

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
July 30, 1987  
8:00 p.m.

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

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

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

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

Presentations: Long Service Awards

His Worship noted that prior to the commencement of the regular agenda a recognition ceremony for four long term, retiring employees of the City was to be held. His Worship went on to note that five long service awards had been scheduled for this evening, however, Mr. Doug Findlay of the Fire Department had been unable to make it this evening. His Worship noted that the presentation to Mr. Findlay would be rescheduled to a future Council meeting.

His Worship then advised that all four persons being recognized this evening had been dedicated members of staff for a substantial number of years. His Worship went on to indicate that it was a pleasure, on behalf of the City and Council, to wish these retiring employees well.

His Worship then made the following long service award presentations:

Betty Garrison - Finance Department

His Worship presented Betty Garrison, City Collector's Office, with a long service award in recognition of 26 years with the City. His Worship indicated that this award was presented to Mrs. Garrison with the appreciation of City Council, the City Manager and all City staff.

Firefighter Raymond Buckland - Fire Department

His Worship presented Raymond Buckland, Fire Department, with a long service award in recognition of his 30 years with the Fire Department. His Worship noted that the City and Council appreciated Mr. Buckland's dedicated service.

Lieutenant George Kennedy - Fire Department

His Worship presented George Kennedy, Fire Department, with a long service award in recognition of his 30 years with the Fire Department. His Worship indicated that it was a pleasure to present this award on behalf of the City and members of Council.

Constable William Beamish - Police Department

His Worship presented William Beamish, Police Department, with a long service award in recognition of his 32 years with the Police Department. His Worship expressed the appreciation of the City and Council for Mr. Beamish's dedicated service to the City.

Alderman M. Leiper and Alderman D. Grant then presented Mrs. Buckland, Mrs. Kennedy, and Mrs. Beamish with a corsage in recognition of the importance of the spouse both at home and in the workplace. Alderman Leiper noted that no flowers had been arranged for Mr. Garrison and thanked him for contribution in supporting his wife throughout the years.

His Worship indicated that a small reception for the retirees and their spouses had been arranged in Halifax Hall.

Presentation re: Halifax Natal Day Festival - Doug Mitchell

Mr. Doug Mitchell, Chairman, Halifax Natal Day Committee, addressed Council indicating that he appreciated the opportunity to address Council and present a preview of the activities which would be carried out over the next four days. Mr. Mitchell went on to note that this year's program was by far the largest and most comprehensive in the history of the celebration of the festival. Mr. Mitchell went on to note that the six members of his Committee and numerous volunteers had worked diligently over the past number of months to make this festival a reality. Mr. Mitchell indicated that this festival would make all residents of the City proud to be a Haligonian and create an atmosphere not seen since the Parade of Sail.

Mr. Mitchell then went on to describe some of the events happening over the next four days noting that some new events, including a Street Dance to be held on Friday night, a Beach Party to be held at Point Pleasant Park on Saturday and a Tea Party to be held at the Public Gardens, had been organized for this year's festivities. Mr. Mitchell proceeded to outline

the events and noted that the fireworks display scheduled for Monday night had been described as being the largest pyrotechnics display ever in Nova Scotia.

In conclusion, Mr. Mitchell noted that the festivities planned over the next four days would not have been possible without the strong corporate support provided by businesses throughout the City. Mr. Mitchell thanked the corporate sponsors for their involvement and support.

Mr. Mitchell then responded to questions from members of Council regarding the upcoming festivities.

His Worship thanked Mr. Mitchell and his committee for their work in organizing the Natal Day Festivities noting that all residents of the City would benefit from their work. His Worship further thanked the many corporate sponsors and noted that he felt a great celebration had been organized for a great city.

#### MINUTES

Minutes of the regular meeting of City Council held on July 16, 1987 and of the Special meeting of City Council held on July 22, 1987 were approved on a motion by Alderman Hamshaw, seconded by Deputy Mayor Jeffrey.

#### APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Award of Tender #87-128 - Mainland North Fire Station Training Tower and Storage Shed
- 20.2. Peninsula North Secondary Planning Strategy - Alderman Meagher
- 20.3 Award of Tender #87-117 - Police Museum Cabinets
- 20.4 Request for Fly Past - Canadian Forces Base Shearwater - September 19 & 20, 1987
- 20.5 Underground Wiring - Granville Street (Duke Street to Prince Street and Hollis Street (George Street to Prince Street) - Tender Award
- 20.6 Union of Nova Scotia Municipalities, 82nd Annual Conference - September 16-18, Voting Delegates

At the request of Alderman Walker Council agreed to add:

- 20.7 Post Office Sub-Stations - Alderman Walker

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The City Clerk further advised that 15.3 should be deleted from the agenda as it had been placed on the agenda inadvertently and, in fact, has already been dealt with by Council, to which Council agreed.

Alderman Meagher referred to the absence of Alderman O'Malley and indicated that there were a number of items in which Alderman O'Malley was intrinsically involved. Alderman Meagher suggested that these items should be deleted from the agenda.

His Worship suggested that the most appropriate way to deal with these items would be to defer them as they are dealt with throughout the meeting, to which Council agreed.

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

Motion passed.

#### DEFERRED ITEMS

##### Amendments to the Land Use Bylaw - R-2A Review

A public hearing into the above matter was held on July 22, 1987.

A supplementary staff report dated July 24, 1987 was submitted.

Alderman Cromwell addressed the matter indicating that he would like to defer this matter. Alderman Cromwell noted that he had received a fair amount of correspondence and would like to investigate certain aspects of the proposed amendment. Alderman Cromwell indicated that he felt Council should have additional time to deliberate on this matter prior to a decision being made.

MOVED by Alderman Cromwell, seconded by Alderman Leiper that this matter be deferred to the next regular meeting of City Council to be held on August 27, 1987 to provide Council with a further opportunity to deliberate on this matter prior to a decision being made.

Motion passed.

##### Contract Development - Case No. 5275 - 5648 Spring Garden Place Phase II

A public hearing into the above matter was held on Monday, July 27, 1987. A supplementary staff report dated July 29, 1987 was submitted. The following correspondence in relation to this matter has also been submitted:



1. Correspondence dated July 28, 1987 from L. Stewart, President, Heritage Trust of Nova Scotia.
2. Correspondence dated July 30, 1987 from Darren G. Munro, James H. Tupper, and Andrew P. Gillis.

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

1. Pursuant to Section 16AD of the Land Use Bylaw (Peninsula), City Council approve the proposed residential/commercial complex, to be known as Spring Garden Place - Phase II, provided that it be built in substantial conformity with Plans No. P200/15755-66 inclusive, of Case No. 5275; and
2. That the proposed development agreement be amended by:
  - (a) increasing the number of residential units in the "condominium tower" to a maximum of 85 (Section 4(a));
  - (b) increasing the time for completion of the development from three years to five years (Section 6);
  - (c) revising the provision respecting public parking on a "continuous 24 hour basis" (Section 4(b)), to the hours between 8:00 a.m. and 6:00 p.m. on Monday, Tuesday, Wednesday, and Saturday and between 8:00 a.m. and 9:00 p.m. on Thursdays and Fridays;
  - (d) including a provision that requires all walls of the development abutting the properties at 1445 and 1447 Brenton Street to be fully enclosed, with no ventilation or window openings.
  - (e) including a provision restricting the use of the roof of the parking garage to a running track with landscaped open space;
  - (f) that the exterior finish of all walls of the development abutting the properties at 1445 and 1447 Brenton Street be as shown on Plan No. P200/15755-66 of Case No. 5275.

A discussion and questioning of staff ensued and the Motion was put and passed with Deputy Mayor Jeffrey and Aldermen R. Grant and Leiper abstaining due to non-attendance at the public hearing.

MOVED by Alderman Downey, seconded by Alderman Hamshaw  
that City Council set a date for a Public Hearing to consider amending Section 16AD(1)(d) of the Land Use Bylaw (Peninsula), specifically the removal of the words "portions of any" as contained therein.

Motion passed with Deputy Mayor Jeffrey and Aldermen R. Grant and Leiper abstaining due to non-attendance at the public hearing.

The City Clerk advised that the date set for the public hearing was Wednesday, September 9, 1987 beginning at 7:30 p.m. at the Halifax West High School Gymnasium.

It was agreed that the following item be dealt with at this time.

Agreement of Purchase and Sale - 1461-71 Brenton Street and Lands - Dresden Row

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

1. the Mayor and City Clerk be authorized to execute an agreement of purchase and sale, substantially similar to that attached as Schedule "B" to the July 9, 1987 confidential staff report, for the lands of 1467 and 1471 Brenton Street and lands at the northwest corner of Dresden Row and Clyde Street, to Chartwell Management Limited;
2. the lands described to be sold be expropriated by the City of Halifax for the purpose of ensuring clear title on the part of the City prior to execution of the agreement.

Motion passed.

Amendment to the Municipal Development Plan: Neighbourhood Shopping Facilities

This matter was last discussed at the July 16, 1987 meeting of City Council at which time a date was set for a public hearing to consider this matter. Alderman Cromwell indicated at that time that the public hearing advertisement would come back to this meeting for ratification.

A supplementary staff report dated July 30, 1987 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that the public hearing advertisement attached as Appendix "C" to the July 30, 1987 staff report \*and Appendix "B" of that same report\* be approved as being the basis of matters to be considered at the public hearing to be held in this regard.

Motion passed.

Heritage Hearing - re: 2323-37 Princess Place

A heritage hearing into the above matter was held on July 22, 1987.

July 22, 1957

Resolved that the following land be sold as follows:

The City Clerk advised that the land set for sale is located at the Halifax West High School grounds.

It was agreed that the following land be sold as follows:

Acquisition of Purchase and Sale - 1401-71 Buxton Street and lands adjacent thereto.

MOVED BY Alderman [Name], seconded by Alderman [Name] that, as recommended by the Finance and Executive Committee:

1. The Mayor and City Clerk be authorized to execute an agreement of purchase and sale, substantially as set forth in the attached as Exhibit "A" to the July 9, 1957, Council report, for the lands of 1401-71 Buxton Street and lands at the southwest corner of Buxton Street and 14th Street, to interest hereinafter limited;
2. The lands described to be sold be appropriated by the City of Halifax for the purpose of enclosing that site on the part of the City prior to execution of the agreement.

Motion passed.

Resolved that the Municipal Development Plan: Neighbourhood Housing Facilities

This matter was last discussed at the July 16, 1957 meeting of City Council at which time a date was set for a public hearing to consider this matter. Alderman [Name] indicated at that time that the public hearing advertisement would come back to this meeting for ratification.

A supplementary staff report dated July 20, 1957 was submitted.

MOVED BY Alderman [Name], seconded by Alderman [Name] that the public hearing advertisement attached as Exhibit "A" to the July 16, 1957 Council report be approved in order that copies of the same be distributed at the public hearing to be held at that report.

Motion passed.

Resolved that the above matter be held on July 22, 1957.

A public hearing into the above matter was held on July 22, 1957.

MOVED by Alderman Meagher, seconded by Alderman Hamshaw  
that 2323, 2325, 2327, 2329, 2333, 2335, 2336 and 2337 Princess  
Place be designated Heritage Properties and registered in the  
City of Halifax Registry of Heritage Properties.

Motion passed with Deputy Mayor Jeffrey and Alderman R.  
Grant and Leiper \*abstaining due to non-attendance at the  
heritage hearing.\*

### PUBLIC HEARINGS, HEARINGS, ETC.

#### Appeal of Variance Refusal - 2569 Oxford Street

A staff report dated July 27, 1987 was submitted.

Mr. W. D. Campbell, Development Office, addressed  
Council outlining the application for a minor variance to permit  
an addition to the rear of the existing single family dwelling  
at 2569 Oxford Street as found in the July 27, 1987 staff  
report. Mr. Campbell went on to note that the Development  
Officer had refused this variance on the basis that it did not  
comply with Section 79(3)(c) of the Planning Act.

Mr. Patrick Connors, the applicant, addressed Council  
indicating that he did not understand how the error in  
measurement of the lot had occurred and noted that upon being  
advised of the error he had immediately stopped work on the rear  
addition. Mr. Connors went on to note that 9 of the 13  
residents advised of the minor variance had written letters  
indicating they were not opposed to the rear addition. Mr.  
Connors indicated that since the variance was only one foot he  
felt it was very minor.

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

MOVED by Alderman Meagher, seconded by Alderman R.  
Grant that the decision of the Development Officer in relation  
to the minor variance request at 2549 Oxford Street be  
overturned and the appeal be upheld.

Alderman Meagher submitted to the City Clerk the nine  
letters from abutting residents referred to in Mr. Connors  
presentation and they now form a part of the official file of  
this meeting.

The motion was put and passed.

### PETITIONS AND DELEGATIONS

Petition Alderman Downey re: Opposition of Proposed Development  
Agreement - Spring Garden Road Place

Alderman Downey submitted a petition containing some 99  
signatures in opposition to the proposed development agreement

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that 2323, 2325, 2327, 2329, 2333, 2335, 2336 and 2337 Princess  
Place be designated Heritage Properties and registered in the  
City of Halifax Registry of Heritage Properties.

Motion passed with Deputy Mayor Jeffrey and Alderman R.  
Grant and Leiper.

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regarding Spring Garden Place, Phase II. Alderman Downey noted that this petition had been submitted at the public hearing in relation to this matter held on Monday, July 27, 1987.

Letter Alderman Dewell re: Proposal for Outdoor Patio -  
Jenny's Place (Tavern) - Lady Hammond Road

Alderman Dewell submitted a letter from Joanne Lefebvre, 3676 Basinview Drive in opposition to the proposal to erect an outdoor patio at Jenny's Place on Lady Hammond Road. Alderman Dewell noted that a petition regarding this matter was being circulated in his area and Mrs. Lefebvre feared that she would be unable to sign the petition as she was planning to be out of the City in the near future. Alderman Dewell indicated that Mrs. Lefebvre would like this letter attached to the petition when and if it is submitted to Council.

#### REPORT FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on July 22, 1987 as follows:

Stormwater Management Study - Phase II: Preparation of Storm  
Master Plans - Mainland North Area

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

- a) Council approve the appointment of Acres International Ltd. for the Preparation of Storm Drainage Master Plans for Mainland North Area of the City;
- b) that compensation to the consulting firm be made in accordance with the guidelines as recommended by the Association of Professional Engineers of Nova Scotia but not to exceed \$95,000.00; and
- c) the payment to the consultant be made from funds available in Account No. DA053.

Motion passed.

Agreement of Purchase and Sale - 1467-71 Brenton Street and Lands  
Dresden Row

This matter was dealt with previously in the meeting.

Permit Application 25271 - Demolition - 1588 Barrington Street

Following is the recommendation of the Finance and Executive Committee:

"That an in-camera meeting be held on the subject.

MOVED by Alderman Meagher, seconded by Alderman R. Grant that this matter be deferred.

Motion passed.

Halifax Shipyards

An information report dated July 23, 1987 was submitted.

Following is the recommendation of the Finance and Executive Committee:

"That letters be forwarded to both Mr. McInnes and to the Prime Minister outlining the concerns of Council in relation to the employment situation at the Halifax Shipyards.

MOVED by Alderman Meagher, seconded by Alderman Dewell that due to the non-attendnace of Alderman O'Malley at this meeting, this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled for August 19, 1987.

Motion passed.

City Hall Restoration and Renovations Committee

MOVED by Alderman D. Grant, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Council approve the expenditure of the \$705,000.00 from the Sale of Land Account to complete the project, subject to the approval of the Minister of Municipal Affairs.

A questioning of staff ensued with Alderman R. Grant indicating that he felt Council should carry out a review in relation to City Hall Renovation in order that a similar situation does not arise in the future.

A further short discussion ensued with Deputy Mayor Jeffrey referring to the electrical and plumbing work which was being carried out in the building. Deputy Mayor Jeffrey asked if the City had plans or sketches showing what work was being carried out and noted that these plans would be necessary in the future should some problem occur.

The City Manager indicated that he presumed there were plans, however, he would have to check into the matter. The City Manager further noted that perhaps additional plans would be required from the contractor carrying out the electrical work.

The motion was put and passed.

The City Manager outlined the schedule of events to take place in relation to the City Hall Renovation noting that the present Council Chamber would be dismantled beginning tomorrow and that after the Council break meetings would be held in the new Chamber. The City Manager noted that the new Chamber would lack only new Aldermanic Chairs and audio and video facilities.

The City Manager went on to note that the present Aldermanic Chairs would be used for the time being and that a temporary recording system would be installed in the new Chamber. The City Manager further noted that the audio and video system would be in place within two to three meetings after Council has returned from its break. The City Manager noted that the purpose of this move was to ensure that work continued not only on the third floor but, throughout the building.

Bloomfield School Disposal Committee - Alderman O'Malley

This matter was forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Downey that, due to the non-attendance of Alderman O'Malley at this meeting, this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled for August 19, 1987.

Motion passed.

Alderman Meagher noted that a meeting including the Alderman involved with this School was to be held to discuss this matter.

Alderman Dewell addressed the matter and indicated that he merely wished to report to Council that at a recent meeting of the School Board the Dalhousie School had been declared surplus and the Board had confirmed their resolution regarding the Bloomfield School not being declared surplus until June of 1988. Alderman Dewell noted that this motion provided for the programs which, at the request of the Aldermen involved, were being continued at the Bloomfield School until alternate facilities can be found.

Alderman Cromwell addressed the matter indicating that he had great difficulty with this matter and noted that he could not understand why the School Board had not let the school remain open until June of 1988 if they were not planning to declare it surplus until then. Alderman Cromwell went on to indicate that he agreed with the continuance of the programs at Bloomfield School, however, he noted that the School Board must still bear the costs of heating, lighting, etc. Alderman Cromwell requested a report from the School Board explaining why they had taken this action.



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Alderman Walker addressed the matter requesting a report from the School Board with regard to how the children of Purcell's Cove were to be transported to the Towerview School.

Dogs - Alderman Walker

This matter was forwarded to Council without recommendation.

Alderman Walker addressed the matter indicating that he had brought this matter to Council in the form of a question in May of this year. Alderman Walker went on to note that the City does have a bylaw requiring persons to clean up after their animals. Alderman Walker noted, however, that these individuals were allowed to walk their dogs in playgrounds and parks. Alderman Walker indicated that mothers of small children were hesitant to let their children play in the grass in the areas due to the presence of dog waste.

Alderman Walker went on to note that he had received a report in relation to this matter which indicated that the City could, if Council wished, provide signs upon request prohibiting dogs in playgrounds and parks. Alderman Walker indicated that he would like to see this action taken by the City and MOVED, seconded by Alderman Leiper that signs be provided upon request prohibiting dogs in playgrounds and parks.

Alderman Leiper addressed the matter indicating that she had received some calls with similar concerns. Alderman Leiper noted that it had been suggested to her that, in light of the difficulty in enforcing the 'pooper-scooper law', Council should attempt to aid in enforcing this law through a public appeal to citizens to clean up after their dogs.

Alderman R. Grant addressed the matter requesting that this matter be referred to the Board of Health for a review. Alderman R. Grant suggested that the Board should look into various regulations and Ordinances which are in effect in other centers across the country and address the matter in relation to the Health Act.

Alderman Cromwell addressed the matter noting that the 'pooper-scooper law' in other centres was a law which was considered to be very serious. Alderman Cromwell noted that this was not the case in Halifax and suggested that this law should be reviewed.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 22, 1987 as follows:

Award of Tender #87-108 - Roach's Pond - Trunk Sewer Extension

MOVED by Alderman R. Grant, seconded by Alderman Walker  
that, as recommended by the Committee on Works:

- 1) Council approve the award of Tender #87-108 to D. A. Lanthier Construction Company Limited for the materials and services at the quoted unit prices (and a bid price of \$198,960.00);
- 2) Council approve the appointment of Beasy Nicholl Engineering Limited to provide site supervision and inspection during the construction of the project; and
- 3) Council authorize funds from Account No. DD017 for a total project cost of \$275,000.00.

Motion passed.

Award of Tender #87-35 - Paving Renewals

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that, as recommended by the Committee on Works, Tender #87-35 regarding paving renewals for (1) Alderwood Drive (St. Margaret's Bay Road to Dead End); and (2) Cherry Street (Vernon Street to Robie Street) be awarded to Standard Paving Maritime Limited for unit prices of \$57,590.00 and \$161,143.00 respectively and for total project costs of \$69,108.00 and \$193,371.60 respectively (funds to be authorized from Account Numbers CE004 and CE007).

Motion passed.

Local Improvement Project - Cross Street

This matter was forwarded to Council without recommendation.

Deputy Mayor Jeffrey addressed the matter indicating that he had spent the last two evenings discussing this matter with the residents involved. Deputy Mayor Jeffrey noted that the residents involved were seniors who were striving to pay their taxes and remain in their homes. Deputy Mayor Jeffrey indicated that the proposal was to pave and install curb and gutter on Cross Street and the residents were being asked to pay between \$1,700 - \$2,300 for this renewal. Deputy Mayor Jeffrey noted that this was due to the fact that the residents were not paying frontage but, rather the length of their properties.

Deputy Mayor Jeffrey went on to note that in discussions with the Engineering and Works Department he had ascertained that the policy in this regard had not been reviewed in quite some time. Deputy Mayor Jeffrey noted that the present policy was causing problems for residents throughout

the City and MOVED, seconded by Alderman Walker that the report regarding Cross Street be tabled pending a staff review of the present policy and a staff report coming back to Council for discussion.

Deputy Mayor Jeffrey indicated that he would like staff to review what could be done to cut down on the amount charged for projects such as these and indicated that this was particularly important in the Cross Street situation. Deputy Mayor Jeffrey indicated that he would like this report as soon as possible.

Motion passed.

MAPC Report on Pollution Control for Halifax Harbour

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that, as recommended by the Committee on Works,

- 1) Council endorse the MAPC Report on the Pollution Control Program for the Region, particularly that no raw sewage enter the Halifax Inlet (including industrial waste), subject to:
  - (a) confirmation from all regional municipalities on the regional approach; and
  - (b) confirmation from all regional municipalities of regional cooperation in the resolution of identified pollution abatement requirements;
- 2) Council request MAPC to obtain from higher levels of government direction on the Water Quality Standards required for the Harbour;
- 3) Council direct staff, in consultation with the other regional municipalities, to immediately prepare a draft bylaw to control the discharge of industrial waste to the Harbour; and
- 4) Council request MAPC to determine and confirm the level of funding available from higher levels of government to the Region to implement the treatment requirements defined by Water Quality Standards required for the Harbour and implementation of a "one-plant" Pollution Control Strategy.

Motion passed.

Alderman Cromwell addressed the matter suggesting that a meeting with the other municipalities should be arranged as soon as possible. Alderman Cromwell noted that Council should be prepared to make provision in the 1988 Capital Budget for work in the area of pollution control and should, therefore, arrange a meeting as quickly as possible. Alderman Cromwell suggested that the Mayor should make the necessary arrangements.

A short discussion and questioning of staff ensued and the Motion was put and passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendment to Ordinance Number 116, the Taxi Ordinance  
(Insurance Requirements) - SECOND READING

This matter was given First Reading at a regular meeting of Halifax City Council held on July 16, 1987.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the following amendment to Section 15 of Ordinance 116, the Taxi Ordinance, be given SECOND READING:

15(1) The owner of a vehicle used as transportation for hire shall maintain insurance coverage for public liability, passenger hazard, and property damage in the amount of \$1,000,000.00 for use of the vehicle as a taxi without any limit on any particular claim regardless of the number of persons involved or the nature of the claim, a copy of which shall be deposited with the Chief of Police prior to the issuance of a license therefor.

15(2) The operator of a vehicle licensed hereunder shall, upon demand of a peace officer, produce proof that the vehicle is insured in the amount and as required by subsection (1).

Motion passed.

Amendment to Ordinance Number 180, the Streets Ordinance  
(Street Vendors) - SECOND READING

This matter was given First Reading at a regular meeting of Halifax City Council held on July 16, 1987.

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the following amendments to Ordinance Ordinance 180, the Streets Ordinance, be given SECOND READING:

1. (1) Subsection (2) of Section 48 is amended by
  - (i) deleting the period at the end of clause (g) and substituting therefor a semi-colon and adding the word "and"; and
  - (ii) adding immediately after clause (g), the following clause:

- "(h) payment of proper license fee as prescribed by Section 50."
- (2) Subsection 10 of Section 48 is repealed and the following substituted therefor:
- "(10) A license may be revoked by the License Inspector,
- (i) for violation of the terms of this Ordinance;
  - (ii) where the License Inspector is informed by an official responsible for the administration of another Ordinance that there has been a conviction for a violation of that other Ordinance of the City; or
  - (iii) where there has been a conviction for a violation of the provisions of the Motor Vehicle Act or any regulations made thereunder with respect to the operation of a mobile canteen.
2. (1) Subsection (1) of Section 53 of said Ordinance 180 is amended by deleting the words "A vendor shall not" from the first line thereof and by substituting therefor the words "No person shall".
- (2) Said subsection (1) is further amended by adding immediately after the clause (d) thereof the following clause:
- (da) vend on any street between the hours of 3:00 o'clock and 9:00 o'clock in the forenoon;
- (3) Clause (f) of said subsection (1) is repealed and the following substituted therefor:
- (f) store, park, leave or have any stand on any street or sidewalk between the hours of 3:00 o'clock and 9:00 o'clock in the forenoon, or park any motor vehicle other than in a lawful parking place, in conformance with City and Provincial parking regulations.
- (4) Clause (h) of said Subsection (1) is amended by deleting the word "vendor" from the fourth line thereof and by substituting therefor the word "person".
- (5) Clause (b) of Subsection (2) of said Section 53 is amended by deleting the words "the entrance to" in the second and fifth lines thereof and by substituting therefor the words "any doorway of".

- (6) Clause (c) of said Subsection (2) is amended by deleting the words "an entranceway to" and by substituting therefor the words "any doorway of".
- (7) Clause (a) of Subsection (3) of said Section 53 is amended by deleting the words "the entrance to" in the first line thereof and by substituting therefor the words "any doorway of".

Motion passed.

Recommendations - Rules of Order Committee

A report, dated July 24, 1987, was submitted by the Rules of Order Committee.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Hamshaw that this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, August 19, 1987) to allow members of Council an opportunity for debate.

The motion to defer was put and passed.

Recommendations - Tax Concessions and Grants Committee

A report, dated July 29, 1987, was submitted from Alderman N. Meagher, Chairman of the Tax Concessions and Grants Committee.

MOVED by Alderman Meagher, seconded by Alderman D. Grant that, as recommended by the Tax Concessions and Grants Committee, the following grants be awarded:

Centennial Arena Commission	- \$10,000.00
International Bridge, Tunnel, and Turnpike Association	- \$ 500.00
Captain William Spry Centre	- \$ 1,859.13
Spryfield Lions Club	- \$ 1,644.69

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report submitted by the City Planning Committee from its meeting held on Wednesday, July 22, 1987 as follows:

6399 North Street (Ardmore Hall)

This matter was raised by Alderman Meagher during a meeting of the City Planning Committee held on July 22, 1987, at which time a staff report had been requested.

An Information Report, dated July 30, 1987, was submitted.

Alderman Meagher advised that residents of the Oxford/North Street area have expressed their concern regarding an application recently received by the City to convert a student residence (located at 6399 North Street) into a 22-unit apartment building. To alleviate those concerns, the Alderman advised that a public meeting has been scheduled for Tuesday, August 4, 1987 at 7:30 p.m. in the Aldermen's Lounge (City Hall), at which time the developer in question will be on hand to respond to questions.

Alderman Meagher then submitted a petition (containing approximately 77 signatures from area residents) in opposition to the conversion of Ardmore Hall at 6399 North Street.

Mainland North Traffic

The above-mentioned matter had been forwarded to Council without recommendation.

With reference to the Information Report, dated July 15, 1987 (previously submitted), it was moved by Alderman Leiper, seconded by Alderman D. Grant that City Council recommend that for a two-month trial period (beginning September 1, 1987), signs advising "No Left Turns Between the Hours of 7-9 A.M." be installed on Dunbrack Street, with no turns whatever being allowed at Lacewood Drive.

Responding to a question from Deputy Mayor Jeffrey, the City Manager noted that, in this instance, Council is empowered only to make recommendation on the matter to the appropriate Traffic Authority.

While supporting Alderman Leiper's motion in principle, Alderman Dewell expressed concern that by changing the existing traffic patterns in Mainland North, increased pressure would be brought to bear on such Peninsula Streets as Connaught Avenue and Connolly Street which, he advised, are already overburdened in terms of traffic flows.

After some further discussion, the motion was put and passed with Alderman Dewell voting in opposition.

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On another but related matter, it was moved by Alderman Leiper, seconded by Alderman Cromwell that the staff report previously submitted concerning the widening of Dutch Village Road to Joseph Howe Drive be redistributed to members of Council, and that the matter be reconsidered during a meeting in September.

Deputy Mayor Jeffrey, referring to previous debates on this matter, emphasized that businessmen and residents of the Dutch Village Road Area continue to be very much opposed to any suggestion that this street be widened.

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

Alderman Leiper made reference to a request made during a meeting of Committee of the Whole Council held on July 8, 1987 (i.e., that a letter be written on behalf of Halifax City Council by His Worship the Mayor to the Provincial Minister of Transportation asking that a study be undertaken regarding the feasibility of closing the Kearney Lake Road exit from the Bicentennial Highway during the hours of 7:00 - 9:00 a.m.), inquiring as to whether that letter had indeed been forwarded.

His Worship Mayor Wallace advised that the letter had been sent on July 23, 1987, but that, as yet, no response from the Province has been received.

Alderman Leiper referred to other, much needed traffic improvements in the City, and noted that a motion had been approved during a regular meeting of City Council on July 15 that a meeting be requested with representatives of the Provincial Department of Transportation, the Provincial Traffic Authority, the various Halifax MLA's, Halifax City Council, and appropriate City staff to discuss the matter.

The Alderman asked to be kept informed of any progress being made in the scheduling of this meeting.

With reference to the feasibility of installing a collector roadway between Lacewood Drive and the Bedford Highway (Item #4 of the July 15 Information Report), Alderman Leiper requested that this matter be placed on the agenda of the Committee of the Whole Council for debate.

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

10:20 p.m. - The meeting reconvened with the same members being present.



Case No. 5384 - Amendment to the Land Use Bylaw (Mainland)  
Re: Development on On-Site Water and Sewer

This matter had been deleted during the setting of the meeting's agenda at the request of the City Clerk.

Case No. 5270 - Subdivision Approval: Fairmount Subdivision

The above-mentioned matter had been forwarded to Council without recommendation.

Deputy Mayor Jeffrey advised that it was his understanding that the developer in question is in the process of revising his plans for the Fairmount Subdivision.

Under the circumstances, it was moved by Deputy Mayor Jeffrey, seconded by Alderman Walker that the matter be deferred, pending receipt of a revised application with reference to Case No. 5270, the Fairmount Subdivision.

The motion to defer was put and passed.

Case No. 5370 - Rezoning: R-2 to R-2R, 72-72A Central Avenue

This matter had been forwarded to Council without recommendation.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Walker that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, August 19), pending receipt of a staff report containing information as to an appropriate zoning classification for 72-72A Central Avenue which would allow it to remain as three units.

The motion to defer was put and passed.

Case No. 5345 - Rezoning: R-2 to C-2A, 6456-58 Chebucto Road, and C-1 to C-2A, 2585 Beech Street

This matter was forwarded to Council without recommendation.

Alderman Meagher expressed his concern with reference to the recommendation contained in the staff report, dated July 14, 1987 (previously submitted). In his remarks, the Alderman stated that, in his opinion, the proposed rezonings to C-2A (Minor Commercial Zone) would be inconsistent with the neighbourhood planning undertaken in this area several years ago.

In light of those concerns, it was moved by Alderman Meagher, seconded by Alderman Walker that Case No. 5345 regarding the proposed rezonings of 6456-58 Chebucto Road and 2585 Beech Street to C-2A be referred for review and recommendation to the Planning Advisory Committee.

The motion was put and passed.

Multi-Building Development - Land Use Bylaw Amendment

This matter had been forwarded without recommendation to City Council.

MOVED by Alderman Meagher, seconded by Alderman Dewell that this matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, August 19, 1987).

The motion to defer was put and passed.

MISCELLANEOUS BUSINESS

Commemoration - Halifax Public Gardens: Historic Site

A staff report, dated July 23, 1987, was submitted.

MOVED by Alderman Downey, seconded by Alderman Cromwell that Halifax City Council advise the Federal Minister of the Environment of its concurrence with the proposed location of a commemorative plaque (to be provided and installed by that Federal Department), as indicated on the attachment to the staff report, dated July 23, 1987.

Motion passed.

Statement of Revenue and Expenditure

A staff report, dated July 20, 1987, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that the Statement of Revenue and Expenditure for the six months ended June 30, 1987 be tabled.

Motion passed.

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Public Hearing Location - Rezoning: 6583-87 Quinpool Road

This matter had last been discussed at a regular meeting of City Council held on June 25, 1987 at which time the scheduling of a public hearing to consider the proposed rezoning was approved.

A report, dated July 17, 1987, was submitted by the City Clerk.

MOVED by Alderman Moughr. seconded by Alderman Dewell that the location of the public hearing concerning 6583-87 Quinpool Road (previously scheduled for Wednesday, September 23, 1987 in the Council Chamber, City Hall) be amended to the Joseph Howe School Gymnasium, 2557 Maynard Street, Halifax.

Motion passed.

QUESTIONS

Question Deputy Mayor Jeffrey Re: Sidewalk Renewal Contracts

On behalf of Alderman O'Malley, Deputy Mayor Jeffrey requested information from staff concerning sidewalk renewal contracts (particularly those relating to Ward 5) and the reason why they are not coming forward to Council.

Question Deputy Mayor Jeffrey Re: Seaview Park

On behalf of Alderman O'Malley, Deputy Mayor Jeffrey requested information from staff as to the start-up date for the construction of the public toilet facilities at Seaview Park.

Question Deputy Mayor Jeffrey Re: 47 1/2 Cornation Avenue

In order to keep members of Council advised as to this matter, the Deputy Mayor noted that work has continued on this structure during the evenings despite the fact that a building permit for the project has not been issued by the City.

Referring to an Information Report dated July 21, 1987, he added that staff have been monitoring the situation and are currently waiting a judicial decision on the matter.

Question Deputy Mayor Jeffrey Re: City-Owned Canteens

Deputy Mayor Jeffrey requested information from staff as to the contracts currently held by the City with regard to all City-owned canteens, including their expiry dates and how much is being paid to the contractors.

Question Alderman Leiper Re: Support Staff for Special Events

Alderman Leiper noted that during the last several days the support staff assigned to the Aldermen's Office has been occupied with correspondence relating to various Natal Day events to the exclusion of her regular duties. Alderman Leiper questioned whether the Aldermanic Aide's time should be spent on such activities to the detriment of her regularly assigned work, and requested information as to why such administrative assistance is given to committees.

Question Alderman Leiper Re: Day-Care Facilities

Alderman Leiper requested information as to whether consideration has been (or is being) given to the provision of day-care facilities by the City of Halifax for the children of its employees.

Question Alderman Leiper Re: Smoke-Free Areas

Alderman Leiper requested information as to whether, in the newly designed City Hall, smoke-free areas are being designated, adding that, in her opinion, the City of Halifax should set an example in this regard.

Question Alderman Walker Re: Public Hearing - August 19, 1987

Responding to a question from Alderman Walker, the City Manager advised that the public hearing currently scheduled for 5:00 p.m. during the afternoon of Wednesday, August 19, 1987 pertains only to a proposal for a parking lot at the rear of the property owned by Halifax Heating Limited.

Question Alderman Walker Re: Halifax Town Clock

Alderman Walker requested that His Worship forward a letter to Parks Canada expressing Council's concern at the delay in the proposed refurbishing of the Halifax Town Clock and requesting information as to the status of this project.

Question Alderman Walker Re: Transport of Garbage

Alderman Walker referred to a recent incident in which a half-ton truck carrying barrels of uncovered refuse along Connaught Avenue and Chebucto Road spilled a portion of its load onto the City streets. The Alderman asked for information as to whether there are existing regulations disallowing the transportation of uncovered garbage, and, if not, whether appropriate policies could be developed.

Question Alderman R. Grant Re: City Organizational Chart

Alderman R. Grant referred to the Corporate Organizational Chart for the City of Halifax, noting that at the top of the page is listed "Mayor and Council." He noted that because the Mayor is a member of Council (according to the provisions of the City Charter), it was his opinion that the chart should be amended to read simply "City Council."

Question Alderman R. Grant Re: Walkway - Seaview, Aurora and Towerview Avenues

Alderman R. Grant noted that a request for a walkway to service Seaview, Aurora and Towerview Avenues had been submitted several years ago and has, in fact, been included in the City's Capital Budget in recent years. Advising that the project has been delayed for a considerable period of time and is a source of concern to area residents, Alderman Grant requested a status report on this project, particularly as to a date when this walkway will be constructed.

Question Alderman R. Grant Re: Woodwise Program

Alderman R. Grant referred to previous comments made during a meeting of Halifax City Council regarding the Woodwise Program currently offered in the City's school system by the Halifax Police Department. The Alderman reiterated his request that the Department be approached as to whether additional funds are required from the City to assist in the operation of this program.

Question Alderman R. Grant Re: Clean City Campaign

Alderman R. Grant referred to the Clean City Campaign and suggested that His Worship the Mayor investigate the feasibility of continuing the practise (implemented for the duration of the Campaign) of paying 50 cents per bag of litter collected. He noted that the profits from this undertaking might serve as an incentive to the City's schools and youth groups, both to remove garbage and to earn extra money for their endeavors.

Question Alderman Dewell Re: Natal Day Festivities

Responding to a question from Alderman Dewell, Alderman D. Grant, a member of the City's Natal Day Festival Committee, gave a brief overview of the tea parties which will be hosted by twelve seniors organizations during the Halifax Natal Day Weekend.

Alderman Dewell advised that a ceremony will be held on Friday, July 31 between 6:30 -7:30 p.m. to officially open the Ardmore Park, and encouraged members of Council to attend.

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Question Alderman Downey Re: Gottingen Street Redevelopment

Alderman Downey referred to a draft report, dated July 27, 1987, recently received from Gottingen Developments Limited (Pearson and Associates), concerning a development study of the Gottingen Street area, and requested that copies of this report be distributed to members of Council and to the staff of the Development and Planning Department for comment.

Question Alderman Cromwell Re: Garbage Containers

With reference to a question from Alderman Cromwell, Mr. Anstey, the Acting City Solicitor, advised that recommendations from a staff committee charged with preparing draft regulations regarding garbage containers were submitted to the Halifax Board of Health at its last meeting. He noted, however, that the Board has not met subsequent to that date to deliberate that report or to make its recommendation to Council on the matter.

Alderman Cromwell asked that the Board of Health be requested to deal with this matter as quickly as possible and to make its report to Council early in the Fall.

Question Alderman D. Grant Re: 1135 South Park Street

Alderman D. Grant noted that for three years residents abutting the property located at 1135 South Park Street have been living beside a very large open hole at the rear of that property. She added that in March of this year the property owner, a Mr. Leonard, had been convicted under the City's Unsightly Premises regulations and ordered to fill in the hole.

In view of the fact that no action has been taken by Mr. Leonard since that time, Alderman Grant requested a staff report as to the feasibility of the City undertaking this work and billing the property owner in question when the project has been completed.

ADDED ITEMS

Award of Tender #87-128: Mainland North Fire Station  
Training Tower and Storage Shed

A staff report, dated July 28, 1987, was submitted.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Jeffrey that Tender #87-128 regarding the Mainland North Fire Station (Training Tower and Storage Shed) for materials and services quoted, and a total project cost of \$62,400.00, be

July 30, 1987

awarded to LaFleche Construction Limited for a total bid price of \$52,000.00 (funding to be authorized from Account Number BA004).

Motion passed.

Peninsula North Secondary Planning Strategy (Alderman Meagher)

This matter had last been discussed during a regular meeting of City Council held on July 16, 1987, and had been added to this evening's agenda at the request of Alderman Meagher.

MOVED by Alderman Meagher, seconded by Alderman Leiper that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, August 19, 1987), and further, that, if appropriate, a date for public hearing be set during the special meeting of City Council scheduled for the evening of August 19.

The motion to defer was put and passed.

Award of Tender #87-117: Police Museum Cabinets

A staff report, dated July 24, 1987, was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Cromwell that City Council:

- 1) pre-approve \$25,000 in Account No. BA007 from the 1988 Capital Budget;
- 2) award Tender #87-117 to Gem Construction Limited for the materials and services quoted at a total project cost of \$55,000; and
- 3) authorize funding from Capital Account No. BA007.

The motion was put and passed.

Request for Fly Past - Canadian Forces Base Shearwater  
(September 19-20, 1987)

Correspondence, dated July 24, 1987, was submitted from Colonel G. R. Bourret, Base Commander, CFB Shearwater.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that Council approve a request from the Shearwater International Air Show, dated July 24, 1987, to permit various flying performers to overfly the City of Halifax during the

July 30, 1987

period September 19-20, 1987, providing all military and Ministry of Transport safety regulations are strictly adhered to.

Motion passed.

Underground Wiring - Granville Street (Duke Street to Prince Street) and Hollis Street (George Street to Prince Street):  
Tender Award

A staff report, dated July 24, 1987, was submitted.

MOVED by Alderman Downey, seconded by Alderman Walker  
that:

- 1) the tender for underground wiring (Granville Street - Duke Street to Prince Street; and Hollis Street - George Street to Prince Street) be awarded to the lowest bidder, L. J. Casavechia Contracting Limited, for the unit prices quoted and at a total project cost of \$235,000.00;
- 2) Council approve cost-sharing with Maritime Tel & Tel for their work as follows:  
City's share - \$10,000.00  
MT&T's share - \$16,000.00
- 3) funding is available in Capital Account No. CK026 - Underground Wiring (Central Business District).

Motion passed.

Union of Nova Scotia Municipalities 82nd Annual Conference  
(September 16-18, 1987): Voting Delegates

A report, dated July 30, 1987, was submitted by the City Clerk.

After some discussion, it was agreed that the following (five) members of Halifax City Council be appointed as voting delegates to the 1987 Annual Conference of the Union of Nova Scotia Municipalities scheduled for September 16-18:

Alderman Deborah Grant  
Alderman Albert Walker  
Alderman Moira Leiper  
Alderman Arthur Flynn  
Alderman Alfred Hamshaw

Alderman Nicholas Meagher  
(Alternate)

The motion was put and passed.



July 30, 1987

Post Office Sub-Stations (Alderman Walker)

This matter had been added to the agenda by Alderman Walker who indicated that it was his understanding that several new post offices have been established as sub-stations in order to replace the Armdale Post Office which, it is rumored, will be completely phased out at some point in the future.

The Alderman noted that he has received various complaints from his constituents regarding these sub-stations, adding that, in his opinion, they are not receiving the kind of service from the operators of these establishments to which they are entitled.

Under the circumstances, Alderman Walker requested that a letter be forwarded by the Mayor's Office to Canada Post asking for information regarding these sub-stations, as well as any future plans for the Armdale Post Office.

There being no further business to be discussed, the meeting was adjourned at 11:10 p.m.

July 30, 1987

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There being no further business to be discussed, the meeting was adjourned at 11:10 p.m.

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SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

COUNCIL CHAMBER  
Halifax City Hall  
Halifax, Nova Scotia  
August 19, 1987  
5:00 p.m.

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

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

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

Also Present: Mr. B. Algee, Development and Planning; Mr. C. Reddy, Development and Planning; Ms. M. E. Donovan, Solicitor; Mr. P. Calda, City Manager; Mr. E.A. Kerr, 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 early this date:

1. Tender 87-144 - Roaches Pond Sports Field;
2. Tender 87-145 - Elizabeth Sutherland Sports Field;
3. Tender 87-23 - Sidewalk Renewals & New Sidewalk;
4. Tender 87-39 - Paving Renewal - Olie Street;
5. DATE FOR PUBLIC HEARING - Land Use Bylaw - Multi-Building Development.

Award of Tender #87-144: Roaches Pond Sports Field

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

MOVED by Alderman Flynn, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Tender #87-144 with regard to the Roaches Pond Sports Field be awarded to Elmsdale Landscaping, the lowest bidder meeting specifications, in the amount of \$39,600.00 (funds to be made available from Account Number 225206.20600.FA013).

The motion was put and passed.

Award of Tender #87-145: Elizabeth Sutherland Sports Field

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

MOVED by Alderman Flynn, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, Tender #87-145 regarding the Elizabeth Sutherland Sports Field be awarded to Elmsdale Landscaping, the lowest bidder meeting specifications, for a total of \$48,700.00 (funds to be made available from Account Number 225206.20600.FA083).

The motion was put and passed.

Award of Tender #87-23: Sidewalk Renewals and New Sidewalk

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

MOVED by Alderman Flynn, seconded by Alderman Walker that, as recommended by the Committee on Works, Tender #87-23 pertaining to sidewalk renewals and new sidewalk (at an overall total project cost of \$224,000) be awarded to the following:

- 1) Queen Street (W) - Clyde to Morris, and Birmingham Street (W) - Queen to Spring Garden Road (total project cost of \$51,000) to be awarded to Duron Atlantic Limited for a bid price of \$41,995.00 (funds to be made available from Account Numbers CB204 and CB148 respectively);
- 2) Spring Garden Road (N and S) - Robie to Carlton (total project cost of \$78,000) to be awarded to Armdale Construction Limited for a bid price of \$65,072.60 (funds to be made available from Account Numbers CB223 and CB224);
- 3) Joseph Howe Drive (E) - Spruce to Bayers; and Ralston Avenue (E) - Bayers to Bayers (total project cost of \$53,000) to be awarded to G. R. Kelly Limited for a bid price of \$43,535.00 (funds to be made available from Account Numbers CB170 and CB209 respectively);
- 4) Barrington Street (W) - Gerrish to 250' North; and Gerrish Street (N) - Brunswick to Barrington (total project cost of \$42,000) to be awarded to Duron Atlantic Limited at a bid price of \$34,337.00 (funds to be made available from Account Numbers CC006 and CC008);

The motion was put and passed.

Special Council  
Public Hearing  
August 19, 1987

Award of Tender #87-39 - Paving Renewal: Olie Street  
(Elgin to Kidston)

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

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, Tender #87-39 pertaining to a paving renewal of Olie Street (from Elgin Street to Kidston Road) at a total project cost of \$168,000 be awarded to Municipal Contracting Limited for a total bid price of \$139,809.00 (funds to be made available from Account Number CE017).

The motion was put and passed.

DATE FOR PUBLIC HEARING - Land Use Bylaw - Multi-Building  
Development

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

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an amendment of the Land Use Eylaw (Peninsula Area), Section 10(3), to delete reference to the R-2 Zone, and to delete subsection (a) as shown in Appendix D of the staff report dated August 10, 1987; and further, that the proposed amendments be referred to the Planning Advisory Committee for their recommendation.

Motion passed.

The City Clerk advised that the date for the public hearing was set as Wednesday, September 23, 1987 at the Joseph Howe School Gymnasium, Maynard Street, beginning at 7:30 p.m.

Case No. 5384 - An Application to Amend Section 14A(b) of the  
Mainland Portion of the Land Use Bylaw

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

Mr. Algee, Development and Planning Dept., with the aid of maps, outlined the proposal to amend Section 14A(b) of the Land Use Bylaw, Mainland area, to allow for the replacement of existing housing stock in unserviced areas of the mainland and recommended approval of the application as recommended in the staff report of July 20, 1987 and the staff report of July 17, 1987.



Special Council  
Public Hearing  
August 19, 1987

There were no persons present in the gallery wishing to address Council.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Hamshaw that the item be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

Case No. 5284 - Application to Rezone Parcel PSC-18A, St. Margaret's Bay Road

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

Mr. Algee with the aid of maps outlined the request from Halifax Heating and Air Conditioning Limited to rezone the land to the rear of their existing location at the southeast corner of the intersection of St. Margaret's Bay Road and North West Arm Drive to I-1 (Industrial) identified as PSC Parcel 18-A. Mr. Algee advised, as stated in the staff report dated June 23, 1987, the applicant proposes to consolidate Parcel 18-A with the existing property at 134 St. Margaret's Bay Road to form a new lot - Lot H noting this will, essentially, "square off" the existing lot. Mr. Algee indicated that the additional area will be used for storage and parking.

Mr. Algee, in conclusion, advised that staff are recommending approval of this application.

Mr. Paul Murphy, Patterson Kitz Barristers And Solicitors, representing the applicant Halifax Heating and Air Conditioning, addressed Council advising that a good "chunk" of that land in question has been used for the last 20 years as parking and storage. He indicated his support of the staff recommendation.

Mr. Robert Craig, 126 St. Margaret's Bay Road, addressed Council expressing concern with respect to the effect this rezoning will have on his property and neighbouring properties. Alderman O'Malley suggested and it was agreed that staff prepare a report on the implications of this rezoning on Mr. Craig's property.

Mr. Murphy addressed Council once again adding that there will not be any physical change or increase in activity on the property in question and further stated that there will not be any impact on Mr. Craig's or any other property.

Special Council  
Public Hearing  
August 19, 1987

MOVED by Alderman Walker, seconded by Deputy Mayor Jeffrey that the item be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

Case No. 5412 - Contract Development - 2641-51-55 Clifton Street and Lot 36 King Street

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

Mr. C. Reddy, Development and Planning Dept., with the aid of maps presented the application by Mr. Dean Salsman, as outlined in the staff report of August 13, 1987, to enlarge an existing warehouse at 2641-55 Clifton Street. Mr. Reddy explained that the contract application is required because the proposed warehouse will exceed the floor area provisions of Schedule "C" and some of the requirements of the proposed C-3A zone under the Peninsula North Secondary Planning Strategy. Mr. Reddy advised that a contract development is possible under both Schedule "C", Section (83)(c) and the proposed Schedule "Q". In conclusion, Mr. Reddy advised that Staff are recommending approval of the application.

Mr. Reddy submitted a letter to the City Clerk, copies of which were circulated to members of Council, from Mr. Salsman dated August 19, 1987.

Mr. Dean W. Salsman addressed Council advising that he supports the application, but requested that parking along Clifton Street which has been there for a number of years continue to exist.

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

Motion passed.

Halifax Shipyards - Alderman O'Malley

Alderman O'Malley at this point requested and it was agreed that the item "Halifax Shipyards" be added to the agenda.

Alderman O'Malley put forward the following motion which had been approved at the Committee of the Whole held earlier this date.

Special Council  
Public Hearing  
August 19, 1987

MOVED by Alderman O'Malley, seconded by Alderman Dewell that a delegation (consisting of the Mayor of the City of Halifax, the Chairman of the Halifax Industrial Commission, the President of Halifax Industries Limited, and the Marketing Chairman for the Halifax Industrial Commission) seek a meeting with the Prime Minister and Mr. Stewart McInnes within a four-week timeframe in order to discuss the plight of the Halifax Shipyards.

Motion passed.

Alderman Walker requested and it was agreed that a letter be sent on behalf of the Mayor and members of Halifax City Council to the family of the late Judge Peter Murray Nicholson expressing Council's condolences. It was also agreed that a letter be sent to the family of the late Mrs. Keith Lewis.

5:30 p.m. The meeting adjourned.

#### HEADLINES

Tender 87-144 - Roaches Pond Sports Field .....	523
Tender 87-145 - Elizabeth Sutherland Sports Field .....	524
Tender 87-23 - Sidewalk Renewals & New Sidewalk .....	524
Tender 87-39 - Paving Renewal Olie Street .....	525
Date for Public Hearing - Land Use Bylaw - Multi-Building Development .....	525
Case No. 5384 - An application to Amend Section 14A(b) of the mainland portion of the Land Use Bylaw .....	526
Case No. 5284 - Application to Rezone Parcel PSC-18A, St. Margaret's Bay Road .....	526
Case No. 5412 - Contract Development - 2641-51-55 Clifton Street and Lot 36 King Street .....	527
Halifax Shipyards .....	527

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

/mmd

CITY COUNCIL  
M I N U T E S

Council Chamber  
City Hall  
Halifax, Nova Scotia  
August 27, 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 City Council joining the City Clerk in the recitation of the Lord's Prayer.

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

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

Expressions of Sympathy

His Worship Mayor Wallace, on behalf of members of City Council, extended condolences to Ms. Carol Bradley, Supervisor of the City's Real Estate Division, on the recent death of her father, and to Mr. Keith Lewis, Director of Operations (World Trade and Convention Centre), on the passing of his wife.

Mayor Wallace further noted that Mrs. Maizie Walker, wife of Alderman Albert Walker, is currently convalescing from a serious illness, and extended best wishes from all members of City Council for a rapid recovery.

Presentation - Life Saving Awards

Mr. Howard J. Oehmen, Director of Recreation, described for Council's benefit the outstanding efforts made by two of the City's lifeguards, Ms. Emily Foster and Mr. Paul Clements, in the rescue of 14 year old Dana Murphy, who was involved in a swimming accident at Kidston Lake on July 19. In his remarks, Mr. Oehmen emphasized that through their prompt and knowledgeable efforts (both in instigating a search for the boy and in employing resuscitation procedures), Dana has completely recovered from his ordeal.

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His Worship Mayor Wallace, on behalf of members of City Council and the Murphy family, presented an award to Ms. Foster and Mr. Clements in recognition of their act of heroism.

MINUTES

Minutes of the regular meeting of Halifax City Council held on July 30, 1987 and of Special Meetings held on July 27 and August 19, 1987 were approved on a motion by Alderman Downey, seconded by Alderman Dewell.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

At the request of the City Clerk, Council agreed to

add:

20.1 Recommendation for Grant - Tax Concessions and Grants Committee

20.2 Award of Tender #87-58: Sidewalk Renewal and New Sidewalk

20.3 Relocation: 48" Storm Sewer (Agreement No. 19106 - CNR)

20.4 Sound System - Signalling

At the request of the City Clerk, it was agreed that Item 8.3 ("Appeal of Variance Refusal - 2592-94 Robie Street: Case No. 5403") be deferred to the next regular meeting of City Council scheduled for THURSDAY, SEPTEMBER 17, 1987.

In addition, it was noted by the City Clerk that, with reference to Item 5.4, reference should be made to Civic Number 6284 Yukon Street, rather than to Civic Number 6248.

At the request of Deputy Mayor Jeffrey, Council agreed to

add:

20.5 Animal Control

20.6 47 1/2 Coronation Avenue

At the request of Alderman Flynn, Council agreed to

add:

20.7 Transit - Metropolitan Authority

20.8 Brewery Industry

20.9 Recommendation - Special Events Fees

At the request of Alderman Meagher, Council agreed to

add:

20.10 Use of Wanderers Grounds on Labor Day Weekend - Waiving of Fees

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add: At the request of Alderman O'Malley, Council agreed to  
23.11 Proposed School Board Reorganization  
Guidelines

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Walker that the agenda, as amended, be accepted.

Motion passed.

#### DEFERRED ITEMS

Case No. 5384 - Application to Amend Section 14A(b),  
Land Use Bylaw (Mainland Portion)

A public hearing concerning this matter was held on Wednesday, August 19, 1987.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Walker that Council amend Section 14A(b) of the Land Use Bylaw (Mainland Area) to read as follows:

The replacement by a similar use, or the repair of a building which is not on City sewer and water, but conforms in every other aspect to the Land Use Bylaw.

The City Clerk advised that Aldermen Cromwell and R. Grant were absent from the August 19 public hearing.

The motion was put and passed with Aldermen Cromwell and R. Grant abstaining owing to their non-attendance at the August 19 public hearing.

Case No. 5284 - Application to Rezone Parcel PSC-18A,  
St. Margaret's Bay Road

A public hearing regarding this matter was held on Wednesday, August 19, 1987.

A supplementary staff report, dated August 24, 1987, was submitted.

MOVED by Alderman Walker, seconded by Deputy Mayor Jeffrey that Council approve the rezoning of the property identified as Parcel PSC-18A to "Industrial" (I-1), as shown on Plan No. P200/15783 of Case No. 5284.

The City Clerk advised that Aldermen Cromwell and R. Grant were absent from the August 19 public hearing.

The motion was put and passed with Aldermen Cromwell and R. Grant abstaining owing to their non-attendance at the August 19 public hearing.

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Case No. 5412 - Contract Development: 2641-51-55 Clifton  
Street and Lot 36 King Street

A public hearing concerning this matter was held on Wednesday, August 19, 1987.

A supplementary staff report, dated August 25, 1987, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Walker  
that:

- 1) the application for approval of a development agreement under Schedule "C," Section 83 of the Land Use Bylaw (Peninsula Area), to permit the redevelopment of an existing wholesale warehouse operation on the properties known as 2641-55 Clifton Street and Lot 36 King Street, as shown on Plan No. P200/16096 of Case No. 5412, be approved by City Council, subject to the maximum building size being restricted to 10,000 square feet;
- 2) the agreement shall be signed within 120 days or any extension thereof by Council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later including any applicable appeal periods; otherwise, this agreement approval will be void and obligations arising hereunder shall be at an end.

In making this motion, Alderman Meagher suggested that efforts be made to continue the parking of vehicles at the front of this building, and that the developer be encouraged to landscape the property with trees and shrubs.

The City Clerk advised that Aldermen Cromwell and R. Grant had been absent during the August 19 public hearing on this matter.

The motion was put and passed with Aldermen Cromwell and R. Grant abstaining owing to their non-attendance at the August 19 public hearing.

Driveway - 6284 Yukon Street AND Review of Ordinance  
Number 180 (Driveways)

This matter had been deferred from a Special Meeting of City Council held on July 8, 1987, having been previously discussed at a meeting of the Finance and Executive Committee also held on July 8.

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MOVED by Alderman Meagher, seconded by Alderman O'Malley that City Council approve the request from the owner of 6284 Yukon Street for a curb cut (for driveway purposes) adjacent to his property; and further, that Ordinance 180 be reviewed to resolve this and similar problems.

In the discussion which ensued, Alderman Cromwell indicated that, in his opinion, Council would be setting a dangerous precedent for other applications of this nature by approving this motion, and would also be encouraging the property owner in question to violate existing regulations concerning encroachments on City property. Under those circumstances, the Alderman advised that he could not support the motion put forward by Alderman Meagher.

After some further discussion, the motion was put and passed with Alderman Cromwell voting in opposition.

#### Amendments to the Land Use Bylaw - R-2A Review

Owing to the absence of Ward One Alderman Deborah Grant, it was moved by Alderman Cromwell, seconded by Alderman R. Grant that this matter be deferred to the next regular meeting of Halifax City Council scheduled for THURSDAY, SEPTEMBER 17, 1987.

The motion to defer was put and passed.

#### PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Minor Variance Approval: 6320 Allan Street  
(Case No. 5300)

A staff report, dated August 17, 1987, was submitted.

Mr. E. Boyd Algee, Development Officer (with the aid of plans of the property in question) presented a brief overview of the application for a minor variance to permit the addition of two units to an existing single-family residence located at 6320 Allan Street. In his remarks, Mr. Algee noted that the requested variance had been approved by his office owing to the relatively minor nature of the lot area and side yard deficiencies. He emphasized that, in his opinion, the intent of the Land Use Bylaw with reference to this property would not be compromised by the addition of two residential units.

The applicant, Mr. Wadih Fares, addressed Council, noting that the lot in question is larger than other properties in the Allan Street neighbourhood and, in his opinion, can easily accommodate the addition of two more units without compromising the character of the surrounding area.



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Mrs. Marjorie B. Ferguson, a resident of 2256 Harvard Street, addressed Council in opposition to the Development Officer's approval of this minor variance, emphasizing that the existing "family" character of the Allan Street neighbourhood is continually being jeopardized by the addition of rental units of the kind being proposed by Mr. Fares. In her remarks, Mrs. Ferguson noted that additions of this nature result in the removal of many mature trees and shrubs, and, because of the reduction in open space, cause problems in terms of snow removal.

Speaking in opposition to the proposed minor variance, Mr. Philip Pacey, a resident of 6269 Yukon Street, suggested that approval in this instance would be contrary to the requirements of the Nova Scotia Planning Act which stipulate that approval cannot be granted when "the difficulty experienced is general to properties in the area." Mr. Pacey indicated, that, in his opinion, both conditions on which Mr. Fares' request for a minor variance is based are general to the surrounding neighbourhood.

Alderman Meagher expressed concern that the frequent approval of minor variances (to allow conversions of single-family residences to multiple-unit dwellings) is having a debilitating effect on the character of what was once a "family" neighbourhood, adding that the addition of these rental units is also having negative repercussions on the availability of on-street parking, which is already in short supply owing to the close proximity of Quinpool Centre.

On that basis, it was moved by Alderman Meagher, seconded by Alderman Dewell that the decision of the Development Officer to allow the requested minor variance at 6320 Allan Street be overturned, and that the appeal be granted.

The motion was put and passed.

Appeal of Variance Approval - 6509-13 Chebucto Road  
(Case No. 5301)

A staff report, dated August 4, 1987, was submitted.

Mr. E. Boyd Algee, Development Officer (using property maps of the area), presented a brief overview of the request for a minor variance at 6509-13 Chebucto Road in order to allow the construction of a three-storey addition to a building which currently contains a grocery store, offices, and an apartment unit.

In defense of his approval previously granted, Mr. Algee advised that, in his opinion, the variance requested

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(pertaining to lot area) is relatively minor in nature, and had, in fact, resulted from the City's decision to widen Chebucto Road.

The applicant, Mr. Wadih Fares, addressed Council in support of his request for a minor variance, advising that, in his opinion, the renovations to the building at 6509-13 Chebucto Road will not have negative repercussions for the surrounding neighbourhood and urging Council to judge his proposal on its own merits, rather than in comparison with others of a similar nature.

Alderman Dewell referred to a petition signed by approximately 21 area residents (submitted previously) in which opposition was raised with regard to the increase in population density, in traffic volumes and in noise which, the petitioners feel, would result from the approval of Mr. Fares' minor variance request. Speaking on behalf of those petitioners, Alderman Dewell expressed concern that the initial objective of the minor variance regulations (i.e., to allow small additions to single-family housing units in order to enhance the quality of life) is now being continually abused and is utilized instead to enable major conversions from single-family to multiple-unit dwellings. The Alderman emphasized that, as a result, family neighbourhoods, such as the one in question, are being seriously affected by this incursion of rental facilities.

It was subsequently moved by Alderman Dewell, seconded by Alderman Meagher that the decision of the Development Officer to grant the minor variance at 6509-13 Chebucto Road be overturned, and that the appeal be granted.

The motion was put and passed.

Appeal of Variance Refusal - 2592-94 Robie Street  
(Case No. 5483)

The above-mentioned matter had been deleted by the City Clerk during the setting of the agenda (deferred to the next regular meeting of City Council scheduled for September 17, 1987).

#### PETITIONS AND DELEGATIONS

Petition Alderman Meagher re: Conversion of Ardmore Hall -  
6399 North Street

Alderman Meagher presented a petition on behalf of area residents in relation to the conversion of Ardmore Hall, 6399 North Street. Alderman Meagher explained that the motion, which forms the petition, was approved at a recent meeting of

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area residents. Alderman Meagher indicated that the motion recommends approval of the proposed conversion subject to the conditions set out in the submitted petition.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, August 19, 1987 as follows:

Bloomfield School Disposal Committee

Correspondence, dated August 21, 1987, was submitted from Mr. Murray Doehler, Chairman of the Halifax District School Board.

Alderman O'Malley made reference to the correspondence recently received from Mr. Doehler by members of Council, noting that, according to that letter, none of the Board's decisions to date concerning the disposal of the Bloomfield School have resulted in any firm conclusion. The Alderman further advised that he and Alderman Downey had recently attended a meeting of the staff committee established to discuss possible alternatives for the School Complex, noting that at that time the deliberations of other previous meetings had been reviewed. Alderman O'Malley emphasized it was his impression that neither at the staff committee level nor during the various public meetings previously held by the Board concerning the Bloomfield School closure had any indication been given that any particular alternate use for these buildings was being considered. He added that he himself had reviewed the School Board's Five-Year Plan and could find no reference to a suggested use for the Complex once its operation as an education entity was terminated.

Alderman O'Malley advised that, under the circumstances, he wished to put forward a recommendation that a portion of the Bloomfield School Complex be considered as a senior citizens activity centre for the particular advantage of seniors living in the North End of the City. The Alderman emphasized that, in his opinion, the City has a responsibility to provide for its seniors' recreational, social, and educational needs (as well as for their shelter) and noted that, despite the fact that the North End has the second highest number of senior citizens in the City, there are no facilities of this nature available.

On that basis, it was moved by Alderman O'Malley, seconded by Alderman Dewell that the Halifax District School Board be immediately requested to formally respond to Council regarding their ultimate use of the Bloomfield School Complex, and to continue dialogue with staff; and further, that staff be

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asked to prepare a report as quickly as possible (in compliance with Council's established policy regarding the use of buildings declared surplus) and on the feasibility of the use of Bloomfield School as a senior citizens activity centre.

After some discussion, the motion was put and passed.

Expropriation Settlement - Parcel 354, Dunbrack Street

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the expropriation of Parcel 354, as shown on Plan TT-19-21011, from Dr. Vahdettin Ketene and Mrs. Zehra Ketene, be approved for \$1,968.90, as settlement in full for all claims arising from the expropriation (funds to be made available from Account Number CK019, Sundry Land Acquisition).

Motion passed.

Encroachment License - 6061 University Avenue

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Dalhousie University be granted an Encroachment License for the purpose of constructing entry steps to the Dalhousie Law School at Civic Number 6061 University Avenue.

Motion passed.

Parking Garage Tax Agreement - Park Lane Development:  
Spring Garden Road

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

- 1) City Council authorize the Mayor and City Clerk to sign the agreement (as attached to the August 13, 1987 staff report) with Park Lane Developments Limited regarding a tax concession on the parking garage component at Park Lane on Spring Garden Road and Dresden Row, once the parking garage is able to be occupied; and
- 2) Council authorize the Mayor and City Clerk to sign such agreements, henceforth, made pursuant to the policy for the Concessions on Parking Garages, November 30, 1967, and as may be subsequently amended.

The motion was put and passed.

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License Renewal for Sewer (Point Pleasant Park)

MOVED by Alderman Walker, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute the license renewal (attached as Schedule "A" to the August 13, 1987 staff report) for a sewer line in Point Pleasant Park with Her Majesty the Queen.

Motion passed.

Additional Grant - Tax Concessions and Grants Committee

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, a grant in the amount of \$1,000.00 be awarded to the Gottingen Street Merchants Association. Motion passed.

Recommended Acquisition of Computer System  
Implementation Methodology

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Council approve the acquisition of a computer system methodology package from Systemhouse Limited, at a cost of \$12,000.00, the funds to be provided from within the 1987 Systems and Data Processing Budget of the City.

Motion passed.

Request - Parachute Jump: Canadian Forces (Skyhawks),  
September 18, 1987

MOVED by Alderman Downey, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Council approve the request from Captain J. B. Elson, Base Commander, CFB Halifax, to permit the Canadian Forces Parachute Demonstration Team, "The Skyhawks," to offer a parachute jumping display on Friday, September 18, 1987, between the hours of 12:00 - 1:00 p.m. on Porteous Field (located within the confines of CFB Stadacona).

The motion was put and passed.

School Board Structure

This matter was last discussed during the August 19 meeting of the Finance and Executive Committee, at which time the following decision was made:

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That the matter would be forwarded to the next regular meeting of City Council at which time the City Clerk will submit recommendations concerning an appropriate meeting date.

Alderman O'Malley made reference to an Information Report, dated July 27, 1987, submitted in reference to a motion put forward by him (and approved) during a meeting of Halifax City Council held on January 15, 1987. Referring to the January meeting, Alderman O'Malley noted that at that time he had proposed that a special meeting of Council be scheduled to consider various options for the structure of the Halifax School Board. He added that, by putting this motion forward, he had hoped to receive input on the matter, not only from City staff but from the School Board as well.

Noting that this meeting had not yet been held, it was moved by Alderman O'Malley, seconded by Alderman R. Grant that a special meeting of City Council be scheduled as quickly as possible for the purpose of discussing various options with regard to the structure of the Halifax School Board (for submission to the Provincial Minister of Education); and that input from City staff and from the School Board (in written form) be accepted prior to that time.

The motion was put and passed.

#### REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, August 19 as follows:

Parachute Jump - Saint Mary's University (September 19, 1987)

MOVED by Alderman Crowwell, seconded by Alderman R. Grant that, as recommended by the Safety Committee, City Council approve the request from the Saint Mary's University Fitness and Recreation Centre ("The Tower") to permit a parachute jumping display to take place on the Saint Mary's playing field on Saturday, September 19, 1987 at approximately 2:00 p.m.; and further, that the City of Halifax be absolved of any and all responsibility in connection with the jumps.

The motion was put and passed.

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

10:15 p.m. - The meeting reconvened with the same members being present.

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REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Report - Heritage Advisory Committee Re: Building Permit  
Application #24586, 1580 Barrington Street (Former  
City Club Building)

A report, dated August 20, 1987, was submitted from Commodore A. C. McMillin, Chairman of the Heritage Advisory Committee, together with an Information Report, dated August 25, 1987, from Mr. D. F. Murphy, City Solicitor, and a staff report, also dated August 25, 1987.

MOVED by Alderman Cromwell, seconded by Alderman Flynn that, in order to provide members of Council an opportunity to peruse the reports only recently received, the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, SEPTEMBER 9, 1987; and further, that comments from staff, the developer in question, and representatives of the Heritage Advisory Committee be heard at that time.

The motion to defer was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on August 19, 1987, as follows:

City Fire Fighters Benevolent and Protective Association  
(Renovations to Club)

An information report dated August 24, 1987 was submitted. Correspondence dated August 27, 1987 from Ronald A. Kelly, President, Halifax Fire Fighters Association, was also submitted.

Following is the recommendation of the City Planning Committee:

"That the matter be referred to staff for processing as expeditiously as possible; however, if staff cannot proceed, that a report on the matter (if available) be submitted to the next regular meeting of Halifax City Council.

MOVED by Alderman Downey, seconded by Alderman O'Malley that this matter be deferred to the next regular meeting of Committee of the Whole Council scheduled to be held on September 9, 1987.

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The City Manager addressed the matter noting that in checking on this matter as late as this afternoon no formal application has been received by the City in regard to this matter. The City Manager noted that if it is Council's wish to proceed with this matter, the applicant should be encouraged to make a formal application as soon as possible.

Alderman O'Malley addressed the matter indicating that he believed that this process was underway and noted that this was the reason for the deferral.

The motion to defer was put and passed.

Case No. 5378 - Rezoning from R-2 to R-2P: 72-72A Central  
Avenue

This matter was forwarded to Council without recommendation.

Deputy Mayor Jeffrey addressed the matter briefly outlining the background to this matter and noting that he would like to further review the matter.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman R. Grant that this matter be deferred until such time as the Deputy Mayor brings the matter before Council once again.

Motion passed.

Proposed Amendments to Municipal Development Plan, Policy  
7.8.2.2 (Part II, Section V - South End Plan)

This matter was forwarded to Council without recommendation.

Alderman Cromwell addressed the matter referring to the great number of hearings held in relation to the South End Plan and noting that as the Alderman for Ward 1 was not present this evening he would like to defer the matter until such time as the Alderman is present.

MOVED by Alderman Cromwell, seconded by Alderman Dewell that this matter be deferred until the next regular meeting of City Council to be held on September 17, 1987 at which time the Alderman for the area will be present.

Motion passed.



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Case No. 5207 - Amendments to the Land Use Bylaw - Sideyard Requirements

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, the recommendation concerning a proposed amendment to the Land Use Bylaw (side yard requirements), as set out in Appendix "A" of the staff report dated August 11, 1987, be referred to the Planning Advisory Committee for review and report.

Motion passed.

Case No. 5264 - Contract Development Application - Parking Garage - Sackville and Aryle - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, Council convene a public hearing to consider a development agreement to permit a 26-space, two-level parking facility generally as shown on Plan No. P200/16056 of Case No. 5264, provided that the facade is redesigned to incorporate larger display windows at grade.

Motion passed.

The City Clerk advised that the date for the public hearing was Wednesday, October 7, 1987. The City Clerk further suggested that as this was the only public hearing to be held that evening Council might wish to set 5:00 p.m. as the time for the hearing, to which Council agreed.

Peninsula North Secondary Planning Strategy

This matter was forwarded to Council without recommendation pending a staff review and report of the changes proposed by Alderman Meagher.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the Peninsula North Secondary Planning Strategy as amended by Alderman Meagher's changes as outlined in the document entitled 'Proposed Policy and Bylaw Revisions to Peninsula North Secondary Planning Strategy, August 17, 1987, excepting that the proposed change to Schedule Q as outlined on page 10 of that document be deleted, be forwarded to the Planning Advisory Committee for review and report and further that this matter go forward as quickly as possible and that November be targeted as a date for a public hearing on this matter.

Motion passed.

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MISCELLANEOUS BUSINESS

Annual Report - Public Service Commission - TO BE TABLED

Correspondence dated August 4, 1987, with attached document entitled 'Public Service Commission of Halifax Forty-Second Annual Report', from Mr. M. H. Mitchell, Secretary and Treasurer, Halifax Water Commission, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Dewell that the document entitled 'Public Service Commission of Halifax Forty-Second Annual Report' be tabled.

Motion passed.

Cost Sharing - Sidewalk Due to Development

A staff report dated by August 21, 1987 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Downey that City Council:

1. authorize staff to execute reimbursement of \$39,437.50 to United Equities Ltd. for the City's share of sidewalk renewals on College Street, Summer Street and Spring Garden Road; and
2. transfer funds from CC014 and CC015 to CC007 for administrative purposes.

Motion passed.

QUESTIONS

Question Deputy Mayor Jeffrey re: Senior Staff Salary Review

Deputy Mayor Jeffrey referred to the recent non-union salary increases and noted that at the time of approval of these salary increases Council had requested that a review of department head salaries be carried out. Deputy Mayor Jeffrey indicated that it was his understanding that a report with regard to this matter was to come to Council and asked the status of this report and when it would be coming to Council.

His Worship indicated that the report had just recently been completed and would be coming before Council at a private meeting in the near future.

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Question Deputy Mayor Jeffrey re: Brewery Workers

Deputy Mayor Jeffrey referred to requests made to City Council by the Brewery Workers to address Council in relation to what they believe will be the adverse affects of Free Trade on their industry. Deputy Mayor Jeffrey indicated that he felt Council should make some response to the Brewery workers in this regard.

Alderman Flynn noted that he had added this item to the agenda of this evening's meeting for discussion.

Question Deputy Mayor Jeffrey re: Local Improvement Charges  
Cross Street

Deputy Mayor Jeffrey referred to discussions held at Council in relation to paving renewals on Cross Street and noted that this particular project had been proposed as a Local Improvement Project. Deputy Mayor Jeffrey noted, however, that due to the high cost to residents and the fact that all the residents affected were seniors, the project had not gone ahead.

Deputy Mayor Jeffrey further noted that he had made some suggestions with regard to a lessor level of remedial work which might be carried out and requested a report in this regard. Deputy Mayor Jeffrey noted that he had not yet received this report and asked its present status. Deputy Mayor Jeffrey indicated that he would like to see certain remedial works carried out in that area as soon as possible.

Question Deputy Mayor Jeffrey re: Halifax City Float

Deputy Mayor Jeffrey referred to a conversation he had with a Halifax resident regarding the entrance of the Halifax City Float in a parade in New Brunswick. Deputy Mayor Jeffrey asked for what purpose the float had been in this parade and further indicated that he understood that city staff had accompanied the float to New Brunswick and requested to be advised of the costs involved.

His Worship noted that the Halifax City Float had taken part in a Natal Day Parade in that Province and a similar float from New Brunswick had been involved in Halifax's Natal Day Parade. His Worship went on to note that this was only one of many parades in which the float had been involved and noted that he would bring forward a full report in this regard including all costs. His Worship went on to note that the costs involved had been budgeted for in the 1987 Operating Budget.

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His Worship then recognized Ms. Christa Huey, CFDR and noted that Ms. Huey had been a City Hall Reporter for some three years. His Worship advised that Ms. Huey would shortly be moving to Toronto and wished Ms. Huey, on behalf of City Council, well in her endeavors in Toronto.

Question Alderman Flynn re: Proposed Portable Weight Scales

Alderman Flynn referred to a report recently received by members of Council regarding truck traffic and weight restrictions in the City and noted that this report suggested that staff was considering the acquisition of portable weight scale units to be utilized throughout the City. Alderman Flynn asked if a follow-up report would be forthcoming to Council dealing with this matter and whether or not staff was intending to proceed with the acquisition of these portable units. Alderman Flynn noted that the City spent a great deal of money in relation to the upkeep of the streets and suggested that some action should be taken to ensure that weight restrictions are not being violated.

The City Manager indicated that this information would come forward to Council during budget discussions.

Alderman Flynn indicated that he would like to ensure that all information is available at that time for Council's consideration.

Question Alderman Flynn re: 'Buskers' International Festival

Alderman Flynn referred to the 'Buskers' Festival carried on throughout the City last week and noted that Halifax had been very fortunate to enjoy this event. Alderman Flynn expressed concern with regard to statements made by the Premier in relation to this Festival being organized by the Provincial Department of Tourism next year and indicated that he would like His Worship to write the Premier suggesting that in future the event should continue to proceed as it did this year.

Question Alderman Dewell re: Bylaw Enforcement Officers

Alderman Dewell noted that during the budget process funding for two additional Bylaw Enforcement Officers had been approved in order that the police force might be relieved of a certain amount of routine Ordinance enforcement. Alderman Dewell noted that it appeared that these Bylaw Enforcement Officers were very active in the South End, however, other parts of the City including Peninsula North and the Mainland did not appear to be receiving the same service. Alderman Dewell requested that His Worship contact the Chief of Police in regard to this matter to ensure that the Bylaw Enforcement Officers are being deployed evenly throughout the City.

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Question Alderman Dewell re: Damage to Vehicles Resulting  
from the Realignment of a Ball Field Diamond

Alderman Dewell referred to the recent realignment of the Department of National Defence ball field diamond off of Dudley Street and noted that as a result balls being hit from this field are causing damage to cars parked on the street. Alderman Dewell noted that residents who have approached ball players in regard to damage have not received a courteous or positive response.

Alderman Dewell further noted that the Military Police have suggested to residents that they obtain a lawyer and sue the individuals involved as they are unable to take any action in this regard. Alderman Dewell requested that His Worship, in an effort to reduce the confrontational aspects of this matter, contact the Commanding Officer to ascertain the facts of the situation and determine whether there is any possibility of damages being mitigated.

Question Alderman Dewell re: Alternate Use Windsor Park Housing

Alderman Dewell referred to rumors being spread by military personnel in relation to a proposed alternate use for the housing units at Windsor Park and noted that this was causing grave concern in the area. Alderman Dewell noted that he had investigated this matter one month ago and had found that there was no truth to the rumors. Alderman Dewell asked if the City Manager had received any indication that the situation had changed in any way.

The City Manager indicated that he had not received any further information in this regard, however, his review of the matter had indicated that the rumors were incorrect and the alternate use suggested had never been considered.

Alderman Dewell indicated that he would like to ensure that this situation was rectified before it becomes an even greater concern to area residents.

Question Alderman O'Malley re: Garbage Disposal Units

Alderman O'Malley asked the present status of the proposed Ordinance in relation to garbage disposal units.

The Acting City Solicitor indicated that, as he had explained previously, the proposed regulations had been placed before the Board of Health for consideration. The Acting City Solicitor noted that it was his understanding that the regulations would first be reviewed by the Board of Health and then come before City Council for their input.

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In response to an additional question by Alderman O'Malley regarding whether or not Council's request for this information would be responded to, the Acting City Solicitor indicated that the authority to make such regulations lies with the Board of Health and Council has no authority under the City Charter to develop an Ordinance in this regard.

Alderman O'Malley noted that he was not only concerned with the health aspect of these units but, as well, with the fire and unsightly premise concerns related to garbage disposal units. Alderman O'Malley went on to note that he was concerned that these aspects be discussed by Council and perhaps dealt with by Council through some other avenue.

The Acting City Solicitor indicated that it was his understanding that the Board of Health would not formally adopt the regulations until such time as they have received input from City Council.

Question Alderman O'Malley re: Action Permitted by Inspectors  
in relation to Building Code Violations

Alderman O'Malley referred to a response received from the City Solicitor's Department regarding the possibility of Building Inspectors being given the authority to ticket when they discover Building Code violations and noted that the response had indicated that the Attorney General's Office was not in favor of this proposal. Alderman O'Malley noted, however, that the response had indicated that the Attorney General's office had suggested an alternate proposal. Alderman O'Malley requested that the City Solicitor's Department bring forward a report outlining in greater detail the alternative proposed by the Attorney General's Office.

Question Alderman O'Malley re: Potable Water for Home - 5263  
Duffus Street

Alderman O'Malley referred to a situation at a property located on Duffus Street in which the property has not received potable water since 1970. Alderman O'Malley noted that he had been involved in this matter for some five years and to date no resolution to the difficulty has been reached. Alderman O'Malley noted that both Building and Atlantic Health Unit Inspectors have visited the property, however, no corrective action has been taken to date. Alderman O'Malley noted that he, along with area residents, were very concerned about this situation.

The Acting City Solicitor noted that the Board of Health, over the last number of years, have dealt with similar cases and have issued orders stating that the properties were unfit for human habitation. The Acting City Solicitor went on

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to note that in certain instances rental payments have been ordered stopped, residents required to leave the dwelling and even demolition of the building.

Alderman O'Malley indicated that something must be done in relation to this particular matter.

Question Alderman Meagher re: Crossing Guard Corner of Windsor and Summit

Alderman Meagher referred to a request he had made to the School Board earlier in the summer for a crossing guard at the corner of Windsor and Summit Street and noted that to date he had not received a response. Alderman Meagher went on to note that the closure of Bloomfield School would increase the student traffic at this already very busy intersection. Alderman Meagher requested that a letter be forwarded to the School Board reinforcing his request for the location of a crossing guard at this intersection.

Question Alderman Meagher re: Mobile Vendors

Alderman Meagher referred to the 'Buskers' Festival held in the City last week and noted that the City should be proud of the success of this festival. Alderman Meagher noted, however, that he had received a number of calls with regard to what appeared to be a lack of control over the vendors in the downtown. Alderman Meagher noted that residents have indicated to him that the number of vendors should be limited and they should also be required to ensure that garbage resulting from their establishment be collected. Alderman Meagher indicated that he had advised the callers that this matter was presently being reviewed and noted that he would like to ensure that these items are reviewed and something done prior to the festival next year.

His Worship indicated that a report in this regard would be coming to Council from the Streets Committee.

Question Alderman Downey re: Press Box at Wanderers Grounds

Alderman Downey asked the status of the press box at the Wanderers Grounds and requested a report in this regard be prepared by the Recreation Department and submitted to Council.

Question Alderman Downey re: Development of Sobey's Property  
Gottingen Street

Alderman Downey referred to the closure of the Sobey's store on Gottingen Street and the subsequent re-opening of the Foodland's store and noted that he would like to know what Sobey's is planning for the lands they own on Gottingen



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Street. Alderman Downey went on to note that the loss of any additional stores on the street would be disastrous to Cottingen Street. Alderman Downey noted that he felt Sobey's should advise the City of their plans for development and if they are not planning to develop this area, the City should look into the possibility of developing the lands. Alderman Downey requested that His Worship to write the appropriate persons and request that they come before us in a private meeting to determine exactly what is proposed for the lands involved.

Alderman Downey noted that he had been asking what Sobey's and the Federal Government planned to do with their lands for a number of years. Alderman Downey further indicated that the street has been gradually deteriorating and he felt it was time that the City was made aware of the development plans for the area.

Question Alderman Cromwell re: Garbage Containers

Alderman Cromwell referred to Alderman O'Malley's question regarding the garbage containers and expressed concern with regard to the aesthetics factors involved with these containers. Alderman Cromwell noted that he was not greatly concerned with the health aspect of these containers as he was sure that the Board of Health would ensure that all necessary measures were in place. Alderman Cromwell requested that the regulations come before Council immediately in order that they might be able to debate the more aesthetic aspects of these containers and not have the regulations going back and forth between the Board of Health and City Council for an extended period of time.

Question Alderman Cromwell re: Sequential Lighting System

Alderman Cromwell referred to the correspondence distributed to him this evening in relation to the sequential lighting system and asked exactly what was proposed for this system.

Alderman O'Malley noted that this matter had been added to the agenda of tonight's meeting for discussion.

Question Alderman O'Malley re: Status of Resolution re Halifax Shipyards

Alderman O'Malley referred to the resolution approved by City Council in relation to the Halifax Shipyards and asked the present status of the action set out in that resolution.

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His Worship advised that he had been in contact with the Honourable Mr. Thornhill and Mr. Thornhill had suggested that representatives of the City join with the Provincial delegation in approaching Ottawa on this matter.

Alderman O'Malley indicated that regardless of any action suggested by Mr. Thornhill he wished to ensure that the formal resolution of Council regarding a letter being forwarded to the Minister, a Committee being established, and an appointment sought with the Minister was acted upon.

His Worship indicated that he would prepare a report in this regard advising Council of the action taken.

Question Alderman Walker re: Letter of Condolence to Town of Shelburne

Alderman Walker requested that His Worship forward a letter of condolence to the Town of Shelburne on the recent death of their Mayor.

ADDED ITEMS

Recommendation for Grant - Tax Concessions and Grants Committee

A report from Alderman N. Meagher, Chairman, Tax Concessions and Grants Committee dated August 23, 1987 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Walker  
that the following grant be authorized by City Council:

Gordon B. Isnor  
Senior Citizens Association      \$100.00

Motion passed.

Award of Tender #87-58 - Sidewalk Renewal & New Sidewalk

A staff report dated August 25, 1987 was submitted.

MOVED by Alderman Dewell, seconded by Alderman Walker  
that:

1. Tender #87-58 for Sidewalk Renewal and New Sidewalk, as follows, be awarded to Armdale Construction Limited for a bid price of \$287,416.00 and a total project cost of 348,000.00:

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- 1(a). Connaught Avenue (E)  
(Quinpool to Oak)
- (b). Oxford Street (W)  
(Seaforth to Summit)
- (c). Pacific Street (E)  
(Almon to Windsor Terr.)
  
- 2(a). Lawrence Street (S)  
(Harvard to Chebucto Lane)
- (b). Lawrence Street (S)  
(Chebucto Lane to Windsor)
  
- 3(a). Windsor Street (W)  
(Kempt Rd. to Connaught)
  
- (b). Mitchell Street (W)  
(Inglis to End)
  
2. Funding Authorized from Account Numbers: CB153,  
CB194, CB179, CA018, CB192, CB180, CA017.

Motion passed.

Relocation 48" Storm Sewer - Agreement No. 19106 (CNR)

A staff report dated August 26, 1987 was submitted.

MOVED by Alderman Flynn, seconded by Alderman R. Grant  
that City Council:

1. approve a project for the design and construction of a relocation of the City's 48" sewer line in the Fairview Yard of Canadian National at an estimated cost of \$40,000.00;
2. authorize staff to negotiate a relocation contract with a selected contractor or contractors to expedite these works by September 21, 1987;
3. authorize staff to negotiate with Canadian National regarding design fees for relocating the City's 48" sewer line; and
4. City Council approve funding at an estimated cost of \$40,000.00 from Account No. DA013, Howe Avenue (behind General Electric building).

Motion passed.

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Sound System Signaling - His Worship Mayor Ron Wallace

This matter was added to the agenda at the request of His Worship the Mayor. Correspondence dated August 24, 1987 directed to Mr. D. Corkum, City Manager's Office from Mr. Peter Teroux, Consultant in Acoustics was submitted.

Alderman O'Malley addressed the matter referring to the submitted correspondence noting that the proposal outlined in the correspondence addresses Council's request for a signalized lighting system for the Council Chamber. Alderman O'Malley noted that he did not know whether the \$20,000 required to implement this proposal was included in the bottom line budget figure recently provided to Council, however, he indicated that he felt this system was necessary to provide good and orderly communication within the Chamber. Alderman O'Malley went on to suggest that funds could be found within the bottom line budget by eliminating some less important or vital aspects of the renovation.

MOVED by Alderman O'Malley, seconded by Alderman Flynn that City Council approve funds in the amount of \$13,500 in relation to the implementation of the sequential signalling system as outlined in the submitted correspondence of August 24, 1987.

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

A short discussion ensued with regard to the individual recording system with Alderman O'Malley suggesting that perhaps Council should not move forward with the 15 recording units and suggested that Council should start with six recording units.

Alderman Dewell addressed the matter noting that he felt Council should proceed with the proposal in its entirety. Alderman Dewell noted that Council must consider the future needs of City Council.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that Council approve funds in the amount of \$10,235 in relation to the implementation of the individual recording system as outlined in the submitted correspondence of August 24, 1987.

Motion passed.

Animal Control - Deputy Mayor Jeffrey

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

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Deputy Mayor Jeffrey addressed the matter noting that he recently received a number of calls regarding animal control in the City. Deputy Mayor Jeffrey referred to one instance in which an apartment dweller upon moving had left four cats in the apartment and when the superintendent had called the animal control officer to have these cats removed, he had been advised that the Animal Control service for the City did not deal with cats. Deputy Mayor Jeffrey indicated that he did not feel that the Animal Control service for the City had not been satisfactory for some time.

His Worship noted that the City's contract in relation to animal control dealt only with dogs.

A further discussion ensued with Alderman Jeffrey suggesting that the contract for Animal Control should be brought back into the City and indicated that he would like a report in relation to the feasibility of the dog control officer being located in the City.

The City Manager noted that although the office through which the service was provided was in Dartmouth, the individual animal control officers were located in Halifax.

A further short discussion ensued with Deputy Mayor Jeffrey noting once more that he did not feel the service was satisfactory and requesting a report outlining the number of vehicles involved in animal control, the hours worked by the animal control officers and whether or not there was a need for additional vehicles.

The City Manager indicated that staff would report in this regard.

Alderman R. Grant noted that at one time the City had a dog catcher and suggested that the City must look at the possible reestablishment of a dog catcher in the City to deal with cases of stray dogs.

Deputy Mayor Jeffrey requested that the report also address the appropriate measures to be taken in relation to cats.

47 1/2 Coronation Avenue - Deputy Mayor Jeffrey

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

Deputy Mayor Jeffrey referred to problems being experienced at 47 1/2 Coronation in relation to an illegal addition and that the owner had defied all orders made in relation to the illegal addition, including an order to remove the addition. Deputy Mayor Jeffrey went on to note that the

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owner had fenced his property and stationed a German shepherd at the fence to ensure that the various city inspectors are unable to access the property. Deputy Mayor Jeffrey noted that this matter would be shortly coming before the courts and that he would keep Council updated in relation to this matter.

Transit and Metropolitan Authority - Alderman Flynn

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

Alderman Flynn addressed the matter referring to an article in the August 26, 1987 edition of the Mail Star regarding the addition of two new transit routes in November. Alderman Flynn noted that the two new routes would service the Beechville, Lakeside and Timberlea and a Bedford-Dartmouth express service and that the revenue cost ratio on these routes would be 27%, as opposed to the 40% revenue cost ratio quoted to the City in relation to the discontinuance of Halifax routes. Alderman Flynn further indicated that Metro Authority had waived the two zone fare in relation to these routes and noted that this was at a time when transit was operating with a \$600,000 deficit.

Alderman Flynn further noted that the cost to the City in relation to the Beechville, Lakeside, Timberlea bus would be in the area of \$62,400 and indicated that the bus would not be servicing the industrial parks as it passed approximately 1 mile away from both the City's park's. Alderman Flynn then advised that a report prepared by the Industrial Commission regarding the provision of a charter service to the parks indicated that the cost of service during peak hours would be in the area of \$37,300. Alderman Flynn noted that this would be a savings of some \$25,000 and provide direct service to the industrial parks. Alderman Flynn indicated that he felt it was time the City stopped subsidizing the County and Bedford in relation to bus service and suggested that if the County wanted these services they should be willing to pay the total cost.

Alderman Flynn went on to note that although he did not know if the report was correct, there was nothing in the report to indicate that the representatives of the City had objected to this proposal. Alderman Flynn indicated that he did not feel that the city should subsidize the elimination of the two fare zone and further noted that the route would not service the City in any way.

MOVED by Alderman Flynn, seconded by Alderman O'Malley that Halifax City Council not approve Route 21, Beechville, Lakeside Timberlea and refuse to participate in the funding for this route and further that the Industrial Commission prepare a

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report in relation to the City providing a charter bus service to the industrial parks.

The motion was put and passed.

Alderman Flynn then referred to his support of Metro Transit becoming an on-line department of Metropolitan Authority and noted that he was very disappointed with the results of Metro Transit becoming an on-line department. Alderman Flynn noted that Metropolitan Authority has not done a good job in managing transit and in fact were now operating with a \$600,000 deficit.

Alderman Flynn went on to note that the previous method of operation had been a successful and workable method. Alderman Flynn noted that there appeared to be no leadership at Metropolitan Authority in relation to transit and suggested that they were operating under crisis management. Alderman Flynn expressed his disappointment in relation to the management of transit by the Metropolitan Authority noting that Metro Authority were not doing the job he thought they could do.

Alderman Flynn went on to suggest that the Transit Board should be reestablished and the operations of transit should be returned to the Board. Alderman Flynn went on to note that he would like the City's Transit Advisory Board to make some suggestions to Council with regard to this matter and further suggested that it should be placed on the agenda for the next meeting of the Committee of the Whole Council.

Alderman O'Malley noted that the item dealing the City Auditor General's report regarding Go Time was on the agenda for the next meeting of the Committee of the Whole Council and suggested that this item would provide an opportunity for a full debate in regard to this matter. Alderman O'Malley commended Alderman Flynn for bringing this matter to Council.

#### Brewery Industry - Alderman Flynn

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

Alderman Flynn referred to two letters received by members of Council from the Brewery Workers requesting an opportunity to address Council and suggested that such an opportunity should be made at the next meeting of the Committee of the Whole Council.

His Worship noted that the concerns being expressed by the Brewery workers dealt with Free Trade which was a Federal matter. His Worship further noted that Council had passed a formal resolution indicating that they would not deal with matters over which the federal government has jurisdiction.

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Alderman O'Malley addressed the matter indicating that he would like a copy of that motion made available to him and further noted that he would like this item to be placed on the agenda of the next meeting of the Committee of the Whole Council. Alderman O'Malley noted that if such a resolution exists, he would be proposing to rescind the motion.

A further discussion ensued with Alderman O'Malley repeating his request that this item be placed on the agenda of the next meeting of the Committee of the Whole Council.

Recreation - Special Event Fees - Alderman Flynn

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

Alderman Flynn referred to the policy of charging special event fees for use of the Commons and noted that Recreation had charged a fee for use of the commons for baseball during the winter months. Alderman Flynn noted that he had no problem with charging the special event fees, however, he felt that some time limit should be placed on the charging of these fees. Alderman Flynn suggested that these fees should only be charged between May and October. Alderman

Flynn requested that the Recreation Committee reconsider this matter with a view to limiting the period for charging of these fees.

Use of Wanderers Grounds - Labour Day Weekend - Waiving of Fees - Alderman Meagher

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

Alderman Meagher addressed the matter referring to a number of calls he had received in relation to a baseball tournament scheduled to be held on the Wanderers Grounds and noted that the Liverpool, Port Hood and Yarmouth intermediate teams had intended upon holding a tournament on the Wanderers Grounds over the Labour Day Weekend. Alderman Meagher noted, however, that the \$300 fee would make it virtually impossible for these teams to follow through on their plans. Alderman Meagher went on to note that the teams were aware that they would be responsible for the cost of lighting.

MOVED by Alderman Meagher, seconded by Alderman Walker  
that the Recreation Committee be requested to consider the waiving of the \$300 fees in relation to the above tournament.



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A short discussion regarding the appropriateness of this motion in light of the present policy in regard to use of the Wanderer's Grounds ensued and the Motion was put and lost.

Proposed School Board Reorganization Guidelines - Alderman O'Malley

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

There was no discussion with regard to this matter.

12:20 a.m. The meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

F. A. KERR  
CITY CLERK

AK/SH

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SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

Halifax West High School  
Gymnasium  
Halifax, Nova Scotia  
September 9, 1987  
7:30 p.m.

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

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

Also Present: Deputy Mayor Jeffrey, Chairman; Aldermen D. Grant, Cromwell, Downey, Meagher, Dewell, R. Grant, Leiper, and Hamshaw.

Present: Mr. M. Hanusiak, Development and Planning Dept.; Mr. W.D. Campbell, Development and Planning Dept.; Mr. Wayne Anstey, Solicitor; Mr. P. Calda, City Manager; Mr. E. A. Kerr, 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 earlier on this date:

1. Contract Development - Fire Fighters Club - 2029 North Park Street;
2. Tender 89-101 - Paving Renewal (Columbus Place - Stairs Place);
3. Tender 87-32 - Sidewalk Renewal.

Contract Development - Fire Fighters Club - 2029 North Park Street

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

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an application for contract development to permit a second floor rear addition to the Fire Fighters Club located at 2029 North Park Street (Case No. 5446).

Motion passed.

SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

Halifax West High School  
Gymnasium  
Halifax, Nova Scotia  
September 9, 1987  
7:30 p.m.

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

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

Also Present: Deputy Mayor Jeffrey, Chairman; Aldermen D. Grant, Cromwell, Downey, Meagher, Dewell, R. Grant, Leiper, and Hamshaw.

Present: Mr. M. Hanusiak, Development and Planning Dept.; Mr. W.D. Campbell, Development and Planning Dept.; Mr. Wayne Anstey, Solicitor; Mr. P. Calda, City Manager; Mr. E. A. Kerr, City Clerk; and other members of City Staff.

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Contract Development - Fire Fighters Club - 2029 North Park Street

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

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an application for contract development to permit a second floor rear addition to the Fire Fighters Club located at 2029 North Park Street (Case No. 5446).

Motion passed.

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The City Clerk advised that the date for the public hearing was set as Wednesday, October 7, 1987 at City Hall, Council Chambers, beginning at 5:00 p.m.

Award of Tender #87-101 - Paving Renewal (Columbus Place - Stairs Place)

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

MOVED by Alderman Meagher, seconded by Alderman Leiper that, as recommended by the Committee on Works, Tender #87-101 (pertaining to paving renewals, curb and gutter) be awarded to Municipal Contracting Limited for work to be completed under Alternative II (full-depth asphalt and gravel base) as outlined in the staff report dated August 27, 1987, for the following projects:

- 1) Columbus Place (Isleville to Novalea) for a bid price of \$82,220.00 and a total project cost of \$98,664.00 (funds to be made available from Account No. CE008); and
- 2) Stairs Place (Isleville to Novalea) for a bid price of \$45,181.00 and a total project cost of \$54,000.00 (funds to be made available from Account No. CE018).

Motion passed.

Award of Tender #87-32 - Sidewalk Renewal

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

MOVED by Alderman Downey, seconded by Alderman D. Grant that, as recommended by the Committee on Works, Tender #87-32 (pertaining to sidewalk renewals) be awarded to G. & R. Kelly Enterprises Limited for a total bid price of \$98,667.75 and a total project cost of \$119,000.00 for the following:

- a) South Street (Davis to Robie) - S (funds to be made available from Account No. CB220);
- b) Tower Road (Grant to Faye) - W (funds to be made available from Account No. CB230);
- c) Victoria Road (South Park to Lucknow) - N (funds to be made available from Account No. CB235);
- d) Patricia Street (Churchill to MacDonald) - S (funds to be made available from Account No. CB195); and

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- e) Windsor Street (Oxford to Hood) - W (funds to be made available from Account No. CB242).

Motion passed.

Amendment to Section 16AD(1)(d) of the Land Use Bylaw  
(Peninsula)

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

Mr. Hanusiak, Development and Planning Dept., outlined the proposal to amend Section 16AD(1)(d) of the Land Use Bylaw as described in the staff report dated August 6, 1987, to His Worship the Mayor and members of City Council.

Mr. Hanusiak explained that City Council approved a contract development application on July 30, 1987 to permit construction of a mixed residential/commercial complex to be known as Spring Garden Place, Phase 11. He further stated that Staff's original report on the proposed development included an amendment to Section 16AD(1)(d) of the Land Use Bylaw (Peninsula), to permit construction of mechanical penthouses and decorative parapets on the roof of the building beyond the 150 ft. height limit of the Bylaw.

Mr. Hanusiak went on to state that this amendment, along with the contract application, was considered at a Public Hearing on July 27, 1987. However, Mr. Hanusiak explained that because the Public Hearing notices did not specifically reference the proposed bylaw amendment, it was decided to readvertise the matter as the subject of a separate Public Hearing.

Mr. Hanusiak, in conclusion, stated that Staff are recommending that the By-law be changed as noted in the Staff Report of August 6, 1987.

There were no persons present wishing to speak in favour of or in opposition to the proposed amendment.

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

Motion passed.

Case No. 5006 - Schedule K Contract - Clayton Park West

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

Mr. W. D. Campbell, Development and Planning Dept., with the aid of diagrams and plans presented the application



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for a Schedule K contract by Clayton Developments Limited for Stage 1 and Stage 11 approvals of lands in Mainland North. Mr. Campbell indicated, as noted in the Staff Report dated April 23, 1987 to His Worship the Mayor and members of Council, that Stage 1 approval is for an approximately 428 acre area of undeveloped land west of Dunbrack Street and east of the Bicentennial Highway and Stage 11 approval is for a 112 acre parcel, within the larger area, west of Dunbrack Street, east of the Nova Scotia Power Corporation right-of-way, north of Dunbrack Street/Lacewood Drive intersection and south of the Dunbrack Street/Langbrae Drive intersection.

Mr. W. D. Campbell stated that the application proposes development of the lands for a mix of residential uses with a shopping centre at the northwest corner of Dunbrack Street and Lacewood Drive. Mr. Campbell indicated, as outlined in the Staff Report of April 23, 1987, that the essence of a Stage 1 approval is consideration of land use, density, mix of dwelling units, servicing, road patterns and provision of open space. With respect to Stage 11, Mr. Campbell indicated that the essential elements to consider are the overall coordination of the Stage 11 plan with the Stage 1 concept in such matters as land use, density, services, roadways/traffic, parks, natural lands retention, schools and transit. Mr. Campbell outlined each of the elements as noted in the Staff Report dated April 23, 1987.

In conclusion, Mr. Campbell advised that Staff are recommending the following: Stage 1 approval to the lands of Clayton Developments and Stage 11 approval to Phase 1 of Clayton Park West; the use of landscaped "islands" at the ends of the cul-de-sac streets provided they are of low maintenance design; and the cost sharing formula for the construction of Street K.

Mr. Peter McDonough, representing the applicant, Clayton Developments Limited, addressed Council stating that this is one of the most exciting developments that the City has seen in a long time and stated that it is a significant part of our residential future. He went on to state that the proposal represents an opportunity to "buck" the present trend where the population growth and development is occurring outside the City limits. Mr. McDonough indicated that Clayton Developments have produced quality housing in Metro. Mr. McDonough pointed out that he felt it was significant that Clayton Developments Limited is a Company that is owned and run by Nova Scotians.

In conclusion, Mr. McDonough indicated that Clayton Park West is a blue print for the future in that it fulfills all the provisions of the Municipal Planning Strategy.

Mr. McDonough advised that Mr. Stan Gardner, traffic engineer, and Mr. Chris Lowe of UMA Consultants were in attendance to address any questions that Council may have.

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8:10 Alderman Walker joins the meeting.

Mr. McDonough submitted a letter dated September 9, 1987 from Mr. R.A. Cluney, McInnes Cooper & Robertson, stating that the Sisters of Charity have considered the proposed plan for development of Clayton Park West and fully support this development. A letter dated September 9, 1987 from the Archdiocese of Halifax in support of the development proposal was also submitted (copies of both letters are included in the official file of this meeting).

Mr. Robert Shaw, President, Clayton Developments Limited, addressed Council outlining their plans, intentions and objectives for this development. Members of Council received copies of a report titled "Clayton Park West" previous to this meeting (a copy of which is included in the official file of this meeting). Mr. Shaw described the Clayton Park West concept as outlined in this report making reference to the diagrams displayed for members of Council.

Mr. Shaw indicated that this proposal responds to the plans for future growth based on the principles and policies as set out over the past decade in the MPS and related documents. He stated that the proposal allows the City to create a planning basis for the associated development of a Mainland Common and the growing industrial base adjacent in the western reaches of the City. Mr. Shaw further stated that the proposal creates a climate for a more aggressive response to a market which seeks a variety of housing forms for people to live within the City of Halifax and produces contributory revenues in excess of any forecast costs for the foreseeable future while providing employment for hundreds of trades people and suppliers.

Mr. Shaw commented on a report from First City Developments advising that he has not read the report but expressed concern with regard to the fact that this particular company has been seeking to purchase this land from them explaining that he had received a call from their President at which time he indicated that since Clayton are not interested in entering agreements on something they had in the approval process, that one of their avenues was to make a submission and take an objectionable stand.

Mr. Shaw alluded to the requests contained on page 14 of the Staff Report dated April 23, 1987 respecting landscaped "islands" at the ends of cul-de-sac streets and the cost sharing formula for the construction of Street K which they feel are both necessary.

During the summer months since Council set the public hearing, Mr. Shaw advised that he and other members of his firm have had the opportunity to meet and discuss their proposal

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with as many residents and groups which were interested. He stated that they met with the executive members of the Ward 12 Residents' Association on several occasions and reviewed their plans with other home owners in the area. He advised that the responses received were primarily very positive and supportive.

At this point, Mr. McDonough submitted copies of a report respecting "Clayton Park West - Phase 1 (112+ ac) Public Revenue and Expenditure Projections 1987 Dollars Based on 9 Year Implementation", which proposed revenue to the City of \$14 million in 1987 dollars, a copy of which is in the official file of this meeting.

Mr. Alan V. Parish, residing at 5820 Pinehill Drive, lawyer at the firm of Green Spencer, addressed Council on behalf of First City Shopping Centre Group who own and operate the Clayton Park Shopping Centre situated immediately adjacent to the proposed future development. Mr. Parish discussed the commercial aspect of the development stating that his client feels that the shopping centre portion of this proposal is premature noting that they do not feel there is a population base in Mainland North to support this project.

Mr. Parish indicated that it is their feeling that a sufficiently detailed marketing analysis was not performed by Staff before the report went forward and, consequently, commissioned their own report titled "Retail Market Demand In Mainland North Halifax, Nova Scotia" dated September 8, 1987 (copies of which are included in the official file of this meeting). Mr. Parish made reference to the report and advised that the report concludes that there is not a sufficient market in Mainland North to support the Clayton Shopping Centre at this time.

Mr. Parish made reference to a letter dated September 9, 1987, from Malone Given Parsons addressed to Mr. Ron Richards of the First City Shopping Group which was circulated to members of Council (a copy of which is included in the official file of this meeting). Mr. Parish advised that the comments expressed in the letter, that only one shopping centre of the magnitude of the Kearny Lake/Rocca or Clayton Developments proposals can be properly accommodated in this market in the near term, remain unchanged and recommend some form of control of development timing to avoid the impact of having both of these projects introduced at the same time.

Mr. Ron Richards, Director of Planning and Research for the First City Shopping Group, residing at 2851 John Street, Suite 1, Markum, Ontario, addressed Council requesting that Council recognize their expertise as developers of shopping centres. Mr. Richards felt it embarrassing to feel that he had to defend his company because it was not based in Halifax or in the Maritimes.

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Mr. Richards agreed that it is their desire to purchase the site for the reason that they are terrified as to what might be developed on it. Mr. Richards stated that they do not have any problem with the proposed residential development. Mr. Richards encouraged Council to further review their report.

Alderman Cromwell, in response to a concern raised by Mr. Parish, stated that Council base their decisions on what they think is in the best interests of the people of the City of Halifax and not on whether the developer is from Toronto or outside the City.

Mr. Bill Assini, 13 Beechwood Terrace, Wedgewood Park, vice president of the Ward 12 Residents' Association, addressed Council expressing concern with regard to the drastic changes that Clayton Developments Limited propose to make in their neighbourhood. Mr. Assini indicated that because of this massive population growth and overall commercial and residential development, they commissioned a professional City planner to review the Clayton plan noting that the report was financed by the Ward 12 Residents' Association.

Mr. Assini outlined the following points to which their planner found objectionable or require further study: checks and balances on development; commercial development v.s. residential; 15 storey incompatibility; general deficiencies; and density.

In conclusion, Mr. Assini stated that they are extremely disappointed by the lack of response to the community by the developer as to their concerns. Mr. Assini strongly suggested that a moratorium be placed immediately until further study and further questions are answered to the people of Ward 12.

In response to a question from Alderman Dewell, Mr. Assini advised that Doug Miller was hired by the Ward 12 Residents' Association and agreed to make the study available to Council.

Mrs. Barbara Alford, 36 Marlwood Drive, addressed Council expressing concern with regard to the commercial shopping centre which is located across from the IGA Clayton Park shopping centre on Dunbrack Street. She referred to this shopping centre as a "mammoth" shopping centre and inquired if Clayton Developments Limited was building it to serve a need or whether they were creating a need and whether they need another shopping centre in this area.

Mrs. Alford advised that she spoke to the former Attorney General for the Province of Prince Edward Island because they had set a moratorium in that Province against shopping centres. Mrs. Alford outlined some of the comments

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made by the former Attorney General. She reported that he expressed concern with regard to the small businessman stating that large shopping centres edge out and defeat the small businessman in the area. Mrs. Alford advised that she spoke to different merchants in Ward 12 and none of them were in favour of a large shopping centre being built in this area.

9:15 p.m. Meeting adjourned for a brief recess.

9:30 p.m. Meeting reconvened with the same members being present.

Mr. Bill Stone, 45 Swan Crescent, member of the Ward 12 Community Association, addressed Council expressing concern with regard to the fact that the residents have no input with respect to proposed development until the public hearing stage. He advised that they have had only one discussion with the developer with regard to this proposed development pointing out that the residents would very much like to participate in the development of their community.

Mr. Bill Stone advised that they expect the community to be developed but they don't want it to be destroyed. Mr. Stone expressed concern with regard to density expressing the concern that too many people concentrated in one area can create a variety of problems. Mr. Stone referred to the plan as being too open ended and suggested that anything can happen as a result of it. He suggested that the impact of the high density in the Ward, the neighbourhood, and the people who are living there should be studied before the proposal is approved.

Mr. Greg Boudreau, 70 Glenforest Drive, owner of Videoville Limited in Rockingham Ridge Plaza and President of the Rockingham Ridge Merchants' Association, addressed Council expressing concern with regard to commercial development in the area. Mr. Boudreau advised that Rockingham Ridge Plaza has been open for approximately one year and there are approximately 35% vacancies in the shopping centre. He further advised that there are still vacancies in the Clayton Park Mall. Mr. Boudreau suggested that any commercial development at this time would have devastating effects on their businesses in those areas. He went on to state that he is not opposed to development but, requested that at this particular time no further commercial development be allowed.

Mrs. Anne MacMillan addressed Council on behalf of Ward 12. Mrs. MacMillan advised that she moved to this area for space, privacy and beauty. She went on to state that they also reside in this area for safety, family and friends noting that the area they live in has become a "community" neighbourhood.

Mrs. MacMillan suggested that the proposed development would result in a loss of the essential amenities their

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community needs and urged that the essential nature of this community, it's "caring nature", is nurtured and maintained for all of its residents.

Mrs. MacMillan also indicated that the residents of Ward 12 have not had the opportunity to be involved in any overall neighbourhood plan or to express to City Council or planners their perception of their community as a neighbourhood and, therefore, recommended that before dealing with any proponent in relation to undeveloped land in Ward 12 that the City take the time to do a complete study of the community - its limitations, its people, and its assets and future needs.

Mrs. MacMillan submitted a copy of her presentation titled "Social Issues - Clayton Park Project" (a copy of which is included in the official file of this meeting).

Mr. George Russell addressed Council pointing out, as stated in the Staff Report, that this application will have influence on future Schedule K applications for other lands. Mr. Russell recorded the following three concerns he has: firstly, the staff report would indicate that the applicant has come up with some new and innovative things to do with the sewage from the area. Mr. Russell advised that the available capacity in the Langbrae system is shared on an equitable basis between the two properties. Secondly, Mr. Russell requested the deletion of the connection of Street J to Langbrae drive as this could result in short cutting traffic through his single corner street. Thirdly, Mr. Russell requested that part of the open space dedicated be located along the mutual boundary to correspond with his intended dedication which could afford a linear park, a walkway and a natural environment which could connect along the boundary with the power easement system.

Mr. Russell complimented Clayton Developments Limited on their comprehensive approach which they submitted suggesting that it is an excellent indication on how the methodology should work.

Mr. David Coates, 3 Julie's Walk, addressed Council expressing concern with respect to the effects of the high rise development over the whole area and what in fact that will do to the whole community. Mr. Coates advised that this concern, in his opinion, has not been addressed in any of the reports he has seen and indicated that it deserves a much closer look. Mr. Coates expressed concern with regard to Dunbrack Street becoming a glorified railway track. Mr. Coates commented that the traffic situation has not been addressed and suggested that it is high time that a very close look be taken at the traffic problem. Another area that Mr. Coates felt has not been looked at is the over all social effects of such a development.

Mr. Coates stated that Clayton Developments Limited does deserve credit for their development work in the past but, suggested that their previously high standards have been lowered in this case.

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Mr. Dave Platt, 132 Glenforest Drive, addressed Council advising that he is involved with the Ward 10 Community Association. Mr. Platt expressed concern with regard to traffic recognizing that Council is trying to solve the traffic problem in their area. Mr. Platt concurred with the comments made by the previous speakers in opposition to commercial development in this area at this time.

There were no further persons wishing to speak in favour of or in opposition to this application.

MOVED by Alderman Hamshaw, seconded by Alderman Dewell that the item be forwarded to the next regular meeting of City Council without recommendation.

Motion passed.

10:05 p.m. The meeting adjourned.

#### HEADLINES

Contract Development - Fire Fighters Club - 2029 North Park Street .....	561
Tender 87-101 - Paving Renewal (Columbus Place - Stairs Place) .....	562
Tender 87-32 .....	562
Amendment to Section 16AD(1)(d) of the Landuse Bylaw (Peninsula) .....	563
Case No. 5006 Schedule K Contract - Clayton Park West ...	563

DEPUTY MAYOR JEFFREY  
CHAIRMAN

/mmd

CITY COUNCIL  
M I N U T E S

Council Chamber  
City Hall  
Halifax, Nova Scotia  
September 17, 1987  
8:00 p.m.

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

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

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

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

His Worship, on behalf of Council, extended congratulations and best wishes to Archbishop James Hayes as he begins his role as the President of the Canadian Catholic Bishops Conference.

MINUTES

Minutes of the regular meeting of City Council held on August 27, 1987 and a Special meeting of City Council held on September 9, 1987 were approved on a motion by Alderman Meagher, seconded by Alderman D. Grant.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Award of Tender #87-30 Traffic Improvement - (Willett Street)
- 20.2 Report on School Board - Alderman O'Malley
- 20.3 Sewer and Water - St. Margaret's Bay Road - Alderman Walker
- 20.4 Appointments

The City Clerk further advised that he was informed that Council was awaiting a staff report staff in relation to comments and concerns expressed at the September 9, 1987 public hearing in relation to Item 5.4 - Case No. 5006 - Schedule K - Clayton Park West (Section 68 of the Land Use Bylaw - Mainland Area) and proposed that this matter be deferred to the next regular meeting of Halifax City Council to be held on October 1, 1987.



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

20.5 Centennial Arena

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

20.6 Metro Transit

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

20.7 Clearview Playground

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

20.8 Tourism Services

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

Motion passed.

#### DEFERRED ITEMS

Proposed Amendments to Municipal Development Plan, Policy 7.8.2.2  
(Part II, Sect. V - South End Plan)

This matter was deferred to this meeting from the City Council meeting held on August 27, 1987.

Alderman Cromwell addressed the matter indicating that he would like additional time to investigate this matter and MOVED, seconded by Alderman D. Grant that this matter be deferred to the next meeting of City Council to be held on October 1, 1987.

Motion passed.

Amendment to the Land Use Bylaw - R-2A Review

This matter was deferred to this meeting from the August 27, 1987 meeting of City Council.

Alderman D. Grant addressed the matter commenting on the number of developments in the South End since the creation of the R2AM zone and noting that the proposed amendments did not prevent development in the R-2A zone. Alderman D. Grant went on to note that the amendments endeavored to respond to concerns expressed by area residents regarding developments which covered 50% or more of the lot. Alderman D. Grant noted that the proposed amendments would provide for housing more in keeping with the existing housing.

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MOVED by Alderman D. Grant, seconded by Alderman Cromwell that City Council adopt the amendments to the R-2A and R-2AM (General Residential Conversion and Townhouse Zone) provisions of the Land Use Bylaw as outlined in staff reports dated April 7, 1987 and May 14, 1987.

In response to a question from Alderman O'Malley regarding whether attendance was required at the public hearing to vote on this matter, the City Solicitor indicated that Council was not exercising a judicial function in dealing with this public hearing but, were acting legislatively. The City Solicitor noted that Council was not determining competing rights and indicated that it would be permissible for members of Council not attending the public hearing to vote on this matter.

The motion was put and passed.

Amendment to Section 16AD(1)(d) of the Peninsula Portion of the Land Use Bylaw (Spring Garden Place Phase II)

A public hearing into the above matter was held on September 9, 1987.

MOVED by Alderman Downey, seconded by Deputy Mayor Jeffrey that Section 16AD(1)(d) of the Peninsula section of the Land Use Bylaw be amended by removing the words "portion of any" from the first line thereof.

The motion was put and passed with Aldermen O'Malley, Walker and Flynn abstaining due to non-attendance at the public hearing.

Case No. 5006 - Schedule K - Clayton Park West (Section 68 of the Land Use Bylaw - Mainland Area)

This matter was deferred to the next meeting of City Council to be held on October 1, 1987 during the setting of the agenda.

#### PUBLIC HEARINGS, HEARINGS, ETC.

Case No. 5392 - Appeal of Minor Variance Refusal - 5551 Stairs Place

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

Mr. B. Algee, with the aid of maps and plans, outlined the application for a minor variance of the lot cover, side yards, and front yard requirements of the Land Use Bylaw for the property located at 5551 Stairs Street as found in the staff report dated August 28, 1987. Mr. Algee noted that the purpose of the requested variance was to allow the construction of additions at the front, side and rear of the existing dwelling. Mr. Algee further advised that the variance application was refused due to non-compliance with Section 79(3)(a) and (b) of the Planning Act.

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Mr. Kim Richardson, representing the appellant, Ms. Charlene Corkum, addressed Council indicating that Ms. Corkum was a first time home buyer and had purchased 5551 Stairs Street with the intention to carry out some renovations and improvements to the property. Mr. Richardson advised that Ms. Corkum had submitted an original set of plans to City Hall in April of this year and had been advised that certain other measurements would be required. Mr. Richardson noted that Ms. Corkum had obtained these measurements and tests had been carried out on the property to determine if sonic tubing or a full foundation would be more appropriate. Mr. Richardson noted that it was determined that a full foundation would be most appropriate and a revised set of plans were submitted to City Hall.

Mr. Richardson noted that upon submission of the revised plans, staff of the Building Inspection Department were unable to locate the original plans, however, Ms. Corkum was assured that these plans would be located. Mr. Richardson went on to note that a building permit was issued a short time later and based upon the fact that she had submitted revised plans she assumed the building permit was for the additional sized structure proposed in the revised plans. Mr. Richardson noted that Ms. Corkum had tried unsuccessfully to have a City inspector visit the property for a number of days and in fact delayed the pouring of her foundation for five days.

Mr. Richardson indicated that it was some five weeks before a city inspector visited the site and it was determined that the building taking place was not in keeping with the building permit. Mr. Richardson noted that the additions were substantially completed at this time and further indicated that Ms. Corkum had complied with all requests from the City including a temporary injunction and stop work order. Mr. Richardson noted that some work had to be completed on the addition in order that no weather damage would be incurred.

Mr. Richardson then requested that Ms. Corkum come forward to respond to any questions Council might have in relation to this matter.

Ms. Charlene Corkum, appellant, addressed Council indicating that she was the owner of 5551 Stairs Street and noting that Mr. Richardson had summed up the situation quite well. Ms. Corkum noted that this situation had occurred due to a lack of experience on her part and noted that the removal of the partially completed addition would be a financial burden. Ms. Corkum went on to note that she would respond to any questions Council might have in this regard.

Alderman O'Malley addressed the matter indicating that the situation before Council was in fact a comedy of errors. Alderman O'Malley noted that he believed that staff, Ms. Corkum and the contractor had all acted in good conscious and that no blame could be laid. Alderman O'Malley went on to note that Ms. Corkum had been very cooperative in terms of stopping work on the addition.

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Alderman O'Malley then briefly reviewed some of the points made in the staff report noting that as this property was the end property of some 14 rowhouses there was, in fact, only one sideyard. Alderman O'Malley went on to note that many of the homes in the neighbourhood had garages in the their backyards which had the same effect as the addition to Ms. Corkum's property. Alderman O'Malley further indicated that the location of Fort Needham Park directly in front of these properties reduced the need for green area around the homes.

Alderman O'Malley noted that the addition was a beautifully designed and constructed sun porch and added to the neighbourhood. Alderman O'Malley further noted that the owner had circulated a petition to all the households in the area and indicated that the petition bore 74 names of householders expressing the view that the addition was attractive and complimentary to the neighbourhood.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that the decision of the Development Officer be overturned and that the appeal be upheld.

Motion passed.

Appeal of Variance Refusal for 2592-94 Robie Street (Deferred from August 27, 1987 City Council)

This matter was deferred to this meeting from the City Council meeting held on September 17, 1987.

Alderman Meagher addressed the matter indicating that he had been contacted by the appellant in regard to this matter and he had requested that this matter be deferred to the City Council meeting to be held on October 1, 1987.

Council agreed to the requested deferral.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 9, 1987, as follows:

##### Store Opening Hours

Correspondence dated September 16, 1987 from Fiona Diamond, Chairman, Retail Committee, Bayers Road Shopping Centre, was submitted.

Following is the recommendations of the Finance and Executive Committee:

"That no changes be made to the existing shopping hours in the City of Halifax, and that the status quo be maintained."

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Alderman Dewell addressed the matter noting that he had received a number of calls with regard to this matter and suggesting that, in light of these calls, the Bayers Road Merchants Association should be permitted to make a presentation to the Committee of the Whole Council.

MOVED by Alderman Dewell, seconded by Alderman Leiper that this matter be deferred to the next regular meeting of the Committee of the Whole Council in order that the Bayers Road Merchants Association may have an opportunity to make a presentation to Council in this regard.

The motion was put and lost.

Alderman Flynn addressed the matter noting that this matter had come before Council at the request of the management of the Bayers Road Shopping Mall. Alderman Flynn further noted that a number of other Merchant Associations within the City were not in favor of the changing of the store hours. Alderman Flynn indicated that he did not feel that a change in store hours should be made until such time as all the merchants within the City indicate a desire to have store hours changed. Alderman Flynn went on to note that he proposed to move the motion approved at the Finance and Executive that there be no change to store hours.

Alderman O'Malley referred to the discussion at the Finance and Executive Committee meeting and suggested that the motion should include a provision for metropolitan cooperation in regard to store opening hours.

MOVED by Alderman Flynn, seconded by Alderman Walker that no changes be made to the existing shopping hours in the City of Halifax, and that the status quo be maintained and further that Council, through the office of the Mayor, attempt to work with the other municipal governments in the metro area and, if necessary, the Minister of Municipal Affairs, to bring about uniform store opening hours.

His Worship indicated the intent of the latter part of the motion was that if receptive, the four chief magistrates meet to discuss the matter.

A further discussion ensued and the motion was put and passed with Alderman Dewell voting against.

His Worship recognized the attendance of Town of Truro and Colchester County Union of Nova Scotia Municipalities representatives at Council this evening.

NOSCO Marine Industries Limited

A confidential staff report dated September 10, 1987, was submitted.

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Alderman Flynn addressed the matter referring to the confidential report distributed to members of Council and suggested that it would not be prudent to discuss this matter in open Council. Alderman Flynn indicated that he would like to propose a motion that this matter be forwarded to the Tax and Grants Committee for review and a report to Council.

Alderman O'Malley addressed the matter suggesting that the Tax and Grants Committee should refer the matter directly to staff for a report and noted that the City's Director of Finance had not had an opportunity to review this matter.

Alderman Meagher addressed the matter indicating that he felt it would be more appropriate if the matter went first to staff and then back to the Tax and Grants Committee.

MOVED by Alderman Flynn, seconded by Alderman O'Malley that this matter be initially referred to City staff for review and report and then forwarded on to the Tax and Grants Committee for a recommendation to City Council.

Motion passed.

#### Auditor General's Report on Transinfo System

This matter was forwarded to Council without recommendation. A confidential staff report dated September 10, 1987 was submitted.

Alderman O'Malley addressed the matter indicating that he was increasingly concerned with the operation of Metro Transit including the projected 1987 deficit and the City's financial involvement in Transinfo. Alderman O'Malley then questioned Mr. Murray Sweeney, Acting City Auditor General, with regard to his report of August 7, 1987.

Alderman O'Malley noted that he was concerned with regard to statements made in Mr. Sweeney's report that projected sales of the software for this system would not go forward as the compatible hardware was no longer produced and asked if this statement was correct.

Mr. Sweeney noted that as of the time of the report the statement was indeed correct.

Alderman O'Malley then went on to express concern with regard to the direct cost to the City of the Transinfo system noting that it appeared the original estimate of some \$616,000 had escalated to \$1.4 million dollars.

Alderman Flynn addressed the matter noting that it was his recollection that the City of Halifax had entered into a contract with Metro Transit to provide the software for the Transinfo system. Alderman Flynn indicated that the contract price had been in the area of \$1.3 million dollars.

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In response to a question from Alderman O'Malley, Mr. Sweeney indicated that he was not aware of a contract of this nature.

In response to further questioning, Mr. Sweeney indicated that to his knowledge the City had not realized any recoveries.

Alderman O'Malley addressed the matter noting that the goals of Transinfo, to improve service and increase ridership, were admirable goals. Alderman O'Malley noted, however, that the system did not appear to be meeting these goals in light of recent expressions of concern over decreasing ridership. Alderman O'Malley went on to note that there appears to be a certain amount of confusion regarding the cost and recoveries related to the Transinfo system and indicated that he would like a comprehensive report reconciling the differences pointed out this evening and clarifying the whole matter. Alderman O'Malley indicated that he would like the report to include all motions that have been approved and what monies had been spent in relation to the Transinfo system.

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that a comprehensive report reconciling the differences in the reports of the City Auditor General and the Director of Finance be prepared including any actions taken by Metropolitan Authority regarding the Go-Time system and motions made in this regard.

Motion passed.

Award of Tender #87-118R: Two 1988 Model 30 Series Window Vans

This matter was forwarded to Council without recommendation.

MOVED by Alderman Hamshaw, seconded by Alderman D. Grant that Tender #87-118R for two 1988 Model 30 Series Window Vans be awarded to Bob McDonald Chev Olds for \$32,310.00, the lowest bidder meeting specifications, with funds being available in Account Number 127903.X1730.

Motion passed.

231 Herring Cove Road - Expropriation Settlement

This matter was forwarded to Council without recommendation.

MOVED by Alderman R. Grant, seconded by Alderman Walker that the expropriation claim by Charles L. Hubley in respect of injurious affection to his business premises at 231 Herring Cove Road be accepted and that payment be made to Mr. Hubley or his solicitor in the amount of \$11,820.52 as settlement in full of all claims submitted by Mr. Hubley. Motion passed.

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Property Acquisition - Civic No. 544 Herring Cove Road

This matter was forwarded to Council without recommendation.

MOVED by Alderman R. Grant, seconded by Alderman Walker that the vacant lot at Civic No. 544 Herring Cove Road be acquired from Mary and Owen Oliver for \$23,000 with funds being available in the Recreation Reserve Account.

Motion passed.

1333-35 Barrington Street - Date for Heritage Hearing

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman Cromwell that City Council consider the inclusion of 1333-35 Barrington Street in the Halifax Registry of Heritage Property and that in accordance with the requirements of Section 14(2) of the Heritage Property Act, a date be set to provide the owners thereof an opportunity to be heard.

Motion passed.

The City Clerk advised that the date set for the heritage hearing was Wednesday, November 4, 1987 beginning at 7:30 p.m. in the Council Chamber, City Hall.

Claim for Legal Fees

This matter was forwarded to Council without recommendation.

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that Council approve:

- a. the payment of Mr. M. Veniot's account in the amount of \$11,910.03 as rendered, and;
- b. the expenditure of up to \$5,000 for legal fees to conclude the case.

Alderman O'Malley addressed the matter indicating that he would not be supporting the motion. Alderman O'Malley indicated that he felt that staff should, upon entering a case of this magnitude, have brought an anticipated cost to Council for approval.

A short discussion and questioning of the City Solicitor ensued and the Motion was put and passed with Alderman O'Malley voting against.



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Statement of Revenue and Expenditure

This matter was forwarded to Council without recommendation.

MOVED by Alderman Dewell, seconded by Alderman R. Grant that the Statement of Revenue and Expenditure for the seven months ended July 31, 1987 be tabled.

A brief questioning of staff ensued and the motion was put and passed.

Forgiveness to Senior Citizens - Dog Ordinance (Ordinance 147)  
- Alderman O'Malley

This matter was forwarded to Council without recommendation.

Alderman O'Malley addressed the matter advising that within the last two weeks a senior citizen within the City had, due to financial constraints, attempted to make partial payment of his dog license fee and had been advised that full payment was required. Alderman O'Malley indicated that subsequently the senior had received a ticket in the amount of \$15.00 due to the fact that his dog did not have a license. Alderman O'Malley went on to note that the senior had been told that he would continue to get tickets until such time as payment for the dog license was made in full. Alderman O'Malley requested that a review be made of the policy within the collectors office with a view to allowing partial payment of the license fee in obvious cases of need.

The City Manager noted that such situations could be handled through the Social Planning Department.

Alderman O'Malley further requested that staff look into the possibility of forgiving the dog license fee for seniors. Alderman O'Malley noted that in many cases a dog was the only companion of a senior and the license fee was a financial burden. Alderman O'Malley requested that staff report with regard to this matter including the costs involved.

Recommendations - Rules of Order Committee

This matter was forwarded to Council without recommendation.

MOVED by Deputy Mayor Jeffrey that the recommendations of the Rules of Order Committee as found in its report of July 24, 1987 be approved.

There was no seconder to the motion.

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MOVED by Alderman Flynn, seconded by Alderman O'Malley  
that this matter be deferred to the Committee of the Whole  
Council.

Motion passed.

Wanderers Grounds - Alderman Cromwell

This matter was forwarded to Council without  
recommendation.

Alderman Cromwell addressed the matter referring to the  
apparent lack of use of the Wanderers Grounds and noted that the  
only uses he was aware of were baseball and football. Alderman  
Cromwell indicated that he would like to know to what extent the  
field was actually used. Alderman Cromwell indicated that he  
would like a report from staff indicating how often baseball is  
played on the field, whether this field is used for other events  
and what other uses could be made of the field. Alderman  
Cromwell noted that he felt the City should be advertising use  
of this field for cultural events such as 'Buskers' and the  
Equestrians which were held on the field earlier in the year.  
Alderman Cromwell indicated that he wanted a full report in  
relation to the use and possible uses of this field in order  
that Council might have a full discussion on and input to any  
changes deemed possible.

A short discussion ensued with Alderman Cromwell  
clarifying his request by indicating that he wanted input to  
this report to come from all related departments such as  
Recreation, Tourism, and any department dealing with events held  
within the City. Alderman Cromwell noted that he would like to  
determine what non-recreational uses this field could be put  
to. Alderman Cromwell then referred to the proposal from the  
Halifax Mail Star to erect a press box on the Wanderers Grounds  
and noted that it had been some time since this proposal had  
been put forward. Alderman Cromwell asked why it was taking the  
Recreation Committee such a long time to make a decision in this  
regard and requested that some action be taken on the matter.

Deputy Mayor Jeffrey referred to the scoreboard  
recently placed on the Wanderers Grounds and asked if any costs  
had been incurred by the City in relation to this scoreboard.

Recommendations - Commission on City Government

This matter was forwarded to Council without  
recommendation.

His Worship advised that it was proposed that a meeting  
be held to deal with the Recommendations of the Commission on  
City Government on Wednesday, September 30, 1987 at 2:00 p.m.,  
to which Council agreed.

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His Worship then invited a representative of the UNSM delegates attending to address Council.

Warden Lawrence Mason, Colchester County, addressed Council congratulating the City on the new Chamber and noting that he had lived in the City for the first six years of his life. Warden Mason went on to note that many of the problems discussed by Council this evening have, in the past, been discussed by the Colchester County Council.

Deputy Mayor Phil Reynolds, Town of Truro, addressed Council extending greetings from the Town of Truro and congratulating Council on their new chamber.

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

10:15 p.m. - The meeting reconvened, the same members being present with the exception that Deputy Mayor Jeffrey assumed the Chair in the absence of His Worship Mayor Wallace.

Acquisition - Parcel S, Seaview Avenue

This matter had been forwarded to Council without recommendation.

MOVED by Alderman R. Grant, seconded by Alderman Walker that the City acquire Parcel S, Plan 00-16-28642, for the nominal sum of \$1.00 and subject to the City providing the following:

- 1) approval of a subdivision creating Parcel S, Lots S-1 and S-2 (the City will process the subdivision of the lot at no cost to the owner except the application fee and costs of filing the subdivision plan in the Registry. The open space dedication will be waived);
- 2) in the event the Estate may later require the City to convey Lots S-1 and S-2 to it by way of a Quit Claim Deed, the City will do so without further consideration being paid to it by the Estate;
- 3) in the event the Estate requests the City to do so, the City will commence and sustain the normal process to close the street, vis a vis Lots S-1 and S-2 (the Estate acknowledges that in the event the City is obliged to commence the "street closing process" pursuant to this agreement, the City cannot guarantee the street would be closed, as the "street closing process" is quasi-judicial);

Should street closure become a reality, title would then rest with the City and it would be necessary to reconvey Lots S-1 and S-2 to the Estate.

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- 4) if Lots S-1 and S-2 are disturbed during the construction of the walkway on Parcel S, the area which comprises Lots S-1 and S-2 will be returned as nearly as possible to its former condition.

The motion was put and passed.

School Board Structure - Date for Meeting

This matter had been forwarded to Council without recommendation.

Referring to the report from the City Clerk dated September 3, 1987 in which a meeting date of Monday, September 28 at 4:00 p.m. had been suggested, Alderman O'Malley indicated that he would be out of town at that time and asked that an alternate time be selected.

The Chairman indicated that this would be done and members of Council duly advised.

Speaking as a member of the Halifax District School Board, Alderman Dewell advised that the Board has indicated its interest in submitting a written recommendation concerning this matter, but would appreciate clarification as to the specifics of the subject matter to be discussed. The Alderman therefore suggested that a letter be forwarded by the City Manager to the Chairman of the Board in order to assist the Board in this context.

Proposed Bylaw - Regional Transit Advisory Committee

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Flynn, seconded by Alderman D. Grant that the draft bylaw, dated August 25, 1987, pertaining to the Regional Transit Advisory Committee, be forwarded to staff and to the Transit Advisory Committee for review and recommendation.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, September 9, 1987 as follows:

Local Improvement Project - Sunnybrae Avenue

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the Committee on Works, the petition submitted by residents of Sunnybrae Avenue in

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opposition to the proposed installation of sidewalks on the north side of that street from Dutch Village Road to Gesner Street be upheld; and further, that staff be instructed to prepare estimates of installing curb and gutters for both sides of Sunnybrae Avenue for inclusion in the 1988 Capital Budget.

Motion passed.

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

Herring Cove Road Improvements - 1987-88

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the Committee on Works, priority, in terms of the Herring Cove Road widening project, be given to that section from Sussex Street up to and including Sylvia Avenue (providing that Provincial cost-sharing is approved); and further, that the bridge/culvert proposed for the McIntosh Run be constructed in conjunction with this project.

In making this motion, Alderman R. Grant requested that a letter be forwarded to the Province as quickly as is feasible to ascertain whether or not cost-sharing on this project will be made available.

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

Award of Tender #87-109 - Little Fox Lane Bridge

This matter had been forwarded to Council without recommendation.

A memorandum, dated September 15, 1987, to Alderman R. Dewell from W. A. Sullivan, City Engineer, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that:

- 1) Tender #87-109, Little Fox Lane Bridge, be awarded to Sun Construction Co. Limited for the unit prices quoted and at a total project cost of \$48,000.00;
- 2) the consulting firm of George Brandys and Associates Limited be retained to provide engineering inspection for these works at a cost not to exceed \$5,000.00;
- 3) funds for Items 1 and 2 be approved from Capital Account #CJ087, Little Fox Lane Bridge;

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- 4) transfer \$20,000.00 from Capital Account #CJ400 to Capital Account #CJ087.

The motion was put and passed.

CNR Crossing at Palmer Hill Road

MOVED by Deputy Mayor Jeffrey, seconded by Alderman R. Grant that, as recommended by the Committee on Works, a letter be sent to the Canadian Transportation Commission requesting that their safety requirements for the Palmer Hill Road crossing be reviewed from the perspective of possibly curtailing the blowing of train whistles during the early hours of the morning.

Responding to a question from the Deputy Mayor, the City Solicitor offered the opinion that, in lieu of whistles at this crossing, the CTC may decide to upgrade the area in terms of warning devices and, in so doing, request that the City cost-share in these expenditures. Mr. Murphy further indicated that his office is investigating the matter and has been in communication with the CTC.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, September 9, 1987 as follows:

Building Permit Application #24586 - 1580 Barrington Street (Former City Club): Heritage Advisory Committee Report

An Information Report, dated September 17, 1987, was submitted from the City Solicitor.

MOVED by Alderman Dewell, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, the building permit application for 1580 Barrington Street be approved, subject to the conditions as outlined in the May 26, 1987 letter from Mr. K. MacGillivray being met and included in the drawings and plans for the project.

The motion was put and passed.

Case No. 5397 - Development Agreement: Journey's End Motel, 1574 Hollis Street (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, Council schedule a public hearing to consider the motel

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building proposed for 1574-82 Hollis Street, as shown on Plans No. P200/16034-36 inclusive of Case No. 5397.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, NOVEMBER 4, 1987 at 7:30 p.m. in the Council Chamber, City Hall.

Case No. 4586 - Contract Development: Melville Ridge

MOVED by Alderman Walker, seconded by Alderman R. Grant that, as recommended by the City Planning Committee, Council concur with the alterations proposed for the existing contract development agreement (Case No. 4586) by the developers of the Melville Ridge Retirement Village, as indicated by the staff report, dated September 1, 1987.

The motion was put and passed.

#### MISCELLANEOUS BUSINESS

Annual Report - 1986 Metropolitan Authority  
(TO BE TABLED)

A document entitled "Metropolitan Authority Annual Report 1986," dated May, 1987, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Dewell that the report entitled "Metropolitan Authority Annual Report 1986," dated May, 1987, be tabled by Halifax City Council.

Motion passed.

Alderman O'Malley asked that members be given an opportunity to review the document during a future Council meeting, to which the Chairman agreed.

#### Additional Grants Recommendations

A report, dated September 1, 1987, was submitted from Alderman N. Meagher, Chairman of the Tax Concessions and Grants Committee.

MOVED by Alderman Meagher, seconded by Alderman D. Grant that Council, on the recommendation of its Tax Concessions and Grants Committee, approve the awarding of the following grants:

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Alexandra Children's Centre . . . . .	\$ 9,100.00
Children's Co-Op Nursery . . . . .	5,000.00
Children's Development Centre . . . . .	3,600.00
St. Joseph's Children's Centre . . . . .	1,000.00
South End Community Day Care . . . . .	6,000.00
Wee Care Development Centre . . . . .	2,000.00
TOTAL . . . . .	\$26,700.00

Motion passed.

#### QUESTIONS

At the request of the Chairman, the Question Period was deferred until later in the meeting's agenda.

#### ADDED ITEMS

##### Award of Tender #87-30: Traffic Improvement (Willett Street)

A staff report, dated September 8, 1987, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that Tender #87-30 (traffic improvement - Willett Street: Westridge Drive to Lacewood Extension) be awarded to Municipal Contracting Limited for a bid price of \$236,600.00 and a total project cost of \$284,000 (funds to be made available from Account Number CJO10).

The motion was put and passed.

##### Report on School Board (Alderman O'Malley)

In deference to the UNSM Annual Meeting currently underway, it was moved by Alderman O'Malley, seconded by Alderman Dewell that this matter be deferred to the regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, OCTOBER 7, 1987.

The motion to defer was put and passed.

##### Sewer and Water - St. Margaret's Bay Road (Alderman Walker)

Alderman Walker requested that, owing to difficulties in water supply currently experienced by several families in the vicinity of 111 Herring Cove Road, staff review the viability of advancing the necessary improvements to the sewer and water system (presently scheduled for allocation in the City's 1989 Capital Budget) to 1988.



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Appointments

A memorandum, dated September 17, 1987, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the following appointments be approved:

Halifax Industrial Commission

Mr. Ivan Duvar (term to expire January 16, 1989)

Point Pleasant Park Commission

Mr. S. Stewart Hattie (term to expire September 17, 1988)

The motion was put and passed.

Centennial Arena (Alderman Hamshaw)

This matter was added to the agenda at the request of Alderman Hamshaw who noted that major expenditures are now necessary to replace much of the equipment which has been provided for the community's use by the Centennial Arena for the past 20 years.

In order to alleviate this problem, it was moved by Alderman Hamshaw, seconded by Alderman Flynn that the members of the Centennial Arena Commission meet with the City's Tax Concessions and Grants Committee to discuss the matter further.

While supporting the motion put forward by Alderman Hamshaw, Deputy Mayor Jeffrey noted that he had made a request several months ago that, rather than take what he considers to be a "band-aid" approach vis a vis a small contribution from the Tax Concessions and Grants Committee, Council allocate monies from its Capital Budget toward a major refurbishment of the Arena's equipment.

Alderman Meagher, Chairman of the Tax Concessions and Grants Committee, clarified that in 1987 his Committee had awarded a grant to the Centennial Arena of \$26,000. He emphasized, however, that, in his opinion, it was time that additional agencies, such as the Provincial Department of Recreation, contributed to what he termed "an infusion of money" into the operation of the Centennial Arena and recommended that the meeting proposed by the motion presently on the floor also include a representative of the Provincial Recreation Department and the Aldermen of those wards serviced by the Arena.

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Alderman Meagher further noted that he had recently forwarded a report to Deputy Mayor Jeffrey concerning the financial needs of the Arena. Responding to a question from Alderman Leiper, His Worship Mayor Wallace suggested that this report could be circulated to all members of Council for their information.

The motion was put and passed.

Metro Transit (Alderman Flynn)

This matter was added to the agenda at the request of Alderman Flynn who requested that efforts be made to obtain for members of Council the Minutes from all future Metropolitan Authority meetings so that a clearer indication could be obtained of who was in attendance and how their votes were cast.

Referring in particular to news reports regarding the latest meeting of the Metropolitan Authority, Alderman Flynn expressed concern that, despite the decision by Halifax City Council that it would not cost-share in the proposed transit route to Timberlea/Lakeside/Beechville, the Authority had recommended that the route commence on November 19. The Alderman emphasized that, in his opinion, by agreeing to cost-share in this route and others like it, the City of Halifax is encouraging people to relocate outside its boundaries and then subsidizing the Authority in order to bring those individuals back into the City to work.

Alderman Flynn quoted from a 1983 amendment to the Metropolitan Authority Bylaw regarding the establishment of a regional transit system, to the effect that "if a transit route lies partially within the geographical boundaries of one of the participating bodies, and there are no stops where revenue passengers are picked up or let off on that route within those boundaries, the participating body shall not pay a share of the transit route deficit for that transit route." He also referred to the 40 percent recovery policy and the two-zone fare requirement, and noted that both were being waived in this instance.

Alderman Flynn recommended that Council's previous motion (not to cost-share on the Timberlea/Lakeside/Beechville route) be conveyed once more to the Authority by Council's representatives on that body, expressing the hope that through the provisions of the aforementioned bylaw, the City would not be forced to contribute.

In conclusion, Alderman Flynn asked that he be provided with information as to who was in attendance at the meeting of the Authority at which the decision regarding the Timberlea/Lakeside/Beechville route was made, as well as how the votes were cast.

His Worship indicated that these matters would be followed up.

Alderman R. Grant requested information from the City Solicitor's Department as to the legalities involved (as well as the implications for the City) should the City of Halifax refuse to cost-share at some point in time in a route recommended by the Metropolitan Authority.

Clearview Playground (Alderman R. Grant)

This matter was added to the agenda at the request of Alderman R. Grant who brought to Council's attention concerns raised by parents of children using the Clearview Playground, a playground designed for children eight years old and younger. In his remarks, the Alderman emphasized that adjacent to the playground are housed two pit bull terriers, a situation exacerbated by the fact that only three sides of the playground are fenced.

It was therefore moved by Alderman R. Grant, seconded by Alderman O'Malley that the necessary steps be taken to have a line fence installed at the Clearview Playground abutting properties at 12-14-16-16 1/2 Rockingstone Road.

The motion was put and passed.

Responding to a question from Alderman R. Grant, the City Solicitor advised that the requested report concerning the control of pit bull terriers is expected to be available in time for the next regular meeting of Committee of the Whole Council scheduled for Wednesday, September 23, 1987.

Tourism Services (Alderman O'Malley)

This matter was added to the agenda at the request of Alderman O'Malley who expressed concern at the apparent lack of information regarding the City's history and current status which is being imparted to Halifax tourists and convention delegates. He noted that this oversight is particularly pronounced on the cruises around Halifax Harbour undertaken by the Bluenose and on various of the tour buses where the commentaries are either totally absent or erroneous. The Alderman emphasized that Halifax has a very rich history and expressed regret that very little of it is being passed on to visitors to the City, adding that during its Harbor cruise, the Bluenose does not even proceed into the Bedford Basin (where war-time convoys were assembled) nor does it pass the site of the Halifax Explosion.

In order to alleviate the situation, Alderman O'Malley suggested that Tourism Halifax be requested to attempt to bring together all modes of transportation (including the Harbor scenic transportation) and to initiate and orchestrate training courses to provide a competent service for tour buses, taxis, etc. prior to next year's tourist season. In making this recommendation, the Alderman indicated that he would like to see the matter taken up by the Board of Tourism Halifax as quickly as possible so that this unfortunate situation can be rectified.

Responding to a statement made by Alderman Cromwell (i.e., that Tourism Halifax already provides informed and comprehensive commentaries upon request), Alderman O'Malley expressed the opinion that, if this is indeed the case, Tourism Halifax should be doing more to promote the availability of this service by contacting organizers of forthcoming conventions. Using the recent IBTTA convention as an example, the Alderman emphasized that organizers, for the most part, appear to be unaware of the service offered by Tourism Halifax, and reiterated that the City should be taking the initiative in contacting these individuals. He further suggested that Tourism Halifax bring the absence of such commentaries to the attention of the Province (with regard to the Bluenose Harbour tours) and offer the City's services in this regard.

#### QUESTIONS

The Question Period had been deferred to this portion of the agenda earlier in the meeting.

#### Question Alderman Meagher Re: Police Response

Alderman Meagher brought to Council's attention complaints received from constituents of his ward that the Halifax Police Department appears to be extremely reluctant to respond immediately to calls concerning residential burglaries. The Alderman emphasized that having one's home broken into can be a traumatic experience, noting that a recent request for police assistance took more than 90 minutes to provide. He therefore asked that the Police Commission be requested to consider this matter with a view to adopting the policy that when such a call is received, every effort is made to have a police response effected within (at maximum) 30 minutes.

Alderman Meagher went on to note that, in his opinion, there are too many police personnel concentrated in the downtown area during the evening hours, and that there is a definite need for greater police visibility (preferably foot patrolmen) in those parts of the City where there are large numbers of seniors. He expressed the view that higher police visibility decreases the incidence of crime, adding that many older residents no longer feel secure owing to what they perceive as being a current decrease in police visibility.

Question Alderman Meagher Re: Crossing Guard

Alderman Meagher requested a report from staff regarding the feasibility of providing crossing guards for the intersection at Windsor and Summit Streets and also at the Oxford/North Street intersection. With particular reference to the Windsor/Summit Street crossing, the Alderman noted that while the volume of pedestrians using this intersection may be relatively low, traffic speeds are high, necessitating, in his opinion, the provision of a crossing guard.

Question Alderman Meagher Re: Provincial Assessment Function

Alderman Meagher requested information from the Director of Finance as to whether Provincial Assessment personnel have commenced their reassessment of properties or are investigating properties that may have been dropped from this year's assessment.

Question Alderman Downey Re: Revitalization of Uniacke Square

Referring to the upcoming revitalization of Uniacke Square, Alderman Downey requested information from the City Manager as to where tenants of that development will be relocated.

Question Alderman Downey Re: Sobey's Store, Gottingen Street

Making reference to the vacant Sobey's Store on Gottingen Street and to his request made during a previous meeting of City Council, Alderman Downey asked for information from His Worship the Mayor as to whether a meeting had been arranged with Mr. Donald Sobey concerning the disposal of these lands.

His Worship indicated that he would pursue this matter later in the week.

Question Alderman Flynn Re: Hiring Practices -  
Halifax Fire Department

Alderman Flynn requested information concerning the hiring practices of the Halifax Fire Department, specifically whether there is a process in place which would either enable the applicant to appeal his refusal, or to be given the reasons for being turned down.

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Referring to the policy which provides that preference shall be given to residents of the City of Halifax in the hiring process, the Alderman suggested that Council should be advised of those being considered for employment so that members would have an opportunity for input.

The Chairman indicated that a report on this matter would be submitted.

Question Alderman R. Grant Re: Development Abutting Long Lake

Alderman R. Grant made reference to plans for a provincial park in the vicinity of Long Lake, and recommended that the City's Development Department, in conjunction with its Planning Advisory Committee, be requested to consider the establishment of view planes or height restrictions for this area for the purpose of restricting intrusions of high buildings onto the Lake itself. In making this request, the Alderman suggested that such restrictions would enhance the Lake as a tourist attraction, by encouraging the user to feel more isolated from city life.

Question Alderman R. Grant Re: Renovated Council Chamber

Alderman R. Grant requested a report from the architect responsible for the redesign of the City Hall Council Chamber, concerning his rationale for the various design changes effected (including the lighting system).

Question Alderman Cromwell Re: Noise Ordinance

Responding to a question from Alderman Cromwell, the City Solicitor indicated that a report regarding amendments to the Control of Noise Ordinance would be made available by the next regular meeting of Committee of the Whole Council scheduled for Wednesday, September 23, 1987.

There being no further business to be discussed, the meeting was adjourned at 11:15 p.m.

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

E. A. KERR  
CITY CLERK

sg/\*K

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SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES

Joseph Howe School  
Halifax, Nova Scotia  
September 23, 1987  
7:30 P. M.

A special meeting of City Council (public hearings) was held on the above date.

PRESENT: Deputy Mayor T. Jeffrey, Chairman; and Aldermen D. Grant, Cromwell, Downey, Meagher, Dewell, Leiper, Flynn and Hamshaw.

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

ADDED ITEMS

The following items were added to the agenda from a meeting of the Committee of the Whole Council held earlier in the day:

1. Brewery Industry Presentation - Letter of Support to Provincial and Federal Governments  
Re: Free Trade
2. Rockingham Ridge - Phase 2C

Brewery Industry Presentation - Letter of Support to Provincial and Federal Governments Re: Free Trade

The above-mentioned matter was forwarded from a meeting of the Finance and Executive Committee held earlier in the day.

MOVED by Alderman Flynn, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, the following resolution be adopted by Halifax City Council:

WHEREAS there are two breweries in the Halifax area employing approximately 500 workers;

AND WHEREAS those workers have expressed to City Council their concern that a free trade agreement between Canada and the United States might result in the closure of the breweries and the loss of their jobs;

Special Council  
Public Hearings  
September 23, 1987

AND WHEREAS the closure of the breweries would have a substantial adverse impact on the economy of Nova Scotia in general and Halifax in particular;

BE IT THEREFORE RESOLVED THAT City Council, in recognition of the concerns of the brewery workers and the adverse effects of a closure of the breweries, urges the federal government to ensure that the interests of the workers and of the City are protected in any free trade agreement with the United States.

The resolution was put and passed with unanimous consent.

Alderman Flynn requested that this resolution be forwarded to the Provincial and Federal Governments as quickly as possible.

Rockingham Ridge - Phase 2C

This matter was forwarded from a meeting of the City Planning Committee held earlier in the day.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the City Planning Committee, City Council grant Stage II approval of Phase 2C Oakley Avenue, Rockingham Ridge, as shown on Plan No. P200/15996 of Case No. 5330.

The motion was put and passed.

Public Hearing Re: Notice of Intention to Amend the Land Use Bylaw (Peninsula Area), Respecting Multiple-Building Development in the R-2 Zone

A report, dated September 15, 1987, was submitted from Mr. J. M. Gatien, Chairman of the Planning Advisory Committee.

Ms. Yvonne Macor of the Development and Planning Department, with the aid of maps and diagrams, gave a brief overview of the points covered in the staff report of August 10, 1987.

In her remarks, Ms. Macor advised that while little use has been made of Section 10(3) since its inception in 1982, the development authorized under that provision in R-2 neighborhoods has met with considerable criticism (on the basis of density and compatibility). In noting that staff are recommending the deletion of Section 10(3), she indicated that multi-building infill development will continue to be permitted for appropriate sites in medium-density designations through a rezoning process to R-2A, in keeping with Policy 2.1.1 of the

Municipal Planning Strategy. Ms. Macor emphasized, however, that provisions should be included in the Land Use Bylaw to ensure that the regulations governing the building envelope in the R-2A Zone (presently under consideration by Council) will apply to additional buildings on the same lot.

Responding to a question from Alderman Cromwell pertaining to the absence of R-2A Zones in the Peninsula Centre area, Mr. W. B. Campbell, Senior Planner, advised that there are contract development options which will permit contracts for townhousing on lots over 10,000 square feet in both low- and medium-density areas.

Alderman Dewell requested clarification in terms of the proposed Bylaw amendment with regard to a property located in Ward 6 at the northwest intersection of Young and Windsor Streets.

Mr. Campbell advised that application for a contract development on this site can be made until such time as the Peninsula North Secondary Planning Strategy (pertaining to that area of the City in which this property is located) is adopted by City Council.

Responding to a question from Alderman Meagher, Mr. Campbell indicated that, under the provisions of the draft Peninsula North SPS, a maximum of four units (depending on the lot size) is being proposed for the R-2 Zone, with development contracts to be considered in special circumstances. With reference to a further question from the Alderman, Mr. Campbell noted that four townhouses (i.e., four attached units) could be built in the R-2 Zone, provided that the property met the lot size requirements. He added, however, that rowhousing of the normal 15-20 foot width lot size would not be permitted as of right in Peninsula North under the R-2 Zone.

Mr. Avaril L. Bishop of Daley, Black & Moreira addressed Council on behalf of his clients, Tobin Investments Limited, owners of property located at 6131-6139 Coburg Road.

In his remarks, Mr. Bishop noted that his clients had made application to the City for a development permit to convert the existing building at 6139 Coburg Road into a three-unit building, and to construct three four-unit buildings on the remainder of the site. He emphasized that work had been well advanced when the City's Notice of Intention regarding the proposed amendment to the Land Use Bylaw was first advertised, and that, owing to the fact that the former rental premises had been vacated in anticipation of the conversion, the property owner has incurred considerable income losses as a result of this delay.

Mr. Bishop requested that special consideration be given to the property in question in terms of the proposed

multi-building development, emphasizing that, unlike many of the other construction projects which have been the source of much public criticism, the site at the corner of Coburg and Vernon is considerably larger with clearances between buildings being well in excess of the minimum. Using the Regent Street development (where density is between 100-150 persons per acre) as an example, he noted that the density proposed by Tobin Investments Limited is approximately 55-85 ppa.

In summary, Mr. Bishop requested that Council consider one of three alternatives: (1) postpone the effective date of the bylaw amendment (if approved) so that any current projects (for which a development permit has already been issued) could proceed; (2) modify the proposed Bylaw amendment by increasing the minimum lot frontage and lot area requirements to 100 feet and 10,000 square feet respectively; or (3) modify the proposed Bylaw amendment to apply only to projects north of Quinpool Road.

Responding to a question from Alderman Cromwell, Mr. Campbell indicated that in terms of the project undertaken by Mr. Bishop's clients, if the Bylaw amendment, as proposed, is approved by Council, Tobin Investments Limited would be permitted to construct a four-unit building as of right. He noted, however, that there are other possibilities such as application under the provisions of the Peninsula Centre Secondary Planning Strategy for a contract development (providing the lot in question has a minimum area of 10,000 square feet); or conversion of the existing houses to any number of units depending on the size. Mr. Campbell added that one final possibility is the demolition of the existing units and the subdivision of the lots into smaller lots that meet the R-2 standards with a view to developing four units on each of the resulting lots (depending on the amount of frontage, etc. that could be achieved).

Mr. E. Boyd Algee, Development Officer, suggested that another possibility might be the conversion of the two existing buildings and (depending on the size of the lot) subdivision to obtain an additional lot to provide for the construction of a three- or four-unit apartment building.

Mr. Charles Ritcey of 1553 Granville Street noted that the "undesirable" examples of infill development which had occurred in the past appear to relate to lot sizes of 6,000 square feet. Taking that factor into consideration, Mr. Ritcey questioned whether staff in the drafting of this Bylaw amendment had given consideration to restricting development on the basis of lot size.

Ms. Macor advised that while the option suggested by Mr. Ritcey had indeed been considered, it was felt that there were already sufficient alternatives available to provide for

infill housing (in terms of rezoning or contract development) so that Section 19(3) of the Bylaw could simply be proposed for deletion.

Mr. Graham Hicks, a resident of 5335 Young Street, addressed Council, concurring with the remarks made by Mr. Ritcey with regard to lot size requirements.

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

After some further discussion, it was moved by Alderman Cromwell, seconded by Alderman Meagher that the matter be forwarded without recommendation to the next regular meeting of City Council scheduled for October 1, 1987.

The motion was put and passed.

Correspondence, dated September 16 and September 23, 1987, was received from Mr. Avarad L. Bishop of Daley, Black and Moreira, 1791 Barrington Street, Halifax.

Public Hearing Re: Rezoning - 6583 and 6587 Quinpool Road from Single Family (R-1) Zone to General Residential (R-2) Zone

Mr. W. D. Campbell, Development Administrator with the Development and Planning Department, gave a brief overview of the rezoning proposal outlined in the staff report dated June 9, 1987.

In his remarks, Mr. Campbell advised that while the rezoning application had originated with the owner of property located at 6587 Quinpool Road, staff had felt it feasible to include the adjacent property at 6583 Quinpool Road in the rezoning deliberations since both properties have been used for R-2 uses for many years.

With reference to the appropriate policies of the Municipal Planning Strategy, he noted that, in staff's opinion, a rezoning to R-2 would be in keeping with the character and integrity of the surrounding neighbourhood, particularly since the scale of development would be maintained by a 35 foot height limit, building setbacks and maximum lot coverage. He further noted that the argument in favor of a rezoning to R-2 is supported by the fact that both properties are located on a principal street (Quinpool Road) and are in immediate proximity to a larger R-2 zoned area.

Mr. Brian Beck, a resident of 2041 Poplar Street, addressed Council in opposition to the proposed rezoning, emphasizing that because the two lots in question face a principal street, there are no on-street parking facilities

available to them. He noted that, as a result, visitors to these properties tend to park on Poplar Street where on-street parking is already in short supply and where residents of this family-oriented neighbourhood are concerned about increases in vehicular traffic.

Mr. George C. Ingram, co-owner with his wife of the property located at 2055 Connaught Avenue, expressed appreciation to members of Council (and, in particular, to Alderman Meagher) for their efforts in having the derelict building at 6587 Quinpool Road removed. In making these comments, Mr. Ingram noted that the successful conclusion of this matter had provided what he termed a "welcome relief" for residents of the immediate vicinity and removed what he referred to as an "eyesore," which was rapidly becoming an undesirable landmark in the City.

With reference to the rezoning application, Mr. Ingram noted that, on a personal level, a rezoning to R-2 would decrease the value of his property since it abuts both properties at 6583 and 6537 Quinpool Road. He added that, with reference to the neighbourhood as a whole, he felt approval of the rezoning application would represent a significant departure from the established character of the neighbourhood and would set a precedent for future rezonings of a similar nature.

Mr. Ingram acknowledged that the two properties in question had been used in the past as R-2 uses (i.e., rooming houses), but emphasized that there had been little outward evidence of this higher-density use, adding that both were older family-type homes which blended well with the surrounding neighbourhood. In this context Mr. Ingram pointed out that the rezoning application includes a proposal to construct a four-unit apartment building, expressing concern that efforts will also be made by the applicant to purchase the adjoining property, thereby increasing the potential for an even higher density of use on the consolidated lot. He referred to a petition signed by approximately 80 area residents, noting that, in the opinion of the petitioners, the proposed rezoning to R-2 is unwarranted in view of the preponderance of surrounding R-1 uses, and urged Council to take these factors into consideration when making its decision.

Mr. Bruce Davidson, a resident of 6617 Quinpool Road addressed Council in opposition to the proposed rezoning, emphasizing that this portion of the Quinpool Road area is, in his opinion, one of the last bastions of R-1 (single-family dwelling) zoning in the City and as such should be carefully preserved.

Referring to the staff report of June 9, 1987, Mr. Davidson suggested that the premise on which staff have based their recommendation in favor of the proposed rezoning is no

longer accurate since the structure at 6587 has now been completely demolished and the property itself is up for sale. He suggested that if the rezoning is approved, it will set a precedent for other such rezoning applications in the immediate area and, as such, jeopardize the existence of this stable residential neighbourhood. Mr. Davidson emphasized that any new development should be consistent in use and in appearance with other structures in the immediate area, adding that, to do otherwise, would appear to be inconsistent with the policies of the Municipal Planning Strategy. Concurring with remarks made earlier by Mr. Ingram, he suggested that a higher density use at the location in question would have negative impacts in terms of traffic volumes and on-street parking facilities.

8:45 p.m. - Alderman R. Grant enters the meeting.

Mr. Stan Smith addressed Council, indicating that he has lived within a block of the site in question since his boyhood. He suggested that approval of the R-2 rezoning application would also seriously jeopardize the R-1 neighbourhood located along Connaught Avenue and depreciate existing property values. Under those circumstances, Mr. Smith requested Council to vote in opposition to the proposal.

Ms. Bev Palmer-Mason, a resident of 1984 Connaught Avenue (diagonally across from the property in question) indicated that she and her husband are very much concerned with the negative impacts a higher intensity of use at 6587 Quinpool Road would bring about, emphasizing that, in her opinion, the family-oriented nature of the neighbourhood should be preserved.

Alderman Meagher submitted a petition containing approximately 80 signatures from residents of the area adjacent to 6583 and 6587 Quinpool Road expressing their opposition to the proposed rezoning from R-1 (First-Density Residential) to R-2 (Second-Density Residential).

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

MOVED by Alderman Meagher, seconded by Alderman R. Grant that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, October 1.

Motion passed.



Public Hearing Re: Notice of Intention to Amend the MPS  
Peninsula Centre Area and Land Use Bylaw (Peninsula and  
Mainland Areas) Respecting Neighbourhood Commercial Uses

Ms. Yvonne Macor, a Planner with the Development and Planning Departments, gave a brief overview of the proposed amendments. In her remarks, Ms. Macor advised that the objective of these amendments was to increase the maximum size of neighbourhood convenience stores located in Neighbourhood Commercial Zones from 1,000 to 1,400 square feet and, in terms of the Land Use Bylaw, to increase the maximum lot coverage to 45 percent. She noted that these amendments originated with a rezoning application in October of 1986 submitted by the owner of Buckley's Drug Store located at 6247 Jubilee Road, which was subsequently recommended for refusal by staff. Ms. Macor added that the matter had also been considered by the Planning Advisory Committee who have also recommended against any changes in this regard to the Municipal Planning Strategy or to the Land Use Bylaw.

Responding to a question from Alderman Flynn, Ms. Macor advised that Council's approval of these amendments would affect all RC-1 Zones in the City, most of which are located in the Peninsula Centre and South End areas.

Noting that certain individuals having an interest in this item were not in attendance in the public gallery, it was moved by Alderman Cronwell, seconded by Alderman Dewell that the public hearing on this matter be adjourned until the next regular meeting of City Council scheduled for Thursday, October 1, 1987.

Motion passed.

Public Hearing Re: Rezoning - 38 Vimy Avenue (Lot M) from  
R-2P (General Residential Zone) to R-2AM (General Residential  
Conversion and Townhouse Zone)

Mr. E. Boyd Algee, Development Officer, with the aid of maps and diagrams, reviewed the application in question, noting that approval of this rezoning is being sought in order to permit the construction of a three-storey, 12-unit apartment building on Lot M. 38 Vimy Avenue.

In his remarks, Mr. Algee advised that the present zoning of the property at 38 Vimy Avenue (Lot M) is R-2P which allows a maximum of only four apartment units, noting, however, that under the proposed R-2AM zoning, a maximum of 14 units would be permitted. With reference to the developer's proposal for this site, he noted that the building is to be of wood frame construction and can be provided with storm and sanitary sewer services as well as with water.

With reference to the Municipal Planning Strategy, Mr. Algee advised that this area is designated "Medium-Density Residential" (intended to retain the low-rise character of the immediate neighbourhood), but noted, however, that some small-scale apartment development could be permitted under this MPS designation. In this context, he pointed out that, in taking the overall neighbourhood into consideration, there are several much larger apartment buildings in the immediate vicinity of Lot M, suggesting, therefore, that a 12-unit apartment building as proposed could be seen as being in relative conformance with the character of the surrounding neighbourhood.

Mr. Algee emphasized, however, that staff's major difficulty with this application is that a 12-unit apartment building is being proposed for a specific City block which presently contains only single-family and duplex dwellings (with the exception of one six-unit apartment building). From that point of view, he suggested, the proposal could be considered to be inconsistent with abutting properties.

With reference to the modification, Mr. Algee advised that staff are recommending refusal owing to the fact that the proposed building would not be in conformance with adjacent properties, the lot size is not unique in this area, and because staff feel that the presently-permitted use (i.e., a maximum of four units) would be the most appropriate for the lot in question.

Mr. Wadih Fares, engineer for the project under consideration, asked Council to consider that although there are single-family dwellings on the west side of Lot M, on the other sides are a variety of uses including the Centennial Arena as well as medium- and high-rise apartment buildings. Mr. Fares further suggested that the existing R-2AM zoning had been placed on this property under the provisions of the Fairview Secondary Planning Strategy because, at the time of that Plan's adoption, adequate services were not available for higher density uses. He emphasized, however, that such services had now been installed, adding that he would be willing to discuss any concerns they might have with residents of the area.

Ms. Joan Robillard, a real estate agent with Realty World, noted that the property adjacent to Lot M is presently for sale and that Mr. Andrew Metlege (owner of Lot M) has expressed an interest in purchasing it as well. She suggested to Council that should Mr. Metlege be permitted to proceed with his construction plans for both lots, the area adjacent to the Titus Smith Memorial Park would be relieved of its present run-down buildings.

Mr. Andrew Metlege, owner of the property in question, addressed Council in support of his rezoning application, emphasizing the number of multi-unit structures in the Vimy Avenue area and the availability of adequate services.

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

MOVED by Alderman Leiper, seconded by Alderman Cromwell that the matter be forwarded without recommendation to the next meeting of Halifax City Council scheduled for Thursday, October 1, 1987.

The motion was put and passed.

A petition containing the signatures of 14 residents of the area surrounding the property at Vimy Avenue in opposition to the rezoning application was submitted, in addition to a letter from R. H. James, 25 Vimy Avenue also opposing the application.

There being no further business to be discussed, the meeting was adjourned at 9:25 p.m.

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DEPUTY MAYOR T. JEFFREY  
CHAIRMAN

E. A. KERR  
CITY CLERK

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
October 1, 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 Ron Wallace, Chairman; Deputy Mayor T. Jeffrey; and Aldermen D. Grant, Cromwell, Downey, Meagher, Dewell, R. Grant, Walker, Leiper, Flynn, and Hamshaw.

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

PRESENTATIONS

Introduction to Council - Mayor Rudolph Kraus, Kaufbeuren, Germany

His Worship extended a warm welcome to Mayor Rudolph Kraus, Kaufbeuren, Germany, and other members of a delegation who are in Halifax as part of the upcoming Oktoberfest celebrations.

Mayor Kraus addressed Council thanking them for the cordial welcome to Halifax indicating that it is a very fine City and extended an invitation to all present to visit their City.

His Worship then presented Mayor Kraus with a scale model of the Bluenose and copies of Sherman Hines' book entitled "Halifax" to members of his delegation.

Long Service Awards - Halifax Police Department - Constable Charles Greig, Staff Sergeant Charles Hosterman, Sergeant Alexander MacIsaac

His Worship advised that tonight a special presentation would be made to the following three members of the Halifax Police Department: Constable Charles Greig, Staff Sergeant Charles Hosterman and Sergeant Alexander MacIsaac. His Worship expressed the appreciation of the City and Council for their dedicated service to the City.

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His Worship then presented Staff Sergeant Charles Hosterman with the Long Service Award on behalf of the members of Council and the citizens of Halifax in recognition of his 32 years of service to the City. His Worship wished Staff Sergeant Hosterman well in his retirement. Alderman Dewell presented Mrs. Hosterman with a corsage and thanked her for her contribution in supporting her husband throughout the years.

His Worship presented Sergeant Alexander MacIsaac with the Long Service Award in recognition of his 25 years with the Police Department and wished him well on his retirement. Alderman R. Grant presented Mrs. MacIsaac with a corsage thanking her for her service in supporting her husband.

His Worship presented Constable Charles Greig with the Long Service Award in recognition of his 36 years of service to the Police Department. Alderman R. Grant then presented Mrs. Greig with a corsage in appreciation for her contribution to the City in supporting her husband through the years.

Chief Blair Jackson addressed Council indicating that it gives him great pleasure to be here tonight in honor of Constable Greig, Staff Sergeant Hosterman and Sergeant MacIsaac. Chief Jackson indicated that he will miss the three of them terribly and will have a problem replacing them.

Update Report - Commonwealth Games - Mr. Peter Green

This item was deferred until later in the meeting.

At this point, Alderman Walker retired from the meeting.

**MINUTES**

Minutes of the regular meeting of City Council held on September 17, 1987 and a Special meeting of City Council held on September 23, 1987 were approved on a motion by Alderman Hamshaw, seconded by Alderman Leiper.

**APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS**

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

- 20.1 Award of Tender #87-151 - Bulk Highway Salt
- 20.2 Award of Tender #87-45 - Bridgeview Playground - Drainage and Court Improvement
- 20.3 Award of Tender #87-46 - North Commons Drainage Improvements and Chebucto Road School Drainage Improvements

- 20.4 Award of Tender #87-153 - Halifax West Sports Field Restoration
- 20.5 Gas Leak - Chebucto Road - April 2, 1987 - Claim against Texaco Canada Inc.
- 20.6 Encroachment License - 5222 Blowers Street

Also at the request of the City Clerk, it was agreed that item 5.1, Proposed Amendments to Municipal Development Plan, Policy 7.8.2.2 (Part 11, Sect. V - South End Plan, be deferred.

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

- 20.7 47 1/2 Coronation Avenue

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

- 20.8 Proposed Sales Tax Reform

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

Motion passed.

#### DEFERRED ITEMS

Proposed Amendments to Municipal Development Plan, Policy 7.8.2.2 (Part 11, Sect. V - South End Plan)

The above-mentioned item was deferred to this meeting from the City Council meeting held on September 17, 1987, and was deferred once more during the setting of this meeting's agenda.

Case No. 5006 - Schedule K - Clayton Park West (Section 68 of the Land Use Bylaw - Mainland Area)

This matter was deferred to this meeting from the September 17, 1987 meeting of City Council.

The following correspondence was submitted:

- letter dated September 14, 1987 from Michael Thompson, Woodlawn Medical Consultants;

- letter dated September 29, 1987 from Alan V. Parish, Green Spencer, Barristers & Solicitors;

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- letter dated September 30, 1987 from the Ward 12  
Community Association;

- letter dated September 16, 1987 from Mr. P.  
McDonough, McInnes Cooper & Robertson Barristers & Solicitors,  
also a letter from Mr. Robert Shaw, President of Clayton  
Developments Limited and a letter from Mr. Chris Lowe of the  
UMA Group were attached;

- letter dated September 11, 1987 from Alan V. Parish,  
Green Spencer Barristers & Solicitors;

- letter dated September 14, 1987 from the Ward Twelve  
Community Association

- letter dated September 17, 1987 from The Honourable  
Joel R. Matheson, Department of Mines and Energy.

Alderman Hamshaw suggested there were items that had  
to be straightened out with the citizens, the developer, and  
staff including a report on traffic. Alderman Hamshaw referred  
to the Bedford Highway design and Collector Road matter and  
suggested that such items had to be resolved before he could  
propose a motion on the application.

Alderman Cromwell referred to the proposed two  
high-rise (up to 15 storeys) buildings explaining that there is  
a buffer zone between them of supposedly 900 feet according to  
the plans. Alderman Cromwell commented that another use has  
been proposed for this buffer zone, as a result, he requested a  
report as to the use of this buffer zone.

Alderman Cromwell also referred to the proposed  
stadium for the Commonwealth Games stating that it is his  
belief that there is to be a highway constructed directly to  
the Games. Alderman Cromwell, therefore, requested a report on  
the proposed highway and on the impact of the Commonwealth  
Games on this development.

Alderman Leiper advised that Mr. Russell, during the  
September 9, 1987 public hearing, addressed Council outlining  
minor changes he would like to see made in connection with this  
development. Alderman Leiper requested that Staff ascertain  
whether or not Clayton Developments are happy to go along with  
these changes.

MOVED by Alderman Hamshaw, seconded by Alderman D.  
Grant that this item be deferred.

Motion passed.

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Proposed Amendment to Land Use Bylaw, Peninsula Area respecting  
Multiple Building Development in R-2 Zone

A public hearing into the above matter was held on September 23, 1987.

Alderman Cromwell indicated that there was further information which he wished to bring forth.

MOVED by Alderman Cromwell, seconded by Alderman Flynn  
that this matter be deferred to the next meeting of City Council to be held on October 15, 1987.

Motion passed.

Rezoning 6583 and 6587 Quinpool Road from Single Family (R-1)  
Zone to General Residential (R-2) Zone

A public hearing was held into the above matter on September 23, 1987.

MOVED by Alderman Meagher, seconded by Alderman  
Cromwell that the rezoning of 6583 and 6587 Quinpool Road from First Density Residential (R-1) to Second Density Residential (R-2) Zone be denied.

Alderman Meagher addressed the matter stating that this area is mainly zoned R-1 noting that the residents in the area are concerned that, if this application is approved, a precedent would be set for future rezonings of a similar nature. Alderman Meagher further stated that a petition was submitted at the September 23, 1987 public hearing containing 80 signatures from residents of the area expressing their opposition to the proposed rezoning. Alderman Meagher also expressed concern with regard to the increased traffic and parking on the Street that would exist if this rezoning was approved.

The motion was put and passed with Alderman R. Grant abstaining due to non-attendance at the public hearing.

The following correspondence was received with respect to this matter:

- Statement by George and Nancy Ingram to the public hearing 23 September 1987 in opposition to the proposed rezoning (received September 28, 1987);

- letter dated September 10, 1987 from Ross Burgess, 6582 Quinpool Rd., Halifax, N.S., in opposition to the proposed rezoning.



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Rezoning - 38 Vimy Avenue (Lot M) from R-2P, General Residential Zone, to R-2AM, General Residential Conversion and Townhouse Zone

A public hearing into the above matter was held on September 23, 1987.

Alderman Leiper addressed the matter requesting that traffic is an issue in this area and MOVED, seconded by Alderman Flynn that this matter be deferred until a solution to the traffic problems in this area have started.

Deputy Mayor Jeffrey advised that the Staff Report indicates that the rezoning will not add to the traffic problem and requested, if the matter is to be deferred, that a time limit be placed on the deferral.

After further discussion, the motion was put resulting in a tie vote.

The Chairman broke the tie by voting in favour of the deferral and declared the motion passed.

In response to a question from Alderman Downey regarding the vote, His Worship subsequently advised that the vote was in order and the members of Council who voted were entitled to vote.

#### PUBLIC HEARINGS, HEARINGS, ETC.

Adjourned Public Hearing re: Proposed Amendment to MPS Peninsula Centre Area, and Land Use Bylaw Peninsula and Mainland Areas, Neighbourhood Commercial Uses

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

Alderman Cromwell advised that the above public hearing was adjourned from the September 23, 1987, noting that certain individuals having an interest in this item were not in attendance at that hearing. Alderman Cromwell advised that Mr. Arthur Hodder, owner of Buckley's Drug Store, was in attendance to speak on this matter.

Mr. Hodder addressed Council stating that since January of '86 he has been seeking expansion to his store for a number of reasons. Firstly, Mr. Hodder advised that the average retail space for non-conforming businesses in Halifax stands at 1400 square feet noting that his retail space stands at 675 square feet. Mr. Hodder went on to state that he is unable to properly merchandise in today's competitive market place with the small space he has. He pointed out that his business has increased eight fold since he owned the business

and, therefore, he stated that he finds himself "busting at the seams". Mr. Hodder further indicated that their monthly promotional sales are like operating on an obstacle course due to lack of any storage space. Mr. Hodder indicated that his dispensary size would not be in legal proportion if he were to open a new pharmacy today noting that it is allowed only because the store was built before the dimensions were set.

At this point, it was suggested that the applicant arrange to have someone represent him at a subsequent meeting to present the reasons for the application.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that the public hearing on this matter be adjourned to Wednesday, October 7, 1987.

Motion passed.

Appeal of Variance Refusal for 2592-94 Robie Street (Deferred from September 17, 1987 City Council)

Alderman Meagher pointed out that he had requested at the September 17th Council meeting that this item be deferred to the October 15, 1987 City Council meeting.

MOVED by Alderman Meagher, seconded by Alderman Dewell that this matter be deferred to the October 15, 1987 City Council meeting.

Motion passed.

Appeal of Minor Variance Approval - 1156 Belmont on the Arm

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

Mr. Chris Reddy, Development and Planning Dept., with the aid of maps and plans, outlined the application for a minor variance of the rear yard requirement of the Land Use Bylaw to permit the construction of a 12 ft. x 16 ft. deck at the rear of the existing single family dwelling at 1156 Belmont on the Arm. Mr. Reddy noted that the site is zoned R-1, Single Family Dwelling Zone. Mr. Reddy further advised that the proposal shows the deck to be constructed 8 feet from the rear lot line (street line) which will result in a mean yard of 15.4 ft. noting that the Land Use Bylaw requires a mean rear yard of 20 ft.; 4.6 ft. more than is provided. Mr. Reddy indicated that the deck will meet all other requirements of the Bylaw, therefore, the Development Officer approved this request.

Mr. Yuskowski, representing Dr. Goomar, addressed Council indicating that Dr. Goomar has objected to the application for three reasons. Firstly, Mr. Yuskowski advised that the variance is not minor stating that it is almost 20

percent. Secondly, he indicated to allow the building of an upper level deck would be contrary to the restrictive covenants that are set out in all the deeds for the adjoining property owners and, basically, against the original intent of the developer which indicated that for a period of forty years there would be no changes allowed that would be contrary to the synthesis of the various properties so that no development would be allowed which would see one property offset another property by its architecture. Mr. Yuskowski advised that Mr. Goomar's third objective is that the proposal if approved would set a precedent for development on that particular street. Mr. Yuskowski advised that other people in the area have lots that are similar to Dr. Goomar's, therefore, he indicated that the situation could repeat itself. In closing, Mr. Yuskowski suggested that the matter be deferred for further study.

Dr. Alfonso Rojo, owner of the property at 1156 Belmont on the Arm, addressed Council and submitted a brief in support of the application. Dr. Rojo also read and submitted a petition with approximately sixteen names in support of the application.

There were no further persons wishing to speak.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that the appeal of variance \* approval \* at 1156 Belmont on the Arm be denied by City Council and the decision of the Development Officer upheld.

Motion passed.

Appeal on Variance Refusal at 2506 Oxford Street

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

Mr. Reddy, Development and Planning Dept., with the aid of maps and plans, outlined the application by Messrs. Norman Hum and Neil Muir for minor variances for the property at 2506 Oxford Street, for the purpose of permitting a 75-80 sq. ft. addition at the rear of the existing structure. Mr. Reddy noted that the variance requested one side yard, the rear yard and lot coverage. Mr. Reddy further advised that the request was reviewed in detail and was refused for non-compliance with the Planning Act.

The applicant, Mr. Neil Muir, addressed Council stating the reasons why they are appealing the refused variance and submitted copies of a "Site Plan A". Mr. Muir advised that the property was purchased in April of 1987 by himself and Mr. Norman Hum. Mr. Muir noted that, at that time, the property had been slowly undergoing renovations for approximately three years and was in need of repair. Mr. Muir went on to state that the work they are attempting to complete will result in a

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percent. Secondly, he indicated to allow the building of an upper level deck would be contrary to the restrictive covenants that are set out in all the deeds for the adjoining property owners and, basically, against the original intent of the developer which indicated that for a period of forty years there would be no changes allowed that would be contrary to the synthesis of the various properties so that no development would be allowed which would see one property offset another property by its architecture. Mr. Yuskowski advised that Mr. Goomar's third objective is that the proposal if approved would set a precedent for development on that particular street. Mr. Yuskowski advised that other people in the area have lots that are similar to Dr. Goomar's, therefore, he indicated that the situation could repeat itself. In closing, Mr. Yuskowski suggested that the matter be deferred for further study.

Dr. Alfonso Rojo, owner of the property at 1156 Belmont on the Arm, addressed Council and submitted a brief in support of the application. Dr. Rojo also read and submitted a petition with approximately sixteen names in support of the application.

There were no further persons wishing to speak.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that the appeal of variance refusal at 1156 Belmont on the Arm be denied by City Council and the decision of the Development Officer upheld.

Motion passed.

Appeal on Variance Refusal at 2506 Oxford Street

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

Mr. Reddy, Development and Planning Dept., with the aid of maps and plans, outlined the application by Messrs. Norman Hum and Neil Muir for minor variances for the property at 2506 Oxford Street, for the purpose of permitting a 75-80 sq. ft. addition at the rear of the existing structure. Mr. Reddy noted that the variance requested one side yard, the rear yard and lot coverage. Mr. Reddy further advised that the request was reviewed in detail and was refused for non-compliance with the Planning Act.

The applicant, Mr. Neil Muir, addressed Council stating the reasons why they are appealing the refused variance and submitted copies of a "Site Plan A". Mr. Muir advised that the property was purchased in April of 1987 by himself and Mr. Norman Hum. Mr. Muir noted that, at that time, the property had been slowly undergoing renovations for approximately three years and was in need of repair. Mr. Muir went on to state that the work they are attempting to complete will result in a

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three bedroom single family home which they feel will compliment the residential zoning of that area and will increase the property values of the homes in that area.

Mr. Muir addressed the first reason why they have been refused the variance. He made reference to Site Plan A stating that it illustrates that the 1.2. ft. variance on the north side yard is approximately a 2 ft. extension of the present house that existed when they bought it. He noted that the home is 36 ft. long on that side, therefore, he stated that it is really a two foot addition on that side variance. Mr. Muir advised that the second reason they have been denied a permit is because of the reduction of the rear yard down to 9.88 ft. Mr. Muir explained that they have added an extra 2 ft. to the length of that 8.8 extension and they have squared off the back part of the house to enable a third bedroom to go upstairs.

Also, Mr. Muir advised that he has spoken with Mrs. Margaret O'Neil, owner of the property whose backyard is bordering on their backyard commenting that she has verbally stated to him that she is not objecting to their addition to the back of the property. Mr. Muir advised that the third reason they have been denied the variance is due to an increase in lot coverage to allow a 42 percent coverage. Mr. Muir explained that the construction they are attempting to do will cover approximately 42 percent of the lot; however, Mr. Muir advised that before they began any construction on the property, the lot coverage was 40.3 percent which included a 5 x 5 shed in the back right corner in the property. Therefore, Mr. Muir noted that basically all they are requesting is a less than 2 percent increase in the lot coverage that exists there now.

To summarize, Mr. Muir requested approval to proceed with the renovations they feel will compliment the residential zoning of the area and will increase the property values of the homes in the area as well.

Mr. Lee Ehler, residing at 2514 Oxford Street, addressed Council in opposition to the application for minor variances. Mr. Ehler advised that, if the construction continues, his property value will decrease by 10 percent. Mr. Ehler expressed concern with regard to light and indicated that he does not need another shadow on the side of his house. Mr. Ehler also expressed concern with regard to their view plane explaining that he used to be able to look out their kitchen window for at least one City block but now they look forty feet at a brick wall. Mr. Ehler indicated that Mr. Arthur Geizer, residing at 2508 Oxford Street, is also in opposition to the proposal but was unable to attend this hearing.

His Worship inquired if the work has started without a permit. His Worship was advised that the staff report dated

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September 18, 1987 states that the work has been completed although no development or building permits have been issued.

There were no further persons wishing to speak.

Alderman Meagher advised that this building has been a problem for the neighbourhood especially for those people who are affected by the reduction of light and their ability to see out of their windows. Alderman Meagher advised that the variances requested are not minor, but are major when you realize that on the side yard which should be 4 ft. is 1.2 ft. and the rear yard which should be 20 ft. is 9 ft. Alderman Meagher also expressed concern with the fact that the building is almost completed without a permit.

MOVED by Alderman Meagher, seconded by Alderman D. Grant that the appeal of variance refusal be denied by City Council and the Development Officer's decision be upheld.

Motion passed.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on September 23, 1987, as follows:

Ordinance Numbers 181 and 182 Respecting the Creation of the Spring Garden Road and the Barrington Street Area Business Improvement District Commissions

A report from Mr. D. F. Murphy, City Solicitor, dated September 24, 1987 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the deletion of subsection (2) of Sections 9, 10, and 12 of Ordinance 181 and 182 in accordance with the approval of the Minister of Municipal Affairs on September 2, 1987 and August 24, 1987 respectively be approved.

Motion passed.

#### Garbage Regulations

An information report dated September 10, 1987 was submitted.

Alderman Cromwell proposed a motion, which was seconded by Alderman D. Grant, that Council recommend that the proposed regulations be accepted and the Chairman indicated that a motion was not necessary, but that its intent was a message from Council to the Board of Health.

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Alderman Cromwell addressed the matter making reference to the staff report dated September 24, 1987 from the City Solicitor respecting locks on commercial garbage containers, city property. Alderman Cromwell expressed concern with regard to number (2), Appendix "A" of the report, and subsequently moved, seconded by Deputy Mayor Jeffrey, that the following be approved by City Council:

(1) Halifax City Council direct the City Manager to implement a policy for all line Departments of the City of Halifax and all Boards and Commissions coming under his administrative control requiring that all commercial garbage containers located on City property, except those containers used during construction projects, be equipped with locks and that the containers be kept locked at all time except when opened by the appropriate persons for the loading or unloading of garbage to prevent children from accidentally being trapped in the containers;

(2) Halifax City Council request all Corporations, Boards or Commissions owned by the City of Halifax or to which the City of Halifax contributes funding to adopt a similar policy in respect of commercial garbage containers located on lands and premises owned or occupied by them within the City of Halifax, including but not limited to

- (a) Halifax District School Board
- (b) Halifax Water Commission
- (c) Metropolitan Authority
- (d) Metro Centre
- (e) Trade Centre Limited
- (f) Harbour City Homes
- (g) Halifax-Dartmouth Bridge Commission
- (h) Halifax Civic Hospital
- (i) Halifax Court House Commission
- (j) Directors of Point Pleasant Park
- (k) Halifax Forum Commission
- (l) Halifax Housing Authority
- (m) Halifax Industrial Commission
- (n) Halifax City Regional Library Board
- (o) Mainland South Community Centre
- (p) Centennial Rink Commission

Motion passed.

Alderman Cromwell also requested that the Boards & Commissions be asked to report with respect to whether the resolution would be implemented and, if not, advise Council of the reasons for not implementing it.

In response to a question from Alderman R. Grant, Deputy Mayor Jeffrey advised that the discussions at the Committee of the Whole on September 23rd will be directed to the Board of Health before they adopt these regulations.

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Alderman Leiper expressed concern with regard to the logistics of the previous motion noting that several of our City Boards and Commissions have cut the numbers of times that their containers are emptied which has resulted in an overflow in these containers. Alderman Leiper inquired if perhaps Council should be looking at how often our City Boards and Commissions are having their garbage emptied if this legislation is introduced. Alderman Leiper also expressed concern with regard to opening a metal lock during the winter months advising that several persons have expressed concern with regard to the feasibility of having them locked.

Alderman Flynn agreed that Council recommend that all Boards and Commissions be requested to secure their containers by whatever means. He further suggested that Council write a letter to the suppliers who supply these containers and request that they recommend to the users that they should keep them locked or secured and further suggested that a warning sign be placed on these containers indicating that they should be secured at all times.

A short discussion ensued with the motion being put and passed.

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

10:15 p.m. - The meeting reconvened with the same members being present.

Council agreed to hear Mr. Peter Green at this time.

Update Report - Commonwealth Games - Mr. Peter Green

Mr. Peter Green addressed Council apologizing for not being in attendance when called on the agenda. Mr. Green made a presentation to Council advising that the Commonwealth Games Society has been low profile during the summer, but indicated that they have been active in that they have had visits from the President and Vice President of the Commonwealth Games Association and also the Evaluation Team appointed by the Commonwealth Games Association of Canada. Mr. Green indicated that they will be making a presentation in Montreal and he discussed the plans for their visit to Montreal which is scheduled for Saturday, November 7, 1987.

Council thanked Mr. Green and his Committee for the work they have been doing and wished them success in Montreal.

Council returned to the report of the Finance and Executive Committee.



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Vicious Dogs

A confidential report from Mr. D. F. Murphy, City Solicitor dated September 15, 1987 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the recommendation as contained in the September 15, 1987 confidential staff report be approved.

Alderman R. Grant addressed the matter expressing concern with regard to specifications for enclosures of these vicious dogs. Mr. Allen, City Solicitor, agreed to discuss this matter with Mr. Anstey, Senior Solicitor, who prepared the report.

Alderman Dewell indicated that he supports the proposed ordinance, but expressed concern with regard to the definition of vicious, Appendix "A", Section 6, advising that a number of dogs run at large and are not vicious. Alderman Dewell further expressed concern with regard to dogs that incessantly bark for absolutely no reason noting that it is a high level of frustration in his neighbourhood. Mr. Allen advised that the ordinance contains provisions for dogs that continuously bark. Alderman Dewell commented that he has had difficulty in enforcing the ordinance.

After further discussion, the motion was put and passed.

Sign Posting on Trees

A staff report dated July 23, 1987 was submitted.

MOVED by Alderman D. Grant, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, when it is necessary to post signs on City streets in relation to parking restrictions, etc., they be posted on city trees if no utility pole is available.

Motion passed.

Recommendation - Rules of Order Committee

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Hamshaw that this matter be deferred to the next Committee of the Whole.

Motion passed.

Proposed Model Sewer Discharge Bylaw - (MARC)

Correspondence, with attached Proposed Model Municipal By-Law: Governing the Discharge of Waters and Wastes into the

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Public Sewers, dated September 16, 1987 from Keith Roberts, Chairman, Metropolitan Area Planning Commission, was submitted.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Jeffrey that, as recommended by the Finance and Executive Committee, 'Proposed Model Municipal By-Law: Governing the Discharge of Waters and Wastes into the Public Sewers' be referred to staff for a review and report to Council.

Motion passed.

School Crossing Guards - Annual Wage Increase

A staff report dated September 17, 1987 was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the implementation of a 3% wage increase for School Crossing Guards effective with the commencement of the 1987-1988 school year be authorized.

Motion passed.

Advice on Future Systems (Liley Report)

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, authorization be given for the allocation of \$70,000 from the mainframe acquisition account #246203 for the preparation of a request for proposals, with detailed specs, evaluation of proposals and preparation of recommendations to Council, by the consultant, R. Liley and Associates.

Motion passed.

Award of Tender #87-154 - Twenty 1988 Model Passenger Vehicles - Halifax Police Department and Halifax Fire Department

A staff a report dated September 17, 1987 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-154 be awarded to the low bidder, as follows, in each instance:

SECTION A	Bob McDonald Chev Olds	-	\$170,606.52
SECTION B	Halifax Chrysler Dodge	-	30,598.62
SECTION C	Wood Motors	-	20,898.00
SECTION D	Bob McDonald Chev Olds	-	14,915.17
SECTION E	Bob McDonald Chev Olds	-	14,116.38
SECTION F	Bob McDonald Chev Olds	-	15,253.25

Motion passed.

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Sale of Surplus Wang Computers - Tender #87-H

An Information Report, dated September 17, 1987, together with a staff report, dated September 21, 1987, were submitted.

MOVED by Alderman Meagher, seconded by Alderman Dewell that, as recommended by the finance and Executive Committee, authority be granted to sell a total of 22 surplus WANG computer units to Norcomex Limited, 34 Futurity Gate, Unit #17, Concord, Ontario, L4K 1S6.

Motion passed.

Tender #87249 - 31 Personal Computers

An Information Report, dated September 17, 1987, together with a staff report, dated September 22, 1987, were submitted.

MOVED by Alderman Meagher, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #87249 for 31 personal computers to Datamaster Business Centre for a total bid price of \$232,494.00 (Part B) and \$13,354.00 (Part C); and to Halifax Office Products (Part D) for a total bid price of \$10,287.00 (net cost to be charged to the Equipment Replacement Account).

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, September 23, 1987 as follows:

Petition to Close Briarwood Crescent -  
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, City Council set a date for a public hearing to consider the closure of Briarwood Crescent.

Motion passed.

The City Clerk advised that the public hearing on this matter would be scheduled for WEDNESDAY, NOVEMBER 4, 1987 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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Sale of Surplus Wang Computers - Tender #87-H

An Information Report, dated September 17, 1987, together with a staff report, dated September 21, 1987, were submitted.

MOVED by Alderman Meagher, seconded by Alderman Dewell that, as recommended by the finance and Executive Committee, authority be granted to sell a total of 22 surplus WANG computer units to Norcomex Limited, 34 Futurity Gate, Unit #17, Concord, Ontario, L4K 1S6.

Motion passed.

Tender #87249 - 31 Personal Computers

An Information Report, dated September 17, 1987, together with a staff report, dated September 22, 1987, were submitted.

MOVED by Alderman Meagher, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #87249 for 31 personal computers to Datamaster Business Centre for a total bid price of \$232,494.00 (Part B) and \$13,354.00 (Part C); and to Halifax Office Products (Part D) for a total bid price of \$10,287.00 (net cost to be charged to the Equipment Replacement Account).

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, September 23, 1987 as follows:

Petition to Close Briarwood Crescent -  
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, City Council set a date for a public hearing to consider the closure of Briarwood Crescent.

Motion passed.

The City Clerk advised that the public hearing on this matter would be scheduled for WEDNESDAY, NOVEMBER 4, 1987 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Sale of Surplus Wang Computers - Tender #87-H

An Information Report, dated September 17, 1987, together with a staff report, dated September 21, 1987, were submitted.

MOVED by Alderman Meagher, seconded by Alderman Dewell that, as recommended by the finance and Executive Committee, authority be granted to sell a total of 22 surplus WANG computer units to Norcomex Limited, 34 Futurity Gate, Unit #17, Concord, Ontario, L4K 1S6.

Motion passed.

Tender #87249 - 31 Personal Computers

An Information Report, dated September 17, 1987, together with a staff report, dated September 22, 1987, were submitted.

MOVED by Alderman Meagher, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #87249 for 31 personal computers to Datamaster Business Centre for a total bid price of \$232,494.00 (Part B) and \$13,354.00 (Part C); and to Halifax Office Products (Part D) for a total bid price of \$10,287.00 (net cost to be charged to the Equipment Replacement Account).

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, September 23, 1987 as follows:

Petition to Close Briarwood Crescent -  
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, City Council set a date for a public hearing to consider the closure of Briarwood Crescent.

Motion passed.

The City Clerk advised that the public hearing on this matter would be scheduled for WEDNESDAY, NOVEMBER 4, 1987 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Rockwood Drive Storm Sewer

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

- (a) Council approve the appointment of Porter Dillon Limited for the preparation of engineering design and tender documents for Rockwood Drive Storm Sewer;
- (b) the compensation to the consulting firm be made in accordance with guidelines as recommended by the Association of Professional Engineers of Nova Scotia but not to exceed \$58,000.00; and
- (c) the payment to the consultant be made from funds available in Account No. DB010.

Motion passed.

Award of Tender #87-06: Auburn Avenue Pumping Station

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

1. Tender #87-06 for the Auburn Avenue Pumping Station be awarded to D. A. Lanthier Construction Limited for a bid price of \$67,425.00 and a total project cost of \$80,000.00;
2. funding be authorized from Account Number 20400-DB004; and
3. funding transfers be approved as follows:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
DB007 to DB004	Alma Cres. Storm Sewer	\$30,000.00

Motion passed.

Award of Tender #87-33 - Paving Renewal and Underground Wiring: Blowers Street

MOVED by Alderman Downey, seconded by Alderman D. Grant that, as recommended by the Committee on Works:

1. Tender 87-33 be awarded to the lowest bidder, Standard Paving Maritime Limited for a bid price of \$140,354.00 and a total project cost of \$169,000.00;

2. Council approve cost sharing with Maritime Tel & Tel for their works as follows:

City's Share	\$39,000
M. T. & T. 's Share	\$10,000

3. Funding is available in Capital Account No. CE001 - Paving Renewal and CK026 - Underground Wiring, Central Business District.

Motion passed.

Award of Tender #87-38: Sidewalk Renewal

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

1. Tender #87-38 for sidewalk renewals, as follows, be awarded to Duron Atlantic Limited for a bid price of \$208,596.50 and a total project cost of \$247,000.00;

1. Vernon Street (E)  
Coburg to Watt  
  
Walnut Street (W)  
Coburg to Watt
2. Waegwoltic Avenue(W)  
Cambridge to Oxford  
  
Connaught Avenue (W)  
Quinpool to Norwood  
  
Quinpool Road (S)  
Connaught to Rosebank
3. Jubilee Road (S)  
Preston to Chestnut  
  
Jubilee Road (N)  
Chestnut to Preston  
  
Jubilee Road (S)  
Chestnut to Walnut  
  
Cedar Street (S)  
Walnut to Garden

2. Funding authorized from Account Numbers: CB232, CB237, CB236, CB152, CB208, CB173, CB175, CB176, CB151.

Motion passed.

Award of Tender #87-28: Sidewalk Renewal

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

1. Tender #87-28 for sidewalk renewals, as follows, be awarded to Duron Atlantic for a bid price of \$209,100 and a total project cost of \$251,000;

1. Macara Street (S)  
Robie to Agricola  
  
Russell Street (S)  
Robie to Agricola  
  
Young Street (N)  
Novalea to Isleville
2. Sebastian Street (N)  
Robie to Agricola  
  
Rosemeade Avenue (E)  
Normandy to Woodbine
3. Newberry Street (E)  
Kencrest to End  
  
Vestry Street (N)  
Acadia to Albert  
  
Acadia Street (E)  
Duffus to Robie  
  
Acadia Street (W)  
Vestry to Rector

2. Funding authorized from Account Numbers: CB185, CB214, CB243, CB217, CB233, CB213, CB186, CB138, CB139.

Motion passed.



Turn Prohibition on Dunbrack Street

Correspondence was submitted from Mr. G. M. Currie, 61 Landsdowne Drive, Apartment #201, Halifax, B3M 3Z5

MOVED by Alderman Leiper, seconded by Alderman D. Grant that, as recommended by the Committee on Works, a left turn prohibition off Dunbrack Street be established between the hours of 7:00 a.m. and 9:00 a.m. for a period of two weeks and it be monitored by the police force so that it can be determined whether other city streets can accommodate the traffic resulting from the no left turn on Dunbrack Street.

Referring to the letter submitted from Mr. Currie, Alderman Hamshaw indicated that he concurred with the points raised by the author and, under the circumstances, could not support the motion.

Deputy Mayor Jeffrey spoke in opposition to the motion, expressing the opinion that while the prohibition of left turns off Dunbrack Street may be a partial solution to the problems in Mainland North, it will simply redirect those problems to other parts of the City, particularly the Bayers Road area.

Alderman Dewell concurred with the Deputy Mayor's remarks, emphasizing that traffic flows would be redirected to various intersections in Ward 6 which are already over-utilized and noting that the City's Traffic Authority does not recommend this course of action.

Alderman R. Grant, while acknowledging that existing traffic volumes on the Peninsula will no doubt be increased during this trial period, offered the opinion that experimentation of this nature is necessary in order to formulate informed recommendations.

Deputy Mayor Jeffrey asked for information from the City Solicitor as to whether the motion presently on the floor is in fact a legal motion in terms of Council's jurisdiction in the matter.

Responding to the Deputy Mayor, the Acting City Solicitor advised that in certain instances in which Council's action on a matter exceeds its authority, members could be held liable for any accidents or damages resulting from that action. However, Mr. Allen emphasized that he was not sufficiently knowledgeable about the Dunbrack Street proposal to offer an opinion at this time as to whether the motion was a proper one, and requested an opportunity to submit a report on the matter.

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Mr. Peter Connell, Director of Engineering and Works, addressed Council, clarifying that the motion is proposing that police officers man the intersections to direct traffic each morning for a two-week period, with traffic engineering staff monitoring the effects of this operation.

Deputy Mayor Jeffrey, noting that there appeared to be some uncertainty surrounding this matter, suggested that the matter be deferred to the next meeting, and consequently MOVED, seconded by Alderman R. Grant that the matter be deferred, pending a report from the City Solicitor's Department advising whether the motion, as proposed by Alderman Leiper, is a proper and legal motion.

The motion to defer was put and passed.

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

##### Recommendations - Election Procedures Committee

A report, dated September 23, 1987, was submitted from the Elections Procedure Committee.

His Worship suggested that the item be referred to an upcoming Committee of the Whole to provide an opportunity for members of Council to hear from the Chairman of the Elections Procedure Committee.

MOVED by Alderman Hamshaw, seconded by Alderman R. Grant that this matter be forwarded to the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, October 7, 1987.

Motion passed.

#### REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, September 23, 1987 as follows:

PAC Report: Rezoning - R-2 to C-2A (6458 Chebucto Road);  
and C-1 to C-2A (2585 Beech Street)

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that, as recommended by the Planning Advisory Committee, Council reject the staff recommendation to rezone

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the two properties located at 6456-58 Chebucto Road and 2585 Beech Street to Minor Commercial (C-2A).

In making this motion, Alderman Meagher referred to the report dated September 15, 1987 from the Planning Advisory Committee and expressed the opinion that a rezoning to C-2A would impose a more intensive classification of use on these properties than was appropriate, particularly in terms of the "single-family" character of the surrounding residential neighbourhood.

The motion was put and passed.

Bedford Highway Connector Road

MOVED by Alderman Leiper, seconded by Alderman D. Grant that, as recommended by the City Planning Committee, staff prepare a report including drawings detailing where such a connector roadway would be placed as well as information relative to costs (including expropriations), and further, that this matter be placed on the agenda of a future meeting of Committee of the Whole Council.

The motion was put and passed.

Case No. 5338 - Development Agreement: Corner of Russell, Isleville and Sullivan Streets

This matter was forwarded to Council without recommendation.

MOVED by Alderman Dewell, seconded by Alderman Downey that a public hearing be scheduled (pursuant to Section 83(c) of the Land Use Bylaw, Peninsula Area) to consider the proposed residential/office rowhouse development at the corner bounded by Sullivan, Isleville and Russell Streets, as described in the staff report dated September 10, 1987.

Motion passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, NOVEMBER 4, 1987 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

MISCELLANEOUS BUSINESS

School Board Structure - Date for Meeting

A report, dated September 24, 1987, was submitted by the City Clerk, in addition to correspondence of the same date received from Dr. G. L. Young, Director of Education.

Owing to the fact that a Planning Advisory Committee meeting had previously been scheduled for Tuesday, October 6 (the meeting date proposed by the City Clerk), it was agreed that Mr. Kerr report back to Council with recommendations for alternate dates.

Alderman Dewell, referring to the September 24 letter from Dr. Young, emphasized that the School Board would greatly appreciate receiving clarification as to the matters proposed for discussion at the forthcoming meeting.

With reference to Alderman Dewell's comments, Alderman R. Grant suggested that the meeting being proposed is a result of UNSM deliberations concerning the feasibility of elected school boards, offering the opinion that municipal councils are now being asked to express their views on the matter in greater detail.

Alderman Dewell recommended that His Worship the Mayor contact the School Board regarding this matter.

Bedford Highway Design

A staff report, dated September 21, 1987, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that City Council award a contract for the design and preparation of Plans and Specifications for improvements to the Bedford Highway and Kearney Lake Road to O'Halloran Campbell Consultants Limited at an estimated cost of \$200,000.00, and that the Mayor and City Clerk be authorized to sign the Contractual Agreement.

In making this motion, Alderman Hamshaw asked that staff consider undertaking the design work in two phases:

- (1) Flamingo Drive to the Fairview Overpass
- (2) Flamingo Drive to the Kearney Lake Road

The motion was put and passed.

QUESTIONS

Question Deputy Mayor Jeffrey Re: Clean-Up:  
Bicentennial Drive

Deputy Mayor Jeffrey expressed concern regarding the litter and overgrown grass abutting the Bicentennial Drive, emphasizing that, as one of the main entrances to the City of Halifax, the situation creates a very bad first impression.

Noting that the Drive is a matter of Provincial jurisdiction, the Deputy Mayor recommended that a contractual arrangement with the Department of Highways be negotiated under which the City of Halifax would undertake a clean-up operation in this area and submit the relevant bills to the Province for payment.

Question Deputy Mayor Jeffrey Re: Zone Policing Project

Referring to recent media reports of a "crime wave" in the City of Halifax, Deputy Mayor Jeffrey requested a written report from the Chief of Police as to whether, in his opinion, the current increase in crime is attributable to the City's implementation of the zone policing system. The Deputy Mayor also asked to be provided with information as to the number of police officers assigned to each of the three policing zones at any given time (i.e., per shift).

11:15 p.m. - His Worship Mayor Wallace retires from the meeting with Deputy Mayor Jeffrey assuming the Chair.

Question Alderman Flynn Re: Utility Pole Replacement

Alderman Flynn expressed concern with regard to the utility pole replacement program currently underway throughout the City, emphasizing that it appears to take an inordinate amount of time for the old poles to be removed. In his remarks, the Alderman made particular reference to a site on Huron Street at which both new and old poles have been standing since March of this year. Alderman Flynn requested that staff investigate the matter to ascertain which utility is responsible for having these poles removed, and take steps to expedite the matter.

In this context, Alderman Flynn also requested that the utility companies be asked to replace the sods damaged or removed during the pole replacement process, and that this be done simultaneously with the removal of the poles. He referred, in particular, to a site at the corner of Dutch Village Road and Murdoch Street at which the sods were badly damaged and never replaced, much to the concern of the property owner.

Question Alderman Leiper Re: Student Passes - Metro Transit

Alderman Leiper advised that she has recently received several calls from university students concerning the absence of a monthly pass system for Metro Transit buses. Noting that such a system has been proposed by Metro Transit as an objective, the Alderman requested that a report be submitted indicating the steps taken to date towards this end.

Question Alderman Leiper Re: Park-and-Ride Facilities

Alderman Leiper suggested that the establishment of park-and-ride facilities would assist to alleviate the traffic problems caused by the heavy volume of incoming traffic originating outside the City limits, and requested a report from the Metropolitan Authority as to whether such facilities are currently being considered.

Question Alderman R. Grant Re: Letter - Art Gallery of Nova Scotia

Alderman R. Grant referred to a letter recently circulated to members of Council from the Art Gallery of Nova Scotia in which it was noted that, "in regard to the display of other art works throughout City Hall, the Gallery would be pleased to help in providing advice and display assistance."

Alderman Grant emphasized that several years ago when the renovations to City Hall were commenced, he had suggested that provision be made for the prominent display of City-owned artifacts (e.g., portraits, paintings, etc.), not only in the Council Chamber itself, but throughout the building. In this context, the Alderman asked whether the letter from the AGNS pertained to such City-owned artifacts, to which the Chairman replied that it did.

Question Alderman R. Grant Re: Committees of Council

Alderman R. Grant requested information as to whether there are any committees presently in operation that, while generally perceived to be City-sponsored committees (established to advise City Council on City matters), have not received approval (either in terms of the committee itself or with regard to the appointment of individual members) from Halifax City Council.

Question Alderman R. Grant Re: Lighting - City Council Chamber

Alderman R. Grant, while acknowledging that strong lights are required for adequate television coverage from the Council Chamber, recommended that steps be taken to ascertain whether anything can be done to reduce the heat generated by that illumination.

Question Alderman R. Grant Re: Street Design  
- Main Street, Dartmouth

Alderman R. Grant requested that appropriate staff members of the Engineering and Works Department inspect the street design presently in operation on Main Street in Dartmouth, particularly with regard to pedestrian crossing areas and the provisions for access to commercial establishments.

The Alderman requested input from City staff as to whether the same design would be feasible for use on the Herring Cove Road, and on the Bedford Highway and Dutch Village Road if a decision is made to widen the latter two thoroughfares.

Question Alderman R. Grant Re: Tendering

Alderman R. Grant noted that a letter from him regarding "tendering" had recently been forwarded to other members of Council. In this regard, the Alderman requested that responses to that letter be submitted to him by October 7 so that the item could be placed on the agenda of the October 21 meeting of Committee of the Whole Council.

Question Alderman Dewell Re: Construction Project -  
Lady Hammond Road and Robie Street

Alderman Dewell referred to a construction project currently underway on Lady Hammond Road and Robie Street, emphasizing that because traffic is being diverted, a great deal of inconvenience is being caused to residents of Normandy Drive and Leeds Street, as well as to business owners on Lady Hammond Road.

The Alderman requested information from the City Manager as to when it is anticipated that this construction project will be completed.

Question Alderman Downey Re: Guard Rail

Alderman Downey requested that staff consider the extension of the existing guard rail at the foot of Gerrish Street to the area in front of the Seaview Co-op. He noted that Co-op residents have asked for additional protection for their premises owing to a recent traffic accident which caused considerable damage.

Question Alderman Downey Re: Street Repairs

Alderman Downey made reference to the considerable number of construction projects undertaken by various utility companies on several City streets, noting that in some instances it appears to take a considerable length of time before the pavement is restored to a satisfactory condition once the project itself is completed.

Responding to Alderman Downey's comments, Mr. P. S. Connell, Director of Engineering, advised that City street inspectors monitor these projects to ensure that the necessary repairs are made. In addition, Mr. Connell noted, a list is maintained by the City of any cuts made by these utility companies in City streets, and should complaints be received, staff contact the appropriate utility to expedite the necessary repairs.

Question Alderman Cromwell Re: Advertising Policy -  
Recommendations from Recreation Committee

Responding to a question from Alderman Cromwell, Deputy Mayor Jeffrey indicated that recommendations from the Recreation Committee concerning a proposed advertising policy would be discussed during the Committee of the Whole meeting scheduled for October 7.

Question Deputy Mayor Jeffrey Re: Repairs - Dutch Village Road

Deputy Mayor Jeffrey advised that four concrete slabs adjacent to the Coffee Cup on Dutch Village Road are in need of repair, and requested that staff investigate the matter as quickly as possible.

Question Deputy Mayor Jeffrey Re: Coronation Avenue

Deputy Mayor Jeffrey noted that repairs had recently been effected to the curb adjacent to 88 Coronation Avenue, but emphasized that further work was necessary, asking staff to investigate as quickly as possible.

11:25 p.m. - His Worship Mayor Wallace returns to the meeting with Deputy Mayor Jeffrey assuming his usual seat on Council.



ADDED ITEMS

Award of Tender #87-151 - Bulk Highway Salt

A staff report, dated September 25, 1987, was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Leiper that authority be granted to award Tender #87-151 for the supply of salt to Mines Seleine at a cost of \$29.90 and \$30.10 per metric tonne (operation of the storage facility and distribution will be by a local contractor); and further, that a performance bond be issued to the City in the amount of \$250,000 to assure delivery, said bond to replace the \$20,000 surety on hand.

Motion passed.

Award of Tender #87-45: Bridgeview Playground - Drainage and Court Improvements

A staff report, dated September 28, 1987, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Leiper that Tender #87-45 (Bridgeview Playground - Drainage and Court Improvements) be awarded to Lakeport Contracting Limited for a bid price of \$74,146.25 and a total project cost of \$95,000.00 (funding in the amount of \$78,000 to be authorized from Account Number FA025, with \$17,000 to be transferred from Account Number FA055, Purcell's Cove Park Trail, to FA025, Bridgeview Playground).

Motion passed.

Award of Tender #87-46: North Commons Drainage Improvements and Chebucto Road School Drainage Improvements

A staff report, dated September 30, 1987, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that Tender #87-46 for Drainage Improvements to the North Commons and Chebucto Road School be awarded to P. A. Wournell Contracting Limited for a total bid price of \$89,415.00 and a total project cost of \$110,000.00 (funds to be authorized from Account Numbers FA027 and FA029).

Motion passed.

Award of Tender #87-153 - Halifax West Sports Field Restoration

A staff report, dated September 24, 1987, was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Hamshaw that Tender #87-153 (Halifax West Sportsfield Restoration) be awarded to Green Thumb Landscaping Limited for a total bid price of \$36,920.00 (funds to be made available from Account Number 225206.20600.FA011).

Motion passed.

Gas Leak - Chebucto Road (April 2, 1987): Claim Against Texaco Canada Inc.

A private and confidential report, dated September 28, 1987, was submitted from the City Solicitor.

MOVED by Alderman Meagher, seconded by Alderman Flynn that the claim of the City of Halifax against Texaco Canada Inc. be settled on the basis of Texaco Canada Inc. paying to the City of Halifax the sum of \$26,394.55, being the full amount of the City's claim; and that the Mayor and City Clerk be authorized to execute on behalf of the City of Halifax a release containing the terms outlined in the September 28 report in a form to be approved by the City Solicitor.

In making this motion, however, Alderman Meagher brought to Council's attention that the area in front of the gas pumps adjacent to Chebucto Road has not yet been restored to its original condition, and suggested that action be taken in this regard before the settlement is finalized.

The motion was put and passed.

Encroachment License - 5222 Blowers Street

A staff report, dated September 22, 1987, was submitted.

MOVED by Alderman Downey, seconded by Alderman D. Grant that Labrador Furs Ltd. be granted an Encroachment License for the purpose of constructing a canopy at Civic No. 5222 Blowers Street.

Motion passed.

Rezoning From R-2 to R-2P; 72-72A Central Avenue

An Information Report, dated September 25, 1987, was submitted.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Leiper that this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council scheduled for Wednesday, October 7, 1987.

Motion passed.

Proposed Sales Tax Reform

This matter was added to the agenda at the request of Alderman Cromwell who addressed Council with regard to the negative implications the sales tax reforms, as proposed by the Federal Government, will have on Canadian municipalities.

It was subsequently moved by Alderman Cromwell, seconded by Alderman D. Grant that the following resolution be approved by Halifax City Council:

WHEREAS the Government of Canada is considering the imposition of an expanded sales tax or value added tax;

AND WHEREAS the effect of such change would be an increase in municipal taxation in Halifax of 8.3 percent;

AND WHEREAS the proposals now being considered do not give the same relief to municipalities as they do to private sector corporations;

AND WHEREAS these proposals, if adopted in their present form, would impose an unbearable tax burden on municipal taxpayers to the advantage of Canada;

BE IT THEREFORE RESOLVED THAT City Council request the Government to exempt municipalities and their taxpayers from the burden of any federal program of tax reform.

In making this motion, Alderman Cromwell recommended that copies of this resolution be forwarded to the Federal Government as well as to the Federation of Canadian Municipalities and to local Members of Parliament.

The motion was put and passed.

47 1/2 Coronation Avenue

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

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In order to update members of Council on proceedings regarding this matter, the Deputy Mayor advised that, subsequent to a recent decision by the Supreme Court of Nova Scotia, the owner of property located at 47 1/2 Coronation Avenue has been given 90 days in which to demolish the addition to that building which had been constructed without appropriate permits from the City of Halifax.

In bringing this matter to Council's attention, Deputy Mayor Jeffrey expressed his appreciation to Mr. Gerry Goneau of the City Solicitor's Department and to the staff of the Building Inspection Division for their efforts in effecting a successful conclusion to this situation which had long been a source of concern to area residents.

There being no further business to be discussed, the meeting was adjourned at 11:40 p.m.

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

mmd/\*K

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