman R. Grant re: Itemization of General Services
Mayor and Aldermanic Budget

Alderman R. Grant referred to his request during budget deliberations for an itemized list of expenditures from the General Services section of the Mayor and Alderman's Budget and requested that he be provided with this itemized list. Alderman R. Grant indicated he would like to know for what purposes the money in this section was being expended and he has not yet been provided with the breakdown.

Question Alderman R. Grant re: Distribution of Audit Committee
Minutes to all Aldermen

Alderman R. Grant requested that minutes of the Audit Committee be distributed to all members of Council.

Question Alderman O'Malley re: Nova Scotia Power Corporation -
Storage of Fill - Barrington Street

Alderman O'Malley referred to his question regarding the fill stored on a site adjacent to Barrington Street by the Nova Scotia Power Corporation and noted that he had received a report that this fill was being stored illegally and an order had been issued to remove the fill by the end of June. Alderman O'Malley noted that it did not appear that any efforts were being made to remove the fill and requested that staff carry out a follow up on that order.

Question Alderman O'Malley re: Community Policing - Charlie
Zone

Alderman O'Malley referred to the community policing being carried out in his area, Charlie Zone, and noted that it was his understanding that police from one sector were often moved to another sector when situations arise whereby increased numbers of policemen are required. Alderman O'Malley indicated that this practice was causing concern that certain areas of the City were excessively under-policed.

Alderman O'Malley requested a report regarding how many mandatory circuits of police vehicles or walking beats there were in Ward 7 per day.

Question Alderman O'Malley re: Aldermanic Expense Accounts

Alderman O'Malley requested a copy of Aldermanic Expense Accounts for the past two years since the present Council took office.

Question Alderman Downey re: Social Assistance Budget

Alderman Downey referred to complaints he had received from individuals indicating they had been unable to obtain social assistance and asked the present situation in relation to the Social Assistance Budget.

Mr. Crowell, Director of Social Planning, addressed Council noting that the Department was running close to the budgeted amount, however, receipt of Social Assistance was not dependent upon the monies available in the budget. Mr. Crowell noted that persons qualifying for social assistance within the policy established by Council would receive assistance irregardless of the monies available.

Alderman Downey indicated that his difficulty was that he had received calls not only from families in real need but, as well from seniors. Alderman Downey indicated that he felt that if it was necessary to approve additional funds to meet the needs of these persons, Council should do so. Alderman Downey requested a report with regard to this matter.

Mr. Crowell noted that seniors do not usually qualify for social assistance due to the monies they receive through pension.

Question Alderman Downey re: Wanderers Grounds

Alderman Downey asked when work on the facilities, washrooms and club houses at the Wanderers Grounds would begin and what was happening in regard to these facilities at this time.

The City Manager indicated that no action had been taken by Council regarding the facilities at the Wanderers Grounds pending the completion of an advertising policy.

The Deputy Mayor indicated that a report in relation to the advertising policy would be coming before Council in approximately one month's time.

Question Alderman Downey re: Street Cleaning

Alderman Downey referred to his recent visit to Ottawa and noted that street cleaning in this City was begun earlier in the evening. Alderman Downey indicated that it was difficult to clean Halifax City streets due to cars parked on the street and suggested that signage in relation to street cleaning should be instituted across the City. Alderman Downey further noted that he felt the streets should be cleaned earlier in the evening when cars were not parked for the night. Alderman Downey further noted that another possibility would be to hire individuals to broom sweep the streets.

Question Alderman Crowell re: Mobile Vending Carts Left Unattended

Alderman Crowell referred to the Mobile Vending Ordinance noting that Council has spent a great deal of time reviewing and making changes to this Ordinance. Alderman Crowell went on to note that one matter dealt with in this review was vendors leaving their carts unattended and noted that the provisions of the Ordinance regarding this matter did not appear to be working. Alderman Crowell requested that staff bring this particular provision of the Ordinance back to Council with a different more workable wording. Alderman Crowell noted that the difficulty was that these carts were being left unattended for 24-48 hours.

The City Solicitor indicated that a report regarding the Mobile Vendors Ordinance was presently being prepared and would be submitted to Council in the near future.

Question Alderman Walker re: Senior Citizens Housing

Alderman Walker referred to a 78 year old lady who had contacted him in the past week regarding senior citizens housing in the City. Alderman Walker indicated that the lady and her husband had lived in the city for some 38 years and had approximately two years ago had to move out of the City. Alderman Walker went on to note that the husband had recently entered the Camphill Hospital for an extended period of time and his wife, wishing to be near him, was investigating the possibility of obtaining housing in seniors housing within the City.

Alderman Walker went on to note that it was the policy of the Halifax Housing Authority that individuals who were not residents of the City could not obtain lodging in City seniors housing. Alderman Walker asked if the Social Planning Department could aid in this situation, noting that some consideration should be given to the number of years this couple had lived in the City and had paid taxes in the City.

Mr. Crowell noted that this policy of the Halifax Housing Authority had been established to ensure that persons living outside the City do not obtain seniors accommodations within the City to the detriment of Halifax citizens. Mr. Crowell indicated that in certain situation varying considerations can be made and suggested that the Alderman provide him with the name of the particular individual and he would attempt to give her some aid in this regard.

Alderman Walker noted that he had been able to contact the appropriate individual and some action was being taken on this matter, however, he requested that Mr. Crowell's department contact the Halifax Housing Authority with regard to an amendment to the policy to given consideration to special circumstances such as he had previously described.

NOTICE OF MOTIONS

Notice of Motion Alderman Meagher re: Amendment to Ordinance
No. 180, the Streets Ordinance re Driveways

Alderman Meagher gave notice of motion that at the next regular meeting of Halifax City Council to be held on June 25, 1987 he intends to introduce certain amendments to Ordinance No. 180, the Street Ordinance regarding driveways.

ADDED ITEMS

Meeting Mainland North - Traffic - Alderman Leiper

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

Alderman Leiper addressed the matter indicating that she had received a number of calls from residents of Mainland North applauding Council's action in relation to holding the proposed meeting on traffic in the Mainland North. Alderman Leiper indicated that residents were pleased to know that Council wished to hear their concerns and were glad to have an opportunity to hear submissions on this matter. Alderman Leiper noted, however, that there was some confusion as to the date and time of the meeting and requested that the City Clerk confirm the date and place of the public hearing.

The City Clerk advised that the date previously set for the public meeting on this matter was June 29, 1987 and further advised that his office had confirmed the Halifax West High School for the location of the meeting.

Building Permit - 1588 Barrington Street (City Club) - Alderman O'Malley

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

A confidential report from Donald F. Murphy, Q. C., City Solicitor with attached May 27, 1987 from Mr. Milton Veniot, Q. C. and correspondence dated June 11, 1987 from Mr. Veniot, Q. C. was submitted..

His Worship addressed the matter referring to Mr. Veniot's letters of May 27, 1987 and June 11, 1987 in which he expresses grave concern that Council not put this matter on the floor at Council or have any discussion at all on the matter until the court case in regard to this property has been concluded. His Worship noted that Mr. Veniot, in his letters, expressed concern that this item would appear on the agenda this evening and cautions against any discussion regarding the matter. His Worship went on to suggest that perhaps this item should not have been permitted to appear on the agenda.

His Worship outlined Mr. Veniot's reasons for concern in relation to debate on this item indicating that Mr. Veniot was concerned that public debate on the matter would in some way affect the deliberations of the judge in this matter, public debate on the matter could be basis for an appeal of the matter and such debate would be an intrusion at a very sensitive time in the case. His Worship respectfully requested, in light of Mr. Veniot's concerns and recognizing that even one or two statements might prejudice the case, that Alderman O'Malley remove the item from the agenda.

Alderman O'Malley addressed the matter noting that he had the two documents in front of him and suggested that the documents did not indicate that one or two sentences would prejudice the case.

His Worship referred to Mr. Veniot's June 11, 1987 letter noting that it outlined his concern that the matter of the approval of the permit for this property would be placed on the agenda this evening. His Worship then ruled that, in light of the concerns and advice received from both Mr. Veniot and the City Solicitor, this matter would not be accepted as an agenda item and nothing would be said in relation to this matter.

Alderman O'Malley indicated his desire to appeal to Council the ruling of the Chair.

Alderman Downey addressed the matter asking the City Solicitor if he should retire from the meeting due to his involvement in the court case.

The City Solicitor addressed the matter indicating that the question before Council at this time was whether or not the ruling of the chair would be sustained. The City Solicitor went on to note that he agreed with the terms and provisions set out in the letter from Mr. Veniot and suggested that the meaning behind the letter was a matter of interpretation. The City Solicitor further indicated that he did not believe that Alderman Downey would be in a position of conflict in relation to the question before Council.

Following a discussion the City Clerk then proceeded with the vote on the appeal of the ruling of the Chair indicating that the question was 'Will the rule of the Chair be sustained regarding the removal of item 20.2 Building Permit - 1580 Barrington Street (City Club) - Alderman O'Malley from the agenda'. The City Clerk further noted that a positive vote would be in favor of sustaining the rule of the Chair. The Clerk then proceeded with a recorded vote, as follows:

FOR: Aldermen Walker, Leiper, Flynn and Hamshaw (4).
AGAINST: Deputy Mayor Jeffrey, and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, and R. Grant (7).

The City Clerk advised of the results of the vote and indicated that the Chair's ruling had not been sustained.

Alderman O'Malley addressed the matter indicating that he did not intend to prejudice Council nor the case before the court in any way. Alderman O'Malley went on to note that neither Council nor himself as an individual Alderman had been involved in or a part of the process undergone in relation to this particular property. Alderman O'Malley indicated that

neither the Mayor or staff had seen fit to inform Council of what was happening and Council knew nothing in relation to the matter except that which they read in the paper. Alderman O'Malley went on to note that he felt it was inappropriate that Council should have been excluded, intentionally or otherwise, from what was taking place in relation to the property in question and the permits associated with the property.

The City Solicitor addressed the matter noting that although he did not know if it was his role to respond to all questions in this regard, he believed that a response could be made by the next meeting of the Committee of the Whole Council in regard to the Alderman's concerns.

Alderman O'Malley indicated that he would deeply appreciate such a report at the next meeting and indicated that he would like a detailed outline of this matter leading up to and including the situation at this particular time.

The City Solicitor indicated that he did not believe this information would be difficult to gather and noted that this particular case was no different than the many other prosecutions carried out by the City throughout the year.

Date and Location of Public Meeting - Development and
Access - Fairmount Subdivision

This matter was last discussed at the May 28, 1987 meeting of City Council at which time it was agreed that the City Clerk would advise of the date and location of the public meeting at a future time.

Deputy Mayor Jeffrey addressed the matter asking that the City Clerk confirm the date and location for the public meeting in relation to the development and access of the Fairmount Subdivision.

The City Clerk advised that the date set for the public meeting on this matter was Tuesday, June 23, 1987 beginning at 7:30 p.m. at the St. James Church Hall located at the Rotary.

Deputy Mayor Jeffrey indicated that a report prepared by CBCL regarding access to the Springvale/Fairmount Subdivision would be presented at that public meeting and requested that arrangements be made to have a member of the staff of CBCL present at the meeting.

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

A private and confidential staff report dated June 11, 1987 was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Walker that Parcel K-1A as shown on Plan TT-36-28320 be acquired from John and Panagiota Trihopoylos for \$4,820.00 with funds being available in Account Number CJ069 (Old Sambro Road Traffic Improvement - Northwest Arm Drive to Dentith Road)

Motion passed.

Design and Construction Agreement - Interchange to Service Bayers Lake Industrial Park

This matter was last discussed at the May 28, 1987 meeting of City Council at which time any recommendation on the matter was deferred as a report requested with respect to funding had not been received.

Alderman O'Malley addressed the matter indicating that it was his understanding that all matters had been resolved and noting the necessity for action on this matter, MOVED, seconded by Alderman Flynn that the Mayor and City Clerk be authorized to sign the Agreement as attached to the May 27, 1987 staff report on behalf of the City of Halifax.

Alderman Leiper referred to her previous deferral of this matter noting that she had some concern with regard to the reference in the report regarding access to the developing Mainland North area of the City. Alderman Leiper noted that in light of the meeting established by Council in relation to traffic problems in the Mainland North, she felt the connection to Lacewood Drive should not be made until such time as Council has considered the traffic problems in Mainland North and some solutions have been sought in relation to these problems.

MOVED in amendment by Alderman Leiper, seconded by Alderman Flynn that no connection be made with Lacewood Drive until such time as Council has addressed the traffic problems in Mainland North and some solutions in this regard have been sought.

The motion to amend was put and passed.

A further short discussion ensued and the main motion, as amended, was put and passed.

Tendering Committee Report - Recommendation #14 - Alderman R. Grant

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

Alderman R. Grant referred to Recommendation #14 of the Tendering Committee Report which authorizes the City Manager to approve expenditures up to \$30,000 and noted that

Council
June 11, 1987

the City Auditor General has indicated that a Charter amendment is required to provide the City Manager such authority. Alderman R. Grant noted that although the City Manager has been exercising this authority for some time and has dealt with it appropriately, he felt the practice must be discontinued until such time as the City Charter amendment has been made. Alderman R. Grant recognized the difficulties this might involve, however, he felt the practice should be discontinued for the time being.

The City Manager addressed the matter indicating that although he had no problem with the suspension of this authority, he felt a legal interpretation of this matter should be sought before any action in this regard is taken.

Alderman R. Grant addressed the matter indicating he had no difficulty with seeking a report from the legal department and noted that this would allow time to complete the purchases presently in process. Alderman R. Grant requested a report from the City Solicitor in regard to this matter.

Appointment - New City Auditor General - Alderman O'Malley

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

Alderman O'Malley addressed the matter indicating that he would like to defer discussion on this matter to the next meeting of the Committee of the Whole Council at which time he will propose a structure for a search committee in relation to the appointment of new City Auditor General to replace the City's recently retired City Auditor General, to which Council agreed.

11:00 p.m. There being no further business the meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR TOM JEFFREY
CHAIRMEN

E. A. KERR
CITY CLERK

*K/bg

HEADLINES FOR CITY COUNCIL MINUTES
of 06/11/87

Presentation - Retirement Scroll, Mr. Anthony Baldwin Department of Engineering and Works	.... 362
MINUTES	.... 362
APPROVAL OF ORDER OF BUSINESS	.... 363
DEFERRED ITEMS Commercial Recreation Uses	.... 363
PUBLIC HEARINGS, HEARINGS, ETC Appeal of Minor Variance Refusal - 3191 Agricola Street	.... 364
PETITIONS AND DELEGATIONS Petition Alderman Cromwell re: Residents of Connaught Ave. Concerning Power Line Proposal by NSPC and MT&T	.... 365
REPORT - FINANCE AND EXEC COMM Digitization of Property Parcels within the City: Cost-Sharing Proposal	.... 366
Review of Ordinance Number 180 - Driveways	.... 366
Independent Food Stores	.... 366
Halifax Tourist Bureau - Permanent Home	.... 366
Tendering Committee	.... 369
REPORT - COMMITTEE ON WORYS MAPC Report on Pollution Control for Halifax Harbour	.... 369
Award of Tender #87-03: Sunnybrae Avenue and Willett Street - New Storm Sewer	.... 369
Award of Tender #87-17 - Sidewalk Renewals	.... 370
Award of Tender #87-19 - Sidewalk Renewals	.... 370
Award of Tender #87-04: Birkdale Crescent: Storm Sewer Renewal	.... 370
Naming of New Private Lanes within Melville Ridge Development Project	.... 371
Encroachment License - Olynpic Gardens: 2304 Hunter Street	.... 371
Award of Tender #87-21 - Sidewalk Renewals	.... 371

HEADLINES FOR CITY COUNCIL MINUTES
of 06/11/87

REPORT - SAFETY COMMITTEE	
Traffic Speed Zones in Proximity of Schools	.... 372
Pit Bull Terriers	.... 372
Ashburn Golf Course	.... 373
REP.- COMM. OF WHOLE COUNCIL	
Administrative Order - Executive Assistant to Halifax City Council - SECOND READING	.... 374
REPORT - CITY PLANNING COMM.	
Central On-Site Water and Sewer Systems, and Bluestone Estates - Case No. 4621 - PAC Report	.... 374
Home Occupations - Planning Advisory Committee Report	.... 375
MOTIONS	
Proposed Amendments to Ordinance Number 170 respecting Partial Tax Exemption - FIRST READING	.... 376
QUESTIONS	
Question Deputy Mayor Jeffrey re: Expropriation - Dutch Village Road and Percy Street	.... 378
Question Deputy Mayor Jeffrey re: Sewer Development - Rockwood Avenue	.... 378
Question Alderman Flynn re: Building Permits	.... 379
Question Alderman Flynn re: Northwest Arm Channelway	.... 379
Question Deputy Mayor Jeffrey re: Update - Renovation of City Hall	.... 379
Question Alderman Walker re: Water Cut-off for Construction	.... 380
Question Alderman Walker re: Obscenities Located on Buildings and Fences	.... 380
Question Alderman Walker re: Sidewalks Owned by the City in Relation to Snow Removal	.... 380
Question Alderman Walker re: Sidewalk and Street Purcell's Cove Road	.... 380
Question Alderman Dewell re: Ball Hockey - Ardmore Park Multi-Purpose Centre	.... 381
Question Alderman Dewell re: Sale of Land - Military Property - Windsor Street	.... 381
Question Alderman Hamshaw re: Authority of Council to Establish Traffic Lights	.... 381
Question Alderman Meagher re: Lot Consolidation and Lot Subdivision	.... 382
Question Alderman Meagher re: Arrival of John Hughes Dartmouth Yacht Club	.... 383
Question Alderman R. Grant re: Itemization of General Services Mayor and Aldermanic Budget	.... 383
Question Alderman R. Grant re: Traffic Warrants	.... 383
Question Alderman R. Grant re: City Maps	.... 383

HEADLINES FOR CITY COUNCIL MINUTES
of 06/11/87

Question Alderman R. Grant re: Commission on City Government Meeting	.... 383
Question Alderman R. Grant re: Distribution of Audit Committee Minutes to all Aldermen	.... 384
Question Alderman Downey re: Social Assistance Budget	.... 384
Question Alderman OMalley re: Nova Scotia Power Corporation Storage of Fill - Barrington Street	.... 384
Question Alderman OMalley re: Community Policing - Charlie Zone	.... 384
Question Alderman OMalley re: Aldermanic Expense Accounts	.... 384
Question Alderman Downey re: Wanderers Grounds	.... 385
Question Alderman Downey re: Street Cleaning	.... 385
Question Alderman Cromwell re: Mobile Vending Carts Left Unattended	.... 385
Question Alderman Walker re: Senior Citizens Housing	.... 386
Date and Location of Public Meeting - Development and Access - Fairmount Subdivision	.... 389
NOTICE OF MOTIONS	
Notice of Motion Alderman Meagher re: Amendment to Ordinance No. 180, the Streets Ordinance re Driveways	.... 386
ADDED ITEMS	
Meeting Mainland North - Traffic - Alderman Leiper	.... 387
Building Permit - 1580 Barrington Street (City Club) - Alderman OMalley	.... 387
Acquisition of Parcel E-1A, 56 Old Sarnbro Road	.... 389
Design and Construction Agreement - Interchange to Service Bayers Lake Industrial Park	.... 390
Tendering Committee Report - Recommendation #14 - Alderman R. Grant	.... 390
Appointment - New City Auditor General - Alderman OMalley	.... 391

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Joseph Howe School
Gymnasium
Halifax, Nova Scotia
June 17, 1987
7:30 p.m.

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

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

Also Present: Mr. B. Allen, Acting City Solicitor;
City Clerk; Mr. A.W. Churchill, Heritage Coordinator; Ms. Carol
Bradley, Supervisory, Real Estate Division; and Mr. M.
Hanusiak, Planner II, Development & Planning Department.

ADDED ITEMS

The following items were added to the agenda from the
Committee of the Whole Council held on June 17, 1987:

1. Parachute Jump - Halifax Natal Day Committee;
2. Delegates to the Regional UNSM Meeting;
3. Award of Tender #87-13 - New Sidewalk;
4. Award of Tender #87-18 - Sidewalk Renewal;
5. Award of Tender #87-48 - Sidewalk Renewals;
6. Award of Tender #87-52 - Reinstatement of Westmount
Walkways.

Parachute Jump - Halifax Natal Day Committee

MOVED by Alderman Flynn, seconded by Alderman Hamshaw
that, the Nova Parachutes be granted approval to perform a
parachute jump during Halifax Natal Day celebrations, subject
to compliance with Transport Canada Regulations and that the
jump take place during daylight hours, and further that the
City of Halifax be absolved of any and all responsibility in
connection with the jumps.

Motion passed.

Delegates to the Regional UNSM Meeting

MOVED by Alderman Flynn, seconded by Alderman Hamshaw
that, Aldermen Cromwell, Downey, Flynn, Dewell, and D. Grant be
the delegates to attend the Regional UNSM Meeting.

Motion passed.

Award of Tender #87-13 - New Sidewalk

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

1. Tender #87-13 for New Sidewalk be awarded as follows:

Item #1 (Lady Hammond Road - (a) (N) MacKintosh to C.N.R. Bridge and (b) (S) Commission Street to Existing be awarded to G & R Kelly for a bid price of \$49,572.50 and a total project cost of \$60,000;

Item #2 ((a) Market Street (W) Prince to Sackville and (b) Sackville Street (N) Brunswick to Market be awarded to Armdale Construction for a bid price of 22,840.00 and a total project cost of \$28,000; and

2. Funding Authorized from Account Numbers: CA011, CA013, CA012, CB215.

Motion passed.

Award of Tender #87-18 - Sidewalk Renewal

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

1. Tender #87-18 for sidewalk renewal, as follows, be awarded to Duron Atlantic Limited for a bid price of \$152,243.50 and a total project cost of \$185,000.00; and

1(a) Cornwallis Street (N) - Brunswick to Maitland
(b) Agricola Street (W) - Willow to North
(c) Cunard Street (N) - Hunter to Clifton

2(a) Robie Street (E) - McCully to May
(b) King Street (E) - North to St. Albans

3(a) Dublin Street (E) - Summit to Seaforth
(b) North Street (N) - Dublin to Oxford

2. Funding authorized from Account Numbers: CB154, CB141, CB155, CB210, CB178, CB161, CB187.

Motion passed.

Award of Tender #87-48 - Sidewalk Renewals

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

1. Tender #87-48 for Sidewalk Renewals, as follows, be awarded to Duron Atlantic Ltd. for a bid price of \$192,263.50 and a total project cost of \$213,000.00;

- 1(a) Gottingen Street (W) - Russell to Sullivan
- (b) Kaye Street (S) - Isleville to Gottingen
- (c) Isleville Street (E) - Hennessey to Young
- (d) Novalea Drive (E) - Young Street North to Sidewalk End

- 2(a) Livingstone Street (S) - Isleville to Agricola
- (b) Stairs Street (N) - Agricola to Isleville
- (c) Stairs Street (S) - Agricola to Isleville
- (d) Stanley Street (N) - Isleville to Agricola
- (e) Prescott Street (E) - Merkel to Cabot

2. Funding authorized from Account Numbers: CB167, CB177, CB171, CB189, CB183, CB225, CB226, CB227, CB201.

Motion passed.

Award of Tender #87-52 - Reinstatement of Westmount Walkways

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

1. Tender #87-52 for reinstatement of Westmount Walkways (Alternative #1 - Asphalt) be awarded to Standard Paving Maritime Ltd. for a bid price of \$112,840.00 and a total project cost of \$135,408.00; and

2. Funding authorized from Account Number CK009.

Motion passed.

Heritage Hearing: re: 1029 South Park Street

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

His Worship Mayor Wallace advised that this item was deferred from the previous date, April 16, at the request of the owners.

Mr. Churchill, Heritage Coordinator, indicated that there is one property being recommended heritage property situated at 1029 South Park Street which is on the south side of South Park Street between Inglis and Victoria Road.

Since the matter originally came to Council, Mr. Churchill advised, the property has changed hands and the present owners, Dalip and Kuldip Chehil, took possession of the property on May 28, 1987 and have indicated no objection to the

registration. A letter dated June 8, 1987, from the owner of 1029 South Park Street agreeing to heritage registration was circulated to members of Council. Mr. Churchill explained that the property was originally evaluated at the request of the previous owner and the Heritage Advisory Committee scored it at 60 points. He further stated that they have been in contact with the mortgagee, the Bank of Montreal, and they have indicated no objection.

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

Staff submitted two photographs of the property at 1029 South Park Street.

MOVED by Alderman Hamshaw, seconded by Alderman Dewell that, the land and building situated at 1029 South Park Street be recommended for inclusion in the Halifax Registry of Heritage Property.

Motion passed.

Street Closure - Portion of Winchester Avenue and Herring
Cove Road

Ms. Carol Bradley, Supervisor, Real Estate Division, advised that this public hearing concerns the closure of small portions of Winchester Avenue and Herring Cove Road shown as Parcels WA-1, WA-2, and S-132 on City Plan TT-38-29047. Ms. Bradley explained that Parcels WA-1 and WA-2 became surplus due to the reduction in width and realignment of Winchester Avenue, and Parcel S-132 through the realignment of Herring Cove Road. She further explained that they are being closed in order to improve the street-alignment at this intersection in relation to the approved Contract Development Agreement with Melville Ridge Holdings Limited.

Mr. Edward Miller, residing at 41 Winchester Avenue, addressed Council indicating that the Developers had stated at numerous public meetings that the residents had attended that Winchester Avenue would remain a dead end street.

The Developer was in attendance and responded to Mr. Miller's concern, stating that it is proposed that Winchester Avenue be closed and that it remain a dead end street.

MOVED by Alderman Walker, seconded by Alderman R. Grant that this item be forwarded to the next regular meeting of Halifax City Council, to be held on Thursday, June 25, 1987, without recommendation.

Motion passed.

Amendment to Existing Development Agreement - 2016-2022
Bauer Street

Mr. Hanusiak, Development and Planning Department, with the aid of maps and sketches, outlined the application for an amendment to the development agreement for the purpose of the removal of the existing contract for a duplex at 5682 Cornwallis Street, to permit consolidation of the lands at 5682 Cornwallis Street with the lands at 2116-22 Bauer Street, and to permit four townhouses on the consolidated lot.

Mr. Hanusiak indicated that staff was recommending approval of this application.

Mr. Langmaid, a resident of Bauer Street, addressed Council stating that he owns one investment property there. Mr. Langmaid disagreed that the buildings compliment the street noting that the materials and the form of the buildings is alien to anything in the whole neighbourhood and is not in conformity with anything on the street. He commented that they have a street form which is anti-social in that there is no parking available on the street adjoining the houses and emphasized the fact that parking is a very critical factor on that street. Mr. Langmaid indicated that there is a corner store located on that corner and suggested that it would not function if additional cars park on that corner. In conclusion, Mr. Langmaid inquired if the new building block would be set back of the street line.

Mr. Hanusiak clarified that the new building is on the street line.

There was no correspondence received in relation to this hearing.

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

Motion passed.

Rezoning from RC-2 - C-2 1464-1466 Queen Street

A public hearing into the above matter was held on this date.

Mr. Hanusiak, with the aid of maps and sketches, outlined the application from Dr. R. E. Fredrickson for a rezoning of the property at 1464-66 Queen Street from RC-2, Residential/Minor Commercial Zone to C-2, General Business Zone. Mr. Hanusiak indicated that the application does not

propose to change the existing uses or the existing building at this time. He went on to state that the reason for the application is to permit the wide range of commercial uses and development capability provided by the C-2 General Business Zone.

In conclusion, Mr. Hanusiak indicated that staff was recommending approval of this application.

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

Dr. R. E. Fredrickson, 5435 Spring Garden Road, owner of the property in question, addressed Council indicating that the majority of the renovations have been completed. He explained when he bought the property one year ago, it was C-2 and the original architectural drawings were drawn to C-2 specifications. Dr. Fredrickson explained when the Spring Garden Road Commercial Area Plan was approved, it designated the property at 1464-66 Queen St. RC-2 and, as a result, the design and structural changes were made to accommodate either RC-2 or C-2. In conclusion, Dr. Fredrickson commented that the rezoning from RC-2 to C-2 would be in keeping with the flow of the properties from Spring Garden Road down to Clyde Street.

Correspondence was received from the President of the Spring Garden Area Merchant's Association dated June 16, 1987 in opposition to the rezoning.

Correspondence was also received from the President of Mills Brothers Limited dated June 16, 1987 stating objection to the proposed rezoning.

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

Motion passed.

Case No. 5228 - Contract Development - 5 Old Sambro Road

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

Mr. Hanusiak, with the aid of maps and sketches, outlined the application for a contract development for the property at 5 Old Sambro Road to permit the construction of a 12 unit apartment building. Mr. Hanusiak indicated that the Mainland South Secondary Planning Strategy (MSSPS) shows this property zoned C-2A, Minor Commercial, which permits R-3, General Residential and Low Rise Apartment uses. He further explained that this proposal will be permitted as-of-right if the MSSPS is approved as recommended.

Mr. Wadih Fares, Design Engineer for the project, addressed Council indicating that this development meets all the requirements for the new plan and felt that it enhances the area.

Mr. Burton W. Rhino, resident of 17 Mayor Avenue, addressed Council expressing concern with regard to the poor condition of Mayor Avenue. He explained that there is mention of a dry well for Mayor Avenue and, at the present time, the water level on Mayor Avenue is almost at road level. Mr Rhino also made reference to the barricade in that location and whether or not it will be moved.

Mr. Hanusiak made reference to information received from the Engineering & Works Department which states that the City of Halifax has, in its proposed Capital Budget, a storm system for Mayor Avenue; but, the construction for this system is at least 2 years down the road. Based on this, Mr. Hanusiak advised that the Developer has indicated that a dry well and pipe would be provided for future connection to the proposed storm drainage sewage system.

In response to Mr. Rhino's concern respecting parking, the Developer indicated that plans show the parking under the building open to view; but, there is no provision made for visitor parking.

Mr. R. Noseworthy, resident of 15 Mayor Avenue, addressed Council expressing concern with respect to a drain at the intersection of Old Sambro Road and Mayor Avenue referring to several incidents which have occurred as a result of this drain. Mr. Noseworthy indicated that he has made numerous attempts in trying to get the City of Halifax to correct this drain which causes flooding.

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

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

Motion passed.

Case No. 5208 - Contract Development - 2044-48 Gottingen Street
Salvation Army Men's Social Services Club

Mr. Hanusiak outlined the application for a contract development to permit a two-storey extension to the north side of the existing building at 2044-2048 Gottingen Street. He explained that the necessity for this particular development stems from the fact that the property is zoned under the existing land use by-law C-2, Schedule C. Under Schedule C, Mr. Hanusiak reported, commercial uses in the C-2 zone are limited to 5,000 sq. ft. in size. It was further noted that a

contract under Schedule "C" is required as the addition will exceed 5,000 sq. ft. In conclusion, Mr. Hanusiak advised that staff are recommending approval of this application.

Major Don Hollingsworth, representing the Salvation Army, indicated that he was in attendance to address any questions from Council.

There were no questions from Council.

Correspondence was received from Mrs. Muriel Baird, 5516 Falkland St, Halifax, NS, dated May 27, 1987 in opposition to this application.

Correspondence was also received from the President of Imagecom Designers and Associates dated June 12, 1987, in opposition to the proposal for expansion of the existing facility at 2044-48 Gottingen St.

Additional correspondence was received from Mr. Ian Booth, 2050 Gottingen Street, Halifax, NS, dated June 17, 1987, indicating his opposition to the proposed expansion of the Salvation Army on Gottingen St.

MOVED by Alderman Downey, seconded by Alderman Dewell that this matter be forwarded to Council without recommendation.

Motion passed.

8:20 p.m. The meeting adjourned.

HEADLINES

<u>Added Items</u>	
Parachute Jump - Halifax Natal Day Committee	395
Delegates to the Regional UNSM Meeting	395
Award of Tender #87-13 - New Sidewalk	396
Award of Tender #87-18 - Sidewalk Renewal	396
Award of Tender #87-48 - Sidewalk Renewals	396
Award of Tender #87-52 - Reinstatement of Westmouth Walkways	397
Heritage Hearing: re: 1029 South Park Street	397
Street Closure - Portion of Winchester Avenue and Herring Cove Rd	398
Amendment to Existing Development Agreement - 2016-2022 Bauer Street	399
Rezoning from RC-2 to C-2 1464-1466 Queen Street	399
Case No. 5228 - Contract Development - 5 Old Sambro Road	400

Special Council
Public Hearings
June 17, 1987

Case No. 5200 - Contract Development - 2044-48
Gottingen St. Salvation Army Men's Social
Services Club401

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

E.A. KERR
CITY CLERK

/mmd

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
June 25, 1987
8:30 P. M.

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

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

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

ALSO PRESENT: B. G. Smith, Acting City Manager; City Solicitor; S. Gauthier, Acting City Clerk; and other members of City staff.

MINUTES

Minutes of the regular meeting of Halifax City Council held on June 11, 1987 and of a special meeting held on June 17, 1987 were approved on a motion by Alderman Cromwell, seconded by Alderman R. Grant.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Sidewalk Renewal - Elliott Street (N):
- Ashburn to Dutch Village Road

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

Motion passed.

Council
June 25, 1987

DEFERRED ITEMS

Heritage Hearing - 1029 South Park Street

A hearing into this matter was held on Wednesday, June 17, 1987.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that the land and building situated at 1029 South Park Street be recommended for inclusion in the Halifax Registry of Heritage Property.

Alderman O'Malley requested that a recommendation be made to the Heritage Advisory Committee that, in instances where the owner of a property proposed for heritage designation acquiesces with that proposal, a copy of his written concurrence be made available to members of Council prior to the date of their decision on the matter.

The Acting City Clerk advised that Alderman Leiper had not been in attendance during the June 17 hearing.

The motion was put and passed with Alderman Leiper abstaining from the vote.

Street Closure - Portion of Winchester Avenue and Herring Cove Road

A public hearing into this matter was held on Wednesday, June 17, 1987.

MOVED by Alderman Walker, seconded by Alderman R. Grant that, in accordance with Section 350 of the City Charter, Council approve the closure of the areas shown as Parcels WA-1, WA-2 and S-132 on Plan TT-18-29047 attached to the confidential staff report, dated February 24, 1987.

The Acting City Clerk advised that Alderman Leiper had not been in attendance during the June 17 public hearing on this matter.

The motion was put and passed with Alderman Leiper abstaining from the vote.

Amendment to Existing Development Agreement - 2016-2022 Bauer Street

A public hearing into this matter was held on Wednesday, June 17, 1987.

MOVED by Alderman Downey, seconded by Alderman Cromwell that the development agreement between the City of Halifax and Maritime Capital Investments, cited by the City as Case No. 4775, be amended for the purposes of:

- (a) removing the existing contractual obligations for the construction of a duplex dwelling on the lands at 5682 Cornwallis Street;
- (b) permitting the consolidation of the lands at 5682 Cornwallis Street with the lands at 2016-22 Bauer Street;
- (c) permitting on the said consolidated lands the construction of four townhouse dwellings, which, in the opinion of the Development Officer, are in substantial conformity with Plans No. P200/15682-84 filed in the City of Halifax Development and Planning Department as Case No. 5242;
- (d) permitting the said townhouses to be subdivided for the purpose of sale in Fee Simple.

The Acting City Clerk advised that Alderman Leiper had not been present during the June 17 public hearing on this matter.

The motion was put and passed with Alderman Leiper abstaining from the vote.

Rezoning from RC-2 to C-2: 1464-66 Queen Street

A public hearing into this matter was held on Wednesday, June 17, 1987.

MOVED by Alderman Downey, seconded by Alderman R. Grant that the application for rezoning from RC-2 (Residential/Minor Commercial Zone) to C-2 (General Business Zone) for the property at 1464-66 Queen Street be approved.

The Acting City Clerk advised that Alderman Leiper had been absent during the June 17 public hearing.

The motion was put and passed with Alderman Leiper abstaining from the vote, and Alderman D. Grant voting in opposition.

Case No. 5228: Contract Development - 5 Old Sambro Road

A public hearing into this matter was held on Wednesday, June 17, 1987.

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

- (a) the contract development application to permit the construction of a 12-unit apartment building at 5 Old Sambro Road, as shown on Plans No. P200/15726, 15727 and 15741 of Case No. 5228, be approved, subject to the owner entering into an agreement containing the terms and conditions as set out in the draft agreement attached as Appendix "B" to the staff report dated March 5, 1987;
- (b) the contract shall be signed within 120 days (or any extension thereof granted by Council on request of the applicant) from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end; and further, that
- (c) an additional proviso be included in the contract stipulating that one of the two existing driveway exits onto the Old Sambro Road be closed.

The Acting City Clerk advised that Alderman Leiper had not been in attendance during the June 17 public hearing.

The motion was put and passed with Alderman Leiper abstaining from the vote.

Case No. 5200 - Contract Development: 2044-48 Gottingen Street (Salvation Army Men's Social Services Club)

A public hearing into this matter was held on Wednesday, June 17, 1987.

MOVED by Alderman Downey, seconded by Alderman Walker that the application for a contract development to allow the construction of a two-storey addition on the north side of the Salvation Army building at 2044 Gottingen Street, as shown on Plan No. P200/15535-38 of Case No. 5200, be approved.

The Acting City Clerk advised that Alderman Leiper had been absent during the June 17 public hearing.

The motion was put and passed with Alderman Leiper abstaining from the vote.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, June 17, 1987 as follows:

Street Vendors

Following is the motion on this matter approved by the Finance and Executive Committee during its June 17 meeting:

that this matter go forward to Council at which time a Notice of Motion to amend the Ordinance will be put forward, and further, that the Legal Department prepare a report responding to the various questions posed by the Committee for that meeting.

A supplementary staff report, dated June 22, 1987, was submitted from the City Solicitor.

Alderman Cromwell made reference to the contents of the supplementary staff report received from Mr. Murphy, and indicated that he would be proposing a Notice of Motion later in the meeting's agenda with a view to amending Ordinance 180.

Alderman O'Malley expressed reservations that by extensively amending Ordinance 180 at this point in time Council was not providing ample opportunity for adequate enforcement of the existing Ordinance. He emphasized that, after almost five years of review, Ordinance 180 had been considerably altered and indicated that, in his opinion, Council should not attempt another comprehensive amendment process at such an early date.

Alderman Cromwell noted that the amendments he wishes to propose are merely housekeeping items, designed to assist the Halifax Police Department to more appropriately enforce the provisions of Ordinance 180. He emphasized that it was not his intent to propose major revisions to the Ordinance, nor was it his desire to cause undue hardship for the City's street vendors.

His Worship Mayor Wallace advised that a further report would be distributed to members of Council early next week illustrating in detail the changes proposed for Ordinance 180.

Alderman R. Grant referred to his previous suggestion that a litter tax be levied on all street vendors and while acknowledging that this would not be included in the upcoming report, asked that it be considered at some future point.

At Alderman Cromwell's request, Council agreed in principle to the changes to be proposed to Ordinance 180, the Streets Ordinance.

Summer Holidays - Halifax City Council

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, City Council cancel meetings during the first two weeks of August including the Committee of the Whole Council meeting scheduled for August 5, 1987 and the City Council meeting scheduled for August 13, 1987, and that Departments, Boards and Commissions be informed accordingly.

Motion passed.

Tender #87-114: 100 Foot Aerial Truck (Extras)

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, expenditures of \$9,000 and \$3,096 be awarded to finalize this contract (Tender #84-114).

Motion carried.

Grant Request - St. Mary's Basilica

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council approve a grant in the amount of \$4,000 to the Parish Council of St. Mary's Basilica to help offset the cost of a consulting engineering study of the steeple of St. Mary's Basilica to determine the nature and extent of deterioration and of the necessary remedial work.

Motion passed.

Tax Concessions and Grants Committee Recommendations

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

The following grants titled "Cultural" be approved by Halifax City Council:

Art Gallery of Nova Scotia	\$ 50,000.00
Art Allocation Committee	980.00
Black Cultural Society	20,000.00*

* To be applied against mortgage (last year of a five-year commitment)

Council
June 25, 1987

Dance Nova Scotia	\$ 500.00
Downtown Business Association	4,500.00
Ecphore Exhibition Society	225.00
Gilbert & Sullivan Society	1,800.00
Halifax Ballet Theatre	890.00
Halifax Police Association Pipes and Drums Band	4,450.00
Maritime Conservatory of Music	2,670.00
Neptune Theatre	14,250.00
Nova Scotia Drama League	2,850.00
Nova Scotia Kiwanis Music Festival	1,600.00
Nova Scotia Tattoo	8,900.00
Nova Scotia Youth Orchestra	700.00
Scotia Chamber Players	900.00
Summer Pops Orchestra	5,350.00**
Symphony Nova Scotia	13,350.00
Theatre Arts Guild	1,075.00

** Additional funds to be received from Tourism
Halifax

The following grants titled "Miscellaneous" be
approved by Halifax City Council:

Anne Fraser House Building Committee	\$ 1,780.00
Atlantic Provinces Jewish Council	225.00
Canadian Hostelling Association	1,335.00
Club 55	2,050.00
Dal Legal Aid	3,125.00
Ecology Action Centre	900.00
Grace Maternity Hospital	90,000.00
Halifax Black Parent Association	2,500.00
International Bridge, Tunnel and Turnpike Association	1,000.00
Kline Heights Management	900.00
Nova Scotia Council on Smoking and Health	900.00

The following grants titled "Recreation" be approved
by Halifax City Council:

Captain William Spry Centre/ Spryfield Lions Pool	\$30,952.00
Centennial Arena Commission	16,785.00
Halifax Junior Bengal Lacrosse	2,850.00
Halifax Super Tiger Club Floor Hockey Team	450.00
Halifax Turbulebugs	1,780.00
Inner-City Youth Club	500.00
Maskwa Aquatic Club	1,350.00
Spryfield Lions Club Hockey	14,240.00
Y.W.C.A.	2,000.00

The following grants titled "Social Services" be approved by Halifax City Council:

Callow Veteran's and Invalids	
Welfare League	\$ 4,450.00
Cdn. National Institute	
for the Blind	2,670.00
Cdn. Paraplegic Association	2,670.00
Canadian Red Cross	32,000.00
Children's Aid Society	3,182.00
Coalition Supportive Services	2,500.00
Coverdale Foundation	900.00
Family Service Association	2,325.00
Golden Age Society	2,225.00
Halifax Regional Welfare Rights	270.00
Halifax Seniors Council	200.00
Halifax Transition House	
(Bryony House)	4,000.00
Help Line	2,700.00
Home of the Guardian Angel	6,500.00
Mental Health Halifax	4,000.00
Metro Food Bank Society	2,000.00
Metro Group Homes Association	2,225.00
MicMac Native Friendship	2,850.00
North End Community	
Health Association	2,150.00
North End Parent Association	3,560.00
Progress Center for	
Early Intervention	450.00
Project New Start	450.00
St. John Ambulance	1,600.00
St. Leonard's Society	1,780.00*
Service for Sexual	
Assault Victims	4,600.00
Society for the Rehabilitation	
of Alcoholics	1,800.00
Spencer House	3,400.00
Victorian Order of Nurses	4,800.00
Ward 5 Community Centre	5,340.00
Ward 9 Friendship Group	360.00
Youth Alternative Society	1,800.00

* Request to be made to the City's
Heritage Advisory Committee for assistance

For a total of \$444,369.00

and further, that the following organizations not be recommended for a grant at this time:

Adsum House (funded through Social Planning)
Arts and Technology Centre (Summer Arts Festival)
Canadian Association for the Mentally Retarded
(funded through Social Planning)

Chebucto Orchestral Society
Family Service of Support (funded through
Social Planning)
Halifax Neighbourhood Centre (funded through
Social Planning)
Halifax Women's Network
Junior Achievement of Halifax-Dartmouth
Little Dutch Church (request to be made to the
Heritage Advisory Committee for assistance)
National Youth Orchestra
Nova Scotia Friends of Schizophrenics (to be
reviewed for assistance through the City's Abbie
J. Lane Fund)
Nova Scotia Special Olympics (to be reviewed for
assistance through the City's Abbie J. Lane Fund)
Soccer Nova Scotia
Society for Mucopolysaccharide Diseases (health-
related: not within Committee's mandate)
Spryfield Adventure Day Camp

The motion was put and passed.

A supplementary staff report, dated June 23, 1987, was
submitted.

With reference to the contents of the June 23
supplementary staff report, Alderman Meagher (as Chairman of
the Tax Concessions and Grants Committee) indicated that his
Committee will be reviewing the request from the International
Bridge, Tunnel and Turnpike Association at a later date.

Award of Tender #87-242: Computer Equipment

MOVED by Alderman Leiper, seconded by Alderman Walker
that, as recommended by the Finance and Executive Committee,
authority be granted to purchase the computers and peripherals
(as outlined in the staff report of June 18, 1987) from
Datamaster at a total cost of \$68,244.00 with funds being
provided from the approved budget.

Motion passed.

Current Borrowing Resolution

MOVED by Alderman Flynn, seconded by Alderman Leiper
that, as recommended by the Finance and Executive Committee,
the Mayor and City Clerk be authorized to sign the current
borrowing resolution attached to the June 3, 1987 staff report
in the sum of \$7,000,000.00 for the period of July 1, 1987, to
December 31, 1987, in accordance with Section 213 of the
Halifax City Charter.

Motion passed.

Chebucto Orchestral Society
Family Service of Support (funded through
Social Planning)
Halifax Neighbourhood Centre (funded through
Social Planning)
Halifax Women's Network
Junior Achievement of Halifax-Dartmouth
Little Dutch Church (request to be made to the
Heritage Advisory Committee for assistance)
National Youth Orchestra
Nova Scotia Friends of Schizophrenics (to be
reviewed for assistance through the City's Abbie
J. Lane Fund)
Nova Scotia Special Olympics (to be reviewed for
assistance through the City's Abbie J. Lane Fund)
Soccer Nova Scotia
Society for Mucopolysaccharide Diseases (health-
related: not within Committee's mandate)
Spryfield Adventure Day Camp

The motion was put and passed.

A supplementary staff report, dated June 23, 1987, was submitted.

With reference to the contents of the June 23 supplementary staff report, Alderman Meagher (as Chairman of the Tax Concessions and Grants Committee) indicated that his Committee will be reviewing the request from the International Bridge, Tunnel and Turnpike Association at a later date.

Award of Tender #87-242: Computer Equipment

MOVED by Alderman Leiper, seconded by Alderman Walker
that, as recommended by the Finance and Executive Committee, authority be granted to purchase the computers and peripherals (as outlined in the staff report of June 10, 1987) from Datamaster at a total cost of \$88,244.00 with funds being provided from the approved budget.

Motion passed.

Current Borrowing Resolution

MOVED by Alderman Flynn, seconded by Alderman Leiper
that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign the current borrowing resolution attached to the June 3, 1987 staff report in the sum of \$7,000,000.00 for the period of July 1, 1987, to December 31, 1987, in accordance with Section 213 of the Halifax City Charter.

Motion passed.

Confirmatory Deed - City to Dalhousie University

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute a Confirmatory Deed in favour of Dalhousie University for two ten-foot strips of land on the north side of University Avenue between LeMarchant and Seymour Street and between Henry and Edward Streets.

Motion passed.

Appointment - New City Auditor General

This matter had been forwarded to Council without recommendation from the Finance and Executive Committee, pending receipt of a status report with regard to the retirement of the existing City Auditor General.

Noting that the requested report had not yet been received, Alderman O'Malley moved, seconded by Alderman Walker that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, July 8, 1987.

His Worship indicated that he believed a report on this matter would be available at that time.

The motion to defer was put and passed.

Stormwater Management Study - Phase II: Preparation of Storm Drainage Master Plans - Mainland North Area

This matter had been forwarded without recommendation to City Council from the June 17 meeting of the Finance and Executive Committee, pending receipt of an additional staff report.

A confidential staff report, dated June 19, 1987, was submitted.

Referring to the comments made previously during the June 17 City Planning Committee as well as to the information contained in the June 19 confidential report, Alderman Flynn moved, seconded by Alderman Meagher that the contract for the preparation of Storm Drainage Master Plans for the Mainland North Area of the City of Halifax be awarded to CBCL Limited (Atlantic) on the basis of their high proportion of locally-based employees and the firm's long-term residency in the City.

Responding to a question from Alderman Cromwell concerning the possible implications of this motion, Mr. W. A. Sullivan, Chief Engineer, advised that should the motion be approved, it is uncertain whether CBCL would accept the same price as Acres International had been prepared to do; therefore, staff would have to undertake separate negotiations with CBCL on the matter.

On the basis of Mr. Sullivan's remarks, Alderman Cromwell indicated that he would not be supporting the motion since at this point in time he had no indication of what the end result of the price negotiations with CBCL would be.

A discussion ensued, with it being moved by Alderman R. Grant, seconded by Alderman Cromwell that the matter be deferred to afford staff an opportunity to negotiate with CBCL Limited (Atlantic), as well as to provide Council with more detailed information regarding the overall selection process.

Referring to remarks made earlier by Alderman Flynn pertaining to his preference for local firms, Alderman O'Malley requested that staff also be asked to address the question of how Council can recognize its own tax-paying citizens in matters such as this.

At the request of the Acting City Manager, Alderman Cromwell clarified that Council is interested in learning the basis of the selection process (i.e., why one firm is being recommended by staff over another) as well as the costs involved.

Alderman Flynn emphasized his concern that the forthcoming staff report must include CBCL's price for undertaking this project.

Mr. Sullivan advised that if Council wishes, staff will undertake negotiations with CBCL to ascertain if they will undertake the project in question under the same conditions and at the same price as originally negotiated with Acres Atlantic.

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

Act of Incorporation - Halifax Industrial Commission

MOVED by Alderman Flynn, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council initiate appropriate action to have the legislation amended to allow the Act of Incorporation of the Halifax Industrial Commission, Stats. N.S. 1970, C.92, Clause 5, "Composition of Commission, to increase its membership to read as follows:

- "5. The Commission shall consist of
- (a) the Mayor of the City;
 - (b) twelve persons appointed by Council as follows:
 - (i) two Aldermen
 - (ii) ten other persons."

Alderman R. Grant referred to a resolution of Council passed on July 12, 1984 (pertaining to membership on the various City boards and commissions) and moved an amendment to the motion as follows:

- "5. The Commission shall consist of
- (a) the Mayor of the City as an ex officio member;
 - (b) twelve persons appointed by Council as follows:
 - (i) a minimum of two Aldermen
 - (ii) eleven other persons."

In his remarks, Alderman R. Grant indicated that it was his understanding that the Mayor, as an ex officio member, would be excluded from voting. Mayor Wallace clarified, however, that his ex officio membership on the Industrial Commission (or any other board or commission) is by virtue of his being Mayor of the City, and that it did not preclude him from voting.

There was no seconder for the proposed amendment.

Alderman Dewell suggested that the intent of Alderman R. Grant's amendment is to prevent members of a board or commission, who are only infrequently in attendance, from voting, particularly on matters of major significance.

After some discussion, it was moved in amendment by Alderman Cromwell, seconded by Alderman R. Grant that Section 5(b) be amended to read: "(i) a minimum of two Aldermen; and (ii) ten other persons."

Alderman Flynn, as the proposer of the original motion, expressed concern regarding the amendment, noting that the intent of the proposal put forth by the Industrial Commission was to allow ample opportunity for membership by non-Council individuals, particularly those with expertise of special advantage to the Commission.

After some further discussion, the amendment to the motion was put and lost.

The main motion was put and passed, with Alderman R. Grant voting in opposition.

Federal Taxes on Motor Fuels Re: Municipalities

This matter had been forwarded to Council without recommendation from the June 17 meeting of the Finance and Executive Committee.

A letter, dated June 5, 1987, from Mr. Stanley H. Hartt, Deputy Minister, Federal Department of Finance, was submitted in response to correspondence dated March 27, 1987 from Mr. E. A. Kerr, City Clerk (and with reference to a resolution of Council dated March 26, 1987). In his letter, Mr. Hartt indicated that a reduction in the federal tax on motor fuels used by municipal governments would significantly affect the Government's attempt to reduce its deficit.

Alderman Cromwell reiterated his previous comments that, in his opinion, a reduction (or elimination) of the federal tax on motor fuels should be made available to municipalities, particularly with regard to municipally-owned trucks, snowplows, street sweepers, and other types of heavy equipment.

Noting the need for further information on this matter, however, it was moved by Alderman Cromwell, seconded by Alderman Flynn that staff be requested to ascertain whether the Province of Nova Scotia receives a federal tax reduction on motor fuels purchased for its use.

Motion passed.

On another matter, Alderman O'Malley referred to the recently-released White Paper on Taxation Reform, and suggested it would be extremely useful for Council to receive information as to the implications of this new tax philosophy on the City of Halifax.

It was therefore moved by Alderman O'Malley, seconded by Alderman Dewell that the City's external auditors, Thorne, Ernst & Whinney, be requested to make a presentation during the next regular Committee of the Whole Council (scheduled for Wednesday, July 8, 1987) regarding the implications of the Federal Finance Minister's White Paper on Taxation Reform, specifically as it affects the City of Halifax as a tax-paying body.

In addressing the motion, Alderman Cromwell noted that it was his understanding that the following items would now be taxable under the recommendations proposed by the White Paper: culverts, fire fighting equipment, water and sewer equipment, materials used in the construction of bridges and pollution control, and garbage collection undertaken by private contractors. The Alderman asked that the auditors comment on this recommendation in their upcoming presentation.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, June 17, 1987 as follows:

Local Improvement Project - Cross Street

This matter had been forwarded to City Council without recommendation from the June 17 meeting of the Finance and Executive Committee.

MOVED by Alderman Leiper, seconded by Alderman Flynn that, in the absence of Deputy Mayor Jeffrey (the Alderman for the ward in question), the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, July 8, 1987.

The motion to defer was put and passed.

Request for Extension of Demolition Order:
6587 Quinpool Road

This matter had been forwarded to Council without recommendation from the June 17 meeting of the Committee on Works.

MOVED by Alderman Meagher, seconded by Alderman Walker that the request for an extension of the Order to Demolish relevant to the structure located at 6587 Quinpool Road (as outlined in a letter dated June 18, 1987 from Mrs. Naomi Rutman) be denied.

Motion carried.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Proposed Amendments to Ordinance Number 170, Respecting
Partial Tax Exemption - SECOND READING

This matter was given First Reading at a regular meeting of Halifax City Council held on June 11, 1987.

MOVED by Alderman Meagher, seconded by Alderman Downey that:

1. Council approve the continuance of Ordinance 170 for the 1987 and that the rates of reduction of tax provided for in the Ordinance remain unchanged from 1986;

2. those organizations qualifying in 1986 be approved for continuance of inclusion under Ordinance for 1987, with the following changes:

DELETIONS

SCHEDULE "A"

Canadian Cancer Society, 1485 South Park Street
- Residential only (Ord. 170 does not apply)

Golden Age Social Centre, 201-212 Herring Cove Road
- Civic Number 201 being deleted (now being listed as 212 only)

Nova Scotia Society for the Prevention of Cruelty,
5731-37 McCully Street (no longer exists)

Roman Catholic Episcopal Corporation, 1546-1548
Barrington Street (building sold)

Theatre Arts Guild, 1133 Tower Road (not listed
at this address - listed only as 6 Parkhill Road)

SCHEDULE "B"

Atlantic Karate Club, 28 Herring Cove Road
(moved)

Duke of Kent Masonic Building Co., 2 Bradford
Street (building sold)

Mayflower Society and Benevolent Club, 5523
Cornwallis Street (no longer exists)

Maritime Conservatory of Music, 5920 Gorsebrook
Avenue (not taxed)

3. the following organizations be designated to qualify under the Ordinance for 1987:

SCHEDULE "A": (50% REDUCTION)

Family Service of Support, Room 101,
2156 Brunswick Street

Spryfield Lions Aquatic Centre (A/C 534833),
10 Kidston Road

SCHEDULE "B" (25% REDUCTION)

Club 55 (A/C 170537), 2330 Gottingen Street

Gilbert & Sullivan Society (A/C 530761), Room
13A-B-C-D Ocean Terminals (Port of Halifax)

Italian-Canadian Cultural Assoc. (A/C #148763),
2629 Agricola Street

Royal Canadian Naval Assoc. (A/C 148738),
2623 Agricola Street

Society for Art Presentation (A/C 515759),
Rooms 302, 303, 305, 2156 Brunswick Street

4. the following organizations and property be rejected for inclusion under the Ordinance:

Ecphore Exhibition, Suite 204, 1585 Barrington
Street (not taxed)

Long Term Services for Youth, 2385 Hunter Street
- Residential (Ordinance 170 does not apply)

Progress Centre for Early Intervention, 5868 Spring
Garden Road - Business Occupancy Only (Ordinance 170
does not apply)

Society for the Rehabilitation of Alcoholics, 1374
Robie Street - Residential (Ordinance 170 does not
apply)

5. Council seek the approval of the Minister of Municipal
Affairs for this Ordinance, as proposed for 1987; and
6. Council approve SECOND READING of the amendments to
Ordinance 170 as outlined above.

Motion passed.

Report - Planning Advisory Committee: R-2A and
R-2AM Review

A report, dated June 19, 1987, was submitted from Mr.
Marcel Gation, Chairman of the Planning Advisory Committee.

MOVED by Alderman D. Grant, seconded by Alderman
Downey that, as recommended by the Planning Advisory Committee:

- 1) Council readvertise the Public Hearing to clarify that the proposed amendments shall only apply in R-2A and R-2AM uses in R-2A and R-2AM zones, and shall not apply to R-2A and R-2AM uses where they are permitted in other zones, as set out in Appendix I of the June 19 report from the PAC;
- 2) Council adopt the amendments to the R-2A and R-2AM sections of the Land Use Bylaw, as set out in Appendix II attached to the June 19 PAC report on the understanding that the amendments apply only to these uses in R-2A and R-2AM zones and not where they are permitted in other zones;
- 3) Council request staff to review the following aspects of the R-2A and R-2AM section of the Land Use Bylaw with a view to possible further amendments:
 - clarification of how much of an existing building has to be retained;
 - size of side yards and size of windows in side yards, with respect to privacy on adjacent lots;
 - open space and size of rear yards;
 - parking requirements.

The motion was put and passed.

Report - Lakes and Waterways Advisory Committee: City of
Halifax Environmental Controls on Developments Affecting
Lakes and Waterways

A report, dated June 16, 1987, was submitted from Mr. John Murtagh, Chairman, Lakes and Waterways Advisory Committee.

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Lakes and Waterways Advisory Committee, City Council table the proposed guidelines (as contained in the document entitled "City of Halifax Environmental Controls on Development Affecting Lakes and Waterways" (as per discussion held during the May 11, 1987 meeting of the Lakes and Waterways Advisory Committee) within the framework of the Municipal Planning Strategy, and further, that the proposed guidelines be referred to City staff for comment, such comments to be referred back to the Lakes and Waterways Advisory Committee for review no later than September 15, 1987.

The motion was put and passed.

Council
June 25, 1987

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, June 17, 1987 as follows:

Central On-Site Water and Sewer Systems, and Bluestone Estates: Case No. 4621 (Planning Advisory Committee Report)

A supplementary staff report, dated June 24, 1987, was submitted.

MOVED by Alderman Walker, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, a public meeting be held concerning the advisability of on-site servicing within the boundaries of the City of Halifax in relation to possible amendments to the Land Use Bylaw regarding on-site servicing.

Alderman Walker expressed concern that the proposed public meeting would consider the issue of on-site water and sewer systems as a City-wide issue and not merely to the question as it pertains to the Bluestone Estates application.

Concurring with Alderman Walker's remarks, Alderman Leiper suggested that in the last paragraph of the proposed public meeting advertisement (attached to the supplementary staff report of June 24, 1987) reference to the "specific development proposal in Purcell's Cove" be deleted, to which Council agreed.

9:30 p.m. - Alderman Hamshaw enters the meeting.

Mr. W. R. Campbell, Senior Planner with the Development and Planning Department, advised that a summary report containing such general information on private central systems as is available will be prepared prior to the proposed public meeting (excluding reference to the Bluestone Estates proposal), as well as staff comments on the Metropolitan Report on Sewage.

A discussion ensued with Alderman R. Grant suggesting that a public meeting be held merely to consider the overall subject of central on-site services as a City-wide policy issue, and that a second public meeting, if deemed appropriate, be subsequently scheduled to deal with the specific proposal put forward by Bluestone Estates.

The motion was put and passed.

The Acting City Clerk advised that the proposed public meeting would be scheduled for **MONDAY, SEPTEMBER 14, 1987** at 7:30 p.m. in the Joseph Howe School Gymnasium, 2557 Maynard Street.

Council
June 25, 1987

Case No. 5275 - Spring Garden Place (Phase II)
- SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, a public hearing be scheduled for MONDAY, JULY 27, 1987 to consider a proposed development agreement to permit construction of a mixed residential/commercial complex, known as Spring Garden Place (Phase II).

At the request of Alderman Downey, the Acting City Clerk advised that she would look into the possibility of holding the proposed public hearing at the St. Mary's School on Morris Street, rather than at the Joseph Howe School.

The motion was put and passed.

Rezoning - 6583 and 6587 Quinpool Road

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that a date for a public hearing be scheduled to consider an application for the rezoning of the property located at 6583 and 6587 Quinpool Road from First-Density Residential (R-1) Zone to Second-Density Residential (R-2) Zone.

The motion was put and passed.

The Acting City Clerk advised that the proposed public hearing would be scheduled for WEDNESDAY, SEPTEMBER 23, 1987 at 7:30 p.m. in the Council Chamber, City Hall.

Land Use Bylaw - R-1 Zone (Section 34E)

MOVED by Alderman F. Grant, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, City staff or the Planning Advisory Committee, as appropriate, undertake a study regarding the possibility of allowing conversion within the R-1 Zone to permit inlaw suites in the context of Section 34E of the Land Use Bylaw.

Noting that the motion as presently written appears to suggest that Council is already in favor of inlaw suites and is looking for ways of accommodating them, Alderman Flynn suggested that the motion be amended to read "City staff or the Planning Advisory Committee, as appropriate, undertake a study to investigate the pro's and con's of allowing conversions to inlaw suites within the R-1 Zones . . ."

Referring to Alderman Flynn's remarks, Alderman R. Grant stated that, in his opinion, the motion currently on the floor does not presuppose the outcome of the study.

In his remarks, Alderman R. Grant requested that every effort be made to have recommendations on the matter submitted to Council by early October. He also requested that the City Solicitor's Department examine the possible use of contracts with regard to building permits for inlaw suites.

The motion was put and passed with Aldermen Flynn and Cromwell voting in opposition.

Clayton Park West and Planning Advisory Committee

MOVED by Alderman Leiper, seconded by Alderman Flynn that, as recommended by the City Planning Committee, the application for Stage I and Stage II approvals (Schedule "K") of lands in the Mainland North area be referred to the Planning Advisory Committee for comment prior to the Public Hearing.

The motion was put and passed.

MOTIONS

Motion Alderman Meagher Re: Amendment to Ordinance 180, the Streets Ordinance, Re: Driveways (FIRST READING)

A Notice of Motion regarding this matter was given by Alderman Meagher during a regular meeting of Halifax City Council held on Thursday, June 11, 1987.

In addressing this matter, Alderman Meagher referred to a letter dated September 15, 1986 from the City's Director of Engineering and Works to the owner of the property located at 6284 Yukon Street regarding that individual's request for permission to construct (or to have the City install) a ramp or driveway to the Yukon Street property.

Alderman Meagher quoted from the third paragraph of Mr. Connell's letter in which it is stated that Mr. Pinco's request is being refused according to the requirements of Section 17 of Ordinance 180. He emphasized that, in his opinion, the Ordinance in question does not provide the basis for denying a permit for a driveway except on the basis of width. As a consequence, it was Alderman Meagher's suggestion that none of the sections apply to the situation as it presently exists at 6284 Yukon Street.

In his subsequent remarks, the Alderman reminded Council that none of Mr. Pinco's neighbors raised any objection to the installation of the proposed driveway, adding that, in

Council
June 25, 1987

his view, Council had some obligation to area residents such as Mr. Pineo who have been inconvenienced by Council's approval several years ago of the Quinpool Centre project.

Referring again to the September 15 letter, Alderman Meagher noted that Mr. Connell had indicated that the area between the front of Mr. Pineo's house and the sidewalk measures 15 feet, while the length of the applicant's existing automobile measures 176 inches, leaving a space of 4 inches (+/-) between the sidewalk and the house. Mr. Connell had suggested that this space was inadequate to ensure that Mr. Pineo's vehicle would be completely clear of the back of the sidewalk in all times of weather conditions and at all times.

Addressing Mr. Connell's remarks, Alderman Meagher noted that there are approximately 20 automobile models presently on the market which measure less than 176 inches. In addition, he suggested that despite the length of their car or their driveway, most individuals tend to park as close to the sidewalk as possible (particularly during the winter months); on that basis, the Alderman suggested that it would be unfair to single Mr. Pineo out as a potential lawbreaker.

In conclusion, Alderman Meagher emphasized that, in his opinion, the arguments put forth in Mr. Connell's letter of September 15, 1986 do not constitute valid grounds for a refusal of Mr. Pineo's request.

It was subsequently moved by Alderman Meagher, seconded by Alderman O'Malley that Mr. Pineo be granted his rightful permit under Section 17 of Ordinance 180 and that this permit be issued as quickly as possible.

In making this motion, Alderman Meagher referred to a memorandum dated March 26, 1987 from the City Solicitor in which it had been suggested that Section 6(10) of the City's Land Use Bylaw (Peninsula Area) should perhaps be used to evaluate Mr. Pineo's request rather than the provisions of Ordinance 180.

Responding to a question from Alderman Meagher, the City Solicitor advised that, to his knowledge, the City has only prosecuted approximately five violations of this section of the Bylaw over the last ten years.

Alderman Meagher suggested that that being the case Section 6(10) of the Bylaw should be deleted, and indicated that at the next regular meeting of City Council he would propose a motion to do so.

With reference to the motion currently on the floor, the City Solicitor asked for an opportunity to review Alderman Meagher's suggestion that Mr. Pineo is legally entitled to his driveway access under the provisions of Ordinance 180.

Alderman Cromwell spoke in opposition to the motion, stating that, in his opinion, approval of this driveway application would be setting an unfortunate precedent and noting that the motion would appear to be in contravention with existing legislation.

With reference to remarks made earlier by the City Solicitor, an amended motion was moved by Alderman Meagher, seconded by Alderman O'Malley that Council grant a permit to provide driveway access to the property located at 6284 Yukon Street, and further, that the City Solicitor be asked for clarification in terms of Section 6(10) of the Peninsula portion of the City's Land Use bylaw.

The City Solicitor clarified that he would report back to Council only if some obstacle to the granting of the permit was discovered.

The motion was put and passed.

10:40 p.m. - The meeting adjourned for a brief recess.

10:55 p.m. - The meeting reconvened with the same members being present.

MISCELLANEOUS BUSINESS

APPOINTMENTS

A report, dated June 25, 1987, was submitted by His Worship Mayor Ron Wallace.

MOVED by Alderman Henshaw, seconded by Alderman Leiper that the following appointments be approved by Halifax City Council:

NATAL DAY COMMITTEE

Mr. Gary Manthorne
(Term to expire October 30, 1987)

MAINLAND SOUTH COMMUNITY CENTRE CORPORATION

Alderman Richard Grant
Alderman J. Albert Walker
(Terms to expire June 1, 1989)

THE BOARD OF BARBOUR CITY HOMES

Alderman Graham Downey
Alderman Moira Leiper
Deputy Mayor T. Jeffrey
(Terms to expire November 1, 1987)

The motion was put and passed.

Council
June 25, 1987

Referring to a current shortage in the membership of the Halifax Industrial Commission, it was moved by Alderman O'Malley, seconded by Alderman Flynn that Mr. Kenneth Butler be appointed to the Commission for a three-year period.

After some discussion, it was noted by His Worship Mayor Wallace that under the provisions of Ordinance 105 (as well as in accordance with a motion made previously concerning a recommendation from the Commission on City Government) only the Mayor can bring forward recommendations to Council regarding appointments to boards and commissions.

Alderman O'Malley then requested that Mayor Wallace take the proposed appointment under advisement and that a recommendation in this regard be placed on the agenda of the next regular meeting of City Council scheduled for July 16.

Award of Tender #87-127: Video System - Council Chamber
(Halifax City Hall)

Staff reports, dated June 18 and June 19, 1987, were submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Walker that Tender #87-127 be awarded to Instructor Aids Limited for \$85,005.00 as lowest bidder meeting specifications (funds to be made available from Account Number 226106.20500.EH021).

A discussion ensued concerning Council's previous requests for a sequential lighting system which would illustrate to the Chairman the order in which members of Council had indicated their desire to speak.

Responding to a question from Alderman R. Grant, the consultant for the project, Mr. Peter Terroux, indicated that his mandate had not included a request to incorporate a sequential lighting system of this nature, adding that at this point in time it would take several weeks to redesign the signal control system in readiness for a tender call.

Alderman R. Grant indicated that it had been his understanding that a sequential lighting system had been requested by members of Councils during previous debates, and moved an amendment to the original motion, seconded by Alderman O'Malley that a sequential lighting system be included in the tender call.

The amendment to the motion was put and passed.

With reference to the original motion, Mr. R. D. Corkum strongly recommended that the Renovations Committee be afforded an opportunity to discuss the implications of the amendment to the tender price of the proposed video system. He

Council
June 25, 1987

added that, on the basis of that discussion, if the Committee felt that the increase in price was significant, a supplementary report would be submitted to Council, to which Council agreed.

With reference to the motion on the floor and to the general matter of the renovations to City Hall, Aldermen R. Grant and Cromwell expressed concern that members of Council had not been consulted by the Renovations Committee with reference either to the audio/visual systems or to the general layout of the new Council Chamber.

Concurring with those remarks, Alderman Flynn moved, seconded by Alderman D. Grant that Alderman O'Malley represent the members of Council on the Renovations Committee in its upcoming discussions with the consultant and to participate in all future discussions relating to the new Council Chamber.

The motion by Alderman Flynn was put and passed.

Award of Tender #87-126: Audio System - Council Chamber (Halifax City Hall)

A staff report, dated June 18, 1987, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman R. Grant that Tender #87-126 pertaining to an audio system for the Council Chamber (Halifax City Hall) be awarded to Altron Electronics Limited for \$73,947.00 as lowest bidder meeting specifications (funds are available in Account Number 226106.20500.EH021).

Motion passed.

1987/88 Insurance Renewals

A staff report, dated June 22, 1987, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that Council accept the recommendation of Simpson-Hurst Limited, as outlined in their letter of June 22, 1987 (attached to the June 22, 1987 staff report), at a cost of \$523,085.00.

In making this motion, Alderman Cromwell requested that information be made available to Council by staff as to whether the insurance coverage currently purchased by the City is basically similar to that carried in 1984 (prior to the dramatic increases in the cost of liability insurance).

The Acting City Manager agreed to provide this information to members of Council.

The motion was put and passed.

Statement of Revenue and Expenditure

A staff report, dated June 22, 1987, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Flynn
that the Statement of Revenue and Expenditure for the five
months ended May 31, 1987 be tabled.

Motion passed.

Acting Development Officer

A staff report, dated June 23, 1987, was submitted.

MOVED by Alderman Walker, seconded by Alderman Hamshaw
that the Planner II position, presently held by J. Michael
Hanusiak, be designated to act in the absence of the
Development Officer for the City of Halifax, as permitted by
Section 77(3) of the 1983 Planning Act.

Motion passed.

QUESTIONS

Alderman D. Grant Re: Policy - Sign Posting on Trees

Alderman D. Grant made reference to a policy which she
understood to have been recently adopted by the Parks and
Grounds Division of the Engineering and Works Department
regarding sign posting on trees. In her remarks, the Alderman
asked that a report be submitted from that Division outlining
the thrust of that policy, how many trees are affected, and the
number of poles which will be required over a five-year period.
She also asked for information as to the author of this policy,
and whether, in fact, it had ever been discussed at Council.

Alderman Grant recommended that once this report is
made available, the matter should be placed on the agenda of an
upcoming meeting of Council for discussion purposes.

Question Alderman Walker Re: Cenotaph Torch

Responding to a question from Alderman Walker, Mayor
Wallace referred to a report previously submitted regarding the
possible replacement of the torch at the top of the Cenotaph,
noting that staff had advised that the torch in question had
been merely a temporary installation erected as part of a war
bond drive.

Emphasizing that, in his opinion, the replacement of the torch would be an asset to the Cenotaph, Alderman Walker requested that staff provide additional information as to the estimated replacement cost, adding that, once that report was received, he would endeavor to interest some of the City's War Veterans associations in contributing to its replacement.

Question Alderman Walker Re: Tow-Away Signs (Grand Parade)

Alderman Walker expressed concern that the tow-away sign currently installed in the Grand Parade Square is not always visible to incoming motorists, and requested that two additional signs be erected as quickly as possible.

His Worship Mayor Wallace indicated that a staff response would be submitted to the Alderman on the matter.

Question Alderman R. Grant Re: Public Walkway - Joyce Avenue and Inverness Avenue

Alderman R. Grant referred to a public walkway erected by a developer between Joyce and Inverness Avenues, noting that at the end of that walkway is a rather severe drop.

The Alderman asked for information from staff as to whether the City intends to complete this walkway or to have the developer undertake the project, noting the significance of having the work completed by the beginning of the 1987-88 school year.

Question Alderman R. Grant Re: Traffic Problems - Herring Cove Road

Alderman R. Grant brought to Council's attention the need for a reduction in traffic speeds in that portion of Herring Cove Road intersected by Clovis and Spry Avenues, and asked that staff investigate the situation to see if some corrective measures can be taken.

Question Alderman R. Grant Re: Flooding - Golden Age Club

Alderman R. Grant referred to the frequent flooding problems experienced by the Golden Age Club located at the intersection of McMullen Road and Herring Cove Road, and asked that staff investigate the possibility of providing that property with a more appropriate piping system from the catch basin in order to alleviate the situation.

Council
June 25, 1987

Question Alderman Dewell Re: Youth Television Network

Alderman Dewell brought to Council's attention a proposal currently before the CRTC with regard to the establishment of a Youth Television Network, a network totally devoted to children's programming.

Noting that the CRTC will be considering this proposal on June 30, Alderman Dewell suggested that a letter be forwarded to the CRTC by His Worship the Mayor advising that Halifax City Council endorses in principle the concept of a children's network.

Question Alderman Meagher Re: Tree Spraying

With reference to the City's tree spraying program, Alderman Meagher suggested that in future staff consider the distribution of information flyers (delivered to each residential or commercial occupant) outlining the dates on which tree spraying will be undertaken and describing the kind of spray which will be employed.

The Alderman noted that, in his opinion, this type of notification process would be more effective than is the current use of a newspaper advertisement.

Question Alderman Crowell Re: 1987 RRAP Program

Responding to a question from Alderman Crowell, His Worship Mayor Wallace indicated that the terms of eligibility under the provisions of the 1987 RRAP program have remained unchanged from 1986. He added that although the City had written a letter to the Federal Government asking for an amendment in the eligibility requirements, no response had been received.

NOTICES OF MOTION

Notice of Motion Alderman Dewell Re: Amendment to Ordinance 116, the Taxi Ordinance (Insurance Requirements)

In Deputy Mayor Jeffrey's absence, Alderman Dewell gave Notice of Motion that at the next regular meeting of Halifax City Council scheduled for Thursday, July 16, 1987 amendments regarding the enforceability of Ordinance 116, the Taxi Ordinance, will be introduced.

Council
June 25, 1987

Notice of Motion Alderman Cromwell Re: Amendment to Ordinance 180, the Streets Ordinance (Street Vendors)

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council scheduled for Thursday, July 16, 1987 he intends to introduce amendments to Ordinance 180, the Streets Ordinance, the effect of which will be to clarify certain existing sections of the Ordinance and to regulate the leaving of vendors' carts on City streets for twenty-four (24) hours.

ADDED ITEMS

Sidewalk Renewal - Elliott Street (N):
Ashburn - Dutch Village Road

This matter had been added to the agenda at the request of the Acting City Clerk.

A staff report, dated June 25, 1987, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that Council approve the sidewalk renewal of Elliott Street by G. & R. Kelly Limited at the unit prices agreed in Tender #87-21 (the total project cost is \$25,000, and funds are available from Account Number CBl63).

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at 11:45 p.m.

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

SHERRYLL GAUTHIER
ACTING CITY CLERK

*K

HEADLINES

MINUTES	404
APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS 7 DELETIONS..	404
DEPERRED ITEMS	405
Heritage Hearing - 1029 South Park Street	405
Street Closure - Portion of Winchester Avenue and Herring Cove Road	405
Amendment to Existing Development Agreement - 2016-2022 Bauer Street	405
Rezoning from RC-2 to C-2: 1464-66 Queen Street	406
Case No. 5228: Contract Development - 5 Old Sambro Road	406
Case No. 5200 - Contract Development: 2044-48 Gottingen Street (Salvation Army Men's Social Services Club)	407
REPORT - FINANCE AND EXECUTIVE COMMITTEE	408
Street Vendors	408
Summer Holidays - Halifax City Council	409
Tender #87-114: 100 Foot Aerial Truck (Extras)	409
Grant Request - St. Mary's Basilica	409
Tax Concessions and Grants Committee Recommendations	409
Award of Tender #87-242 - Computer Equipment	412
Current Borrowing Resolution	412
Confirmatory Deed - City to Dalhousie University	413
Appointment - New City Auditor General	413
Stormwater Management Study - Phase II: Preparation of Storm Drainage Master Plans (Mainland North Area)	413
Act of Incorporation - Halifax Industrial Commission	414
Federal Taxes on Motor Fuels Re: Municipalities	416
COMMITTEE ON WORKS	417
Local Improvement Project - Cross Street	417
Request for Extension of Demolition Order: 6587 Quinpool Road	417
REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS	417
Proposed Amendments to Ordinance Number 170, Respecting Partial Tax Exemption (SECOND READING)	417
Report - Planning Advisory Committee: R-2A and R-2AM Review	419
Report - Lakes and Waterways Advisory Committee: City of Halifax Environmental Controls on Developments Affecting Lakes and Waterways	420
REPORT - CITY PLANNING COMMITTEE	421
Central On-Site Water and Sewer Systems, and Bluestone Estates: Case No. 4621 (Planning Advisory Committee Report)	421

HEADLINES (CONT'D)

Case No. 5275 - Spring Garden Place (Phase II)	
- SET DATE FOR PUBLIC HEARING	422
Rezoning - 6583 and 6587 Quinpool Road	422
Land Use Bylaw - R-1 Zone (Section 34E)	422
Clayton Park West and Planning Advisory Committee	423
MOTIONS	423
Motion Alderman Meagher Re: Amendment to Ordinance 180, the Streets Ordinance Re: Driveways (FIRST READING)	423
MISCELLANEOUS BUSINESS	425
Appointments	425
Award of Tender #87-127: Video System - Council Chamber (Halifax City Hall)	426
Award of Tender #87-126: Audio System - Council Chamber (Halifax City Hall)	427
1987/88 Insurance Renewals	427
Statement of Revenue and Expenditure	428
Acting Development Officer	428
QUESTIONS	428
Question Alderman D. Grant Re: Policy - Sign Posting on Trees	428
Question Alderman Walker Re: Cenotaph Torch	428
Question Alderman Walker Re: Tow-Away Signs (Grand Parade)	429
Question Alderman R. Grant Re: Public Walkway - Joyce Avenue and Inverness Avenue	429
Question Alderman R. Grant Re: Traffic Problems - Herring Cove Road	429
Question Alderman R. Grant Re: Flooding - Golden Age Club	429
Question Alderman Dewell Re: Youth Television Network	430
Question Alderman Meagher Re: Tree Spraying	430
Question Alderman Cromwell Re: 1987 RRAP Program	430
NOTICES OF MOTION	430
Notice of Motion Alderman Dewell Re: Amendment to Ordinance 116, the Taxi Ordinance (Insurance Requirements)	430
Notice of Motion Alderman Cromwell Re: Amendment to Ordinance 180, the Streets Ordinance (Street Vendors)	431
ADDED ITEMS	431
Sidewalk Renewal - Elliott Street (N): Ashburn - Dutch Village Road	431