

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

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Council Chamber
City Hall
Halifax, Nova Scotia
October 7, 1987

A special meeting of City Council, Public Hearings, 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 D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Leiper, Hamshaw, and Deputy Mayor Jeffrey.

Also Present: Mr. W.B. Campbell, Development and Planning; Mr. M. Hanusiak, Development and Planning; Mr. R.W. Robertson, Development and Planning; Mr. G. Goneau, City Solicitor; Mr. E.A. Kerr, City Clerk, and other members of City Staff.

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.

Mr. Campbell, Development and Planning, advised that the above public hearing was adjourned from the October 1, 1987 Council Session. He indicated that the hearing is to consider an amendment to the Municipal Development Plan for peninsula centre area, to increase the size of convenience stores from 1,000 to 1,400 square feet, to amend the land use by-law for peninsula and mainland areas RC-1 (neighbourhood commercial) zones to permit 1,400 square foot use, and to amend the land use by-law to allow lot coverage of 45 percent.

Mr. Yuskowski, appearing on behalf of the owner of Buckley's Drug Store, Mr. Hodder, addressed Council and submitted and partially read a brief regarding "Neighbourhood Commercial Uses, Buckley's Drug Store".

Mr. Yuskowski pointed out that the main concerns expressed by a number of people relating to this application respects the deterioration of the atmosphere of the neighbourhood, the growth of convenience stores, the deterioration of residential quality of the neighbourhood, the encroachment on the interests of other businesses in shopping

centres, and the concern of setting a dangerous precedent that the City will be inundated with applications by convenience store owners who want to expand. Mr. Yuskowski noted that Mr. Hodder is asking for an amendment to the plan which would effectively only deal with the one situation. Mr. Yuskowski further stated that he did not feel that the City would open itself up to arguments that approval of the amendment would result in a rush of applications by convenience store owners to open up their stores to make them larger. Mr. Yuskowski explained that this is an isolated case, and it would be a single one time amendment to the MPS policy and to the Land Use By-law.

With reference to the concerns which have been expressed, Mr. Yuskowski commented that Buckley's Drug Store, even in its expanded state, would still be of a reasonable size and would not have apartment units above it or storage units and the expansion of this one particular store would not disrupt the neighbourhood in any way.

Mr. Yuskowski also stated that, since the time of Mr. Hodder's last appearance before Council, he has canvassed a number of his neighbours and, as a result, has received visible support from many of his neighbours. Mr. Yuskowski had in his possession a petition in support of the expansion.

Mr. Yuskowski emphasized that the expansion would increase the tax revenues to the municipality, create two new jobs, and perhaps two part time jobs, therefore, he felt the application deserved a second look. In conclusion, Mr. Hodder reported that no one has come forward in that neighbourhood who has been against having that expansion.

Alderman Dewell commented that Mr. Yuskowski's case is based specifically on Mr. Hodder's drug store. Alderman Dewell questioned if Mr. Hodder's neighbours would support the expansion if it were for a pizza parlor or a corner store noting that what exists there today may not exist there if Mr. Hodder were to sell his drug store. Mr. Yuskowski agreed that the neighbours would probably not agree with the expansion if it were for a pizza parlor.

In response to a question from Alderman Dewell, Mr. Campbell advised that there are a number of RC-1 zones throughout the peninsula area and there is an RC-1 zone in Mainland South noting that the stores are generally around 1,000 square feet or larger. Mr. Campbell further advised that the present by-law provision in peninsula centre, only permits grocery stores and drug stores to be located within that zone.

Alderman D. Grant advised that Mr. Yuskowski has stated that there were no people in opposition to this expansion. She pointed out that, at the public meeting held on March 10, 1987, there were a number of people who spoke in

opposition to changing this by-law and further advised that Council has received correspondence from the Ward 2 Residents Association in opposition in expanding the use.

Alderman Cromwell made reference to the last paragraph of Mr. Yuskowski's submission where it says "all existing RC-1 Pharmacies be permitted to expand to 1,400 sq. feet" and requested clarification of it. Mr. Campbell clarified that this refers to a position put forward in the staff report and discussions at the public meeting that the expansion be limited to existing drug stores. Alderman R. Grant requested if this was legally possible or if it would have to be advertised to allow existing pharmacies in the City of Halifax that are 1,000 square feet and under the possibility to expand to 1,400. Mr. Campbell agreed to report back to Council with respect to this matter.

There were no further persons wishing to speak on the application.

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

Motion passed.

A letter was submitted from the President of the Ward Two Residents Council urging Council not to support these proposed amendments.

Case No. 5264 - Contract Development Application for a Parking Garage at Sackville Street and Argyle Street

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

Mr. Robertson, Development and Planning, with the aid of maps and diagrams, gave a brief overview of the points covered in the staff report of August 13, 1987.

In his remarks, Mr. Robertson advised that this application is for a development agreement to permit 26 parking spaces in a two level parking garage to be located at the southwest corner of the intersection of Sackville Street and Argyle Street. He indicated that the area in question is a mix of commercial uses and is also within a Central Business District (CBD) and, as a result, noted that the application is reviewed against the policies of a CBD as outlined in the report of August 13, 1987.

Mr. Donald Hogan, Hogan Properties Limited, addressed Council stating that he only solicited the downtown business community when he made the application. Mr. Hogan submitted a

letter, dated Sept. 28, 1987, to the Mayor and members of Council from the President of the Downtown Halifax Business Association in support of the proposal.

Mr. Hogan displayed a picture of the garage stating that the garage will look as though its part of the building. With reference to Staff's suggesting to increase the windows in size, he advised that the windows have been made larger.. Mr. Hogan advised that in 1979 he converted the building from a tavern to a restaurant and parking became a problem for his customers. Mr. Hogan suggested that this proposal would increase his business and could provide parking for other persons in the downtown area.

There were no further persons wishing to speak on the application.

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

Motion passed.

Case No. 5446 - Contract Development: Firefighters Club, 2029 North Park Street

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

Mr. Hanusiak, Development and Planning, with the aid of plans, presented the application for a contract development to permit a second floor rear addition to the Fire Fighter's Club, 2029 North Park Street, as outlined in the staff report dated September 28, 1987 and advised that staff are recommending approval of the application.

During Mr. Hanusiak's presentation, His Worship Mayor Wallace retires from the meeting with Deputy Mayor Jeffrey assuming the Chair.

Mr. Peter McDonough, appearing on behalf of the applicant, addressed Council stating that subsequent to the setting of the public hearing, he and representatives from the Fire Fighter's Club met with members of the Citadel North Neighbourhood Association and reviewed the proposed addition. He advised that subsequent to that meeting, a letter came forth to the City from Mr. Stephen Townsend, Presiden' of the Citadel North Neighbourhood Association, (a copy of which is included in the official file of this meeting), which outlined seven points which they would like in the contract in order to give their endorsement to the Firefighter's small addition. Mr. McDonough advised that they have agreed to each of the

requests. Mr. McDonough further advised that a letter was received subsequent to Mr. Townsends, dated October 7, 1987 (a copy is in the official file of this meeting), which included additional concerns which the residents would also like drafted into the agreement. Mr. McDonough advised that they have accommodated each of the concerns.

5:45 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Jeffrey assuming his usual seat on Council.

Mr. McDonough suggested that Council vote on this matter this evening noting that poor Winter conditions are near and the site is deteriorating badly.

Mr. Sydney Langmaid, representing a group of residents on Bauer Street, addressed Council in opposition to the proposal. Mr. Langmaid acknowledged that the City's assessment has increased less than 50 percent in the last assessment noting that the assessment on Bauer Street has increased between 500 and 600 percent noting that it is now a fairly substantial street representing a fairly significant tax dollar to the City. Mr. Langmaid questioned whether or not the use of the building is appropriate and meets the integrity of the broad thrust of the plan and suggested that the use of the property in this neighbourhood is inappropriate. He expressed concern with regard to the product and process. Mr. Langmaid distributed copies of the letter to which Mr. McDonough made reference to from the residents of Bauer Street. Mr. Langmaid added that the residents would like to see a clause providing that the building and the grounds be maintained. With reference to the gate between the proposed renovated club and Bauer Street, he advised if that gate is opened during the operating hours of the club, it will encourage extensive parking on Bauer Street.

Mr. Langmaid strongly requested that Council not approve this matter tonight and refer it to Council without recommendation.

As the owner of the adjoining property, Mr. Langmaid stated that he is generally pleased with the renovations to the building and would be disturbed as an individual property owner to think that at this stage the applicants were forced to removed the section which they have added to the principal structure; but, he stated that it was his opinion that this was not the issue and suggested that this major commercial use is inappropriate for this area. He advised that since the detailed area plan does not adequately address the problems of inconsistencies of non-conforming uses, that aspect of the detailed area plan should be considerably readdressed.

Miss Karen Hamilton, a resident of Bauer Street, addressed Council stating that a group of residents are not

in agreement with respect to possible avenues that one might take with regard to the Planning Act. She expressed concern with regard to the product and agreed that her group is in agreement with the items set out in their letter of October 7, but are not in agreement with the steps they want to take subsequently, and indicated her feeling was that the firefighters should go forward with the stipulations outlined in the submitted letters.

Mr. Brian Murphy, residing on Bauer Street, addressed Council stating that he is President of a condominium group in this area. Speaking on behalf of the owners in the condominium, Mr. Murphy stated that they are very concerned with the possible extra noise and commotion which will be added to their neighbourhood as a result of this addition noting that it will disrupt the environment of the neighbourhood.

In response to a question from Deputy Mayor Jeffrey, Mr. Murphy advised that he has been living in this area for two years.

Alderman R. Grant, in referring to the renovations to be made to the outside of the building, questioned whether there was an intent to reinsulate providing a further sound barrier.

Mr. Ron Kelly, President of the City Fire Fighters Protective & Benevolent Association, addressed Council stating that they have owned the building since 1962 and have carried out a number of renovations since that time noting that it has been in continuous operation for 25 years. Mr. Kelly acknowledged the fact that the addition on the top of the building is there illegally; but, he pointed out that in order to completely gut the building, they discovered when they began their renovations, the roof needed to be replaced and in the L-shaped area in question, there was nothing to support the roof trusses which necessitated the construction. Mr. Kelly concluded that they have restored the building to a state that is compatible with the neighbourhood.

There were no further persons wishing to speak.

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

Motion passed.

6:15 p.m. The meeting adjourned.

HEADLINES

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

/mmd

CITY COUNCIL
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
October 15, 1987
8:00 P. M.

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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 Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Walker, Flynn and Hamshaw.

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

Before proceeding to the regular agenda, His Worship Mayor Wallace, on behalf of all members of Council, extended a welcome to the 3rd Spryfield Boy Scout Troop who were present in the gallery accompanied by their Scout Leader, Mr. Alan Baker, and Mrs. Baker.

MINUTES

Minutes of the regular meeting of City Council held on Thursday, October 1, 1987 and a Special Meeting held on Wednesday, October 7, 1987 were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Grant of Easements - Albion Road
- 20.2 Tender: Landscaping - Tremont Plateau Ballfield
- 20.3 Halifax-Hakodate Committee
- 20.4 Tender #87-159: Gasoline and Diesel Tanks, City Field Stores

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

5.2 Proposed Amendment to the Land Use Bylaw
(Peninsula Area) Respecting Multiple-
Building Development in R-2 Zones

15.3 Prison Lands Development - Amendment to
Development Agreement

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

20.5 Case No. 5323 - 38 Vimy Avenue

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

Motion passed.

8:15 p.m. - Alderman Leiper enters the meeting.

DEFERRED ITEMS

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

This matter was deferred during a regular meeting of
Halifax City Council held on Thursday, October 1, 1987.

A supplementary staff report, dated October 5, 1987,
was submitted, together with correspondence from Mr. Robert
Shaw, President (Clayton Developments Limited), and from Mr.
James A. Gregg, Ward 12 Community Association, both dated
October 15, 1987.

While noting that the October 15 letter from the Ward
12 Community Association recommends that this matter be
deferred pending further dialogue between citizens and the
developer in question, Alderman Hamshaw advised that he had
recently discussed the matter with a number of residents and
had found their response to the development to be largely
positive. He added that, in agreeing to reduce the height of
the proposed high-rises and to increase the number of single
family homes, it was his opinion that Clayton Developments
Limited had addressed the major concerns put forward earlier by
area residents. The Alderman further noted that there seemed
to be a great deal of support for moving forward with this
development and the roadways associated with it so that
everything will be in place prior to the commencement of the
proposed Commonwealth Games.

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Under the circumstances, it was moved by Alderman Hamshaw, seconded by Alderman Walker that City Council:

- a) grant Stage I approval to the lands of Clayton Developments (owned and under option), as shown on Plan No. P200/15810, and grant Stage II approval to Phase I of Clayton Park West, a 112-acre parcel, as shown on Plan No. P200/15834;
- b) approve the use of landscaped "island" at the ends of cul-de-sac streets, provided they are of low maintenance design;
- c) approve the cost-sharing formula for the construction of Street "K;"
- d) require that the height of the two proposed high-rise buildings be reduced to a maximum of 13 storeys (as indicated in a letter submitted from Clayton Park Developments, dated October 15, 1987);
- e) require that the number of single-family homes in this project be increased from 18 to a minimum of 36 (as indicated in a letter submitted from Clayton Park Developments, dated October 15, 1987); and
- f) require that the local streets between Langbrae Gardens and Clayton Park West be connected.

A discussion ensued with Alderman Leiper expressing the opinion that all the concerns previously voiced by area residents have not yet been addressed, particularly those pertaining to the development's impact on current traffic volumes in the Mainland North area.

On that basis, it was moved by Alderman Leiper, seconded by Alderman Meagher that the matter be deferred to afford Council an opportunity of addressing concerns raised previously by area residents.

The motion to defer was put and defeated.

Alderman Cromwell raised concerns about the retention of the current vegetation buffer currently located on City-owned lands between the existing single-family dwellings in the Bridgeview Subdivision and the high-rise buildings proposed for Clayton Park West. To this end, the Alderman requested a staff report outlining methods by which a policy could be put into place by City Council to ensure that this buffer area be permanently retained.

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- f) require that the local streets between Langbrae Gardens and Clayton Park West be connected.

A discussion ensued with Alderman Leiper expressing the opinion that all the concerns previously voiced by area residents have not yet been addressed, particularly those pertaining to the development's impact on current traffic volumes in the Mainland North area.

On that basis, it was moved by Alderman Leiper, seconded by Alderman Meagher that the matter be deferred to afford Council an opportunity of addressing concerns raised previously by area residents.

The motion to defer was put and defeated.

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Addressing Alderman Hamshaw's motion currently on the floor, Alderman Leiper reiterated her concern that approval of this development application will give citizens of Mainland North the impression that Council is not giving their traffic problems serious consideration, and emphasizing that, on that basis, she could not support the motion.

Responding to a request from Alderman Leiper that the local streets between the Langbrae Gardens development and that of Clayton Park West not be connected, Alderman Hamshaw indicated that he could not agree to this recommendation since, in his opinion and that of staff's, those streets should be linked.

After some discussion, the City Clerk advised that His Worship Mayor Wallace, and Aldermen O'Malley and Flynn had been absent during the September 9 public hearing concerning this matter.

The motion was put and passed with Aldermen Flynn and O'Malley abstaining, and Alderman Leiper voting in opposition.

Proposed Amendment to Land Use Bylaw (Peninsula Area) Respecting Multiple-Building Development in R-2 Zones

This matter had been deleted during the setting of the meeting's agenda.

Proposed Amendment to MPS (Peninsula Centre Area), and Land Use Bylaw (Peninsula and Mainland Areas): Neighbourhood Commercial Uses

A public hearing (adjourned from September 23 and from October 1, 1987) on this matter was held on Wednesday, October 7, 1987.

An Information Report, dated October 15, 1987, was submitted, together with a petition (signed by approximately 186 area residents) in favor of the proposed expansion of Buckley's Drug Store, also dated October 15, 1987, were submitted.

Noting that staff is currently investigating an alternative solution to this problem, Alderman Cromwell moved, seconded by Alderman Meacher that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, October 29, 1987.

The motion to defer was put and passed.

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Case No. 5264 - Contract Development Application: Parking
Garage at Sackville and Argyle Streets

A public hearing concerning this matter was held on
Wednesday, October 7, 1987.

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

MOVED by Alderman Downey, seconded by Alderman
Cromwell that Council approve a development agreement to permit
a 26-space, two-level parking facility at the corner of
Sackville and Argyle Streets (generally as shown on Plan No.
P288/16219 of Case No. 5264), provided that the facade is
redesigned to incorporate larger display windows at grade.

The City Clerk advised that Alderman Flynn had not
been in attendance during the October 7 public hearing.

The motion was put and passed with Alderman Flynn
abstaining.

Case No. 5446 - Contract Development: Firefighters Club,
2029 North Park Street

A public hearing into this matter was held on
Wednesday, October 7, 1987.

Correspondence, dated October 8, 1987, was received
from Mr. Sydney Langmaid, and (dated October 14, 1987) from
Ronald A. Kelly, President, City Fire Fighters Benevolent and
Protective Association.

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

- 1) Pursuant to Section 83(c) of the Land Use Bylaw
(Peninsula Area), City Council approve the contract
development application to permit a second floor rear
addition to the Fire Fighter's Club, 2029 North Park
Street, provided that the addition is in substantial
conformity with Plans No. P288/16152-56 inclusive of
Case No. 5446;
- 2) the development agreement contains specific conditions
which:
 - (a) restrict the size of the addition to that which
is proposed in Plans No. P288/16152-56 of Case
No. 5446;
 - (b) restrict the use of the addition to storage or
office space only;

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- (c) prohibit any further increase in the building's volume without the consent of City Council;
 - (d) require the agreed upon improvements to be completed within 30 days of the issuance of an occupancy permit for the addition, whereupon the planting of trees and shrubbery must be completed by June 1, 1988;
 - (e) prohibit the reconstruction of the building if destroyed beyond 75 percent of its market value;
 - (f) prohibit the change of use within the building to anything other than a fraternal hall or use permitted on the property by the Land Use Bylaw; and
 - (g) prohibit the recommencement of the use if it is discontinued for a period exceeding six months.
- 3) City Council require that the contract shall be signed within 30 days, or any extension therefor granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, the contract approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Alderman Flynn had not been present during the October 7 public hearing on this matter.

The motion was put and passed with Alderman Flynn abstaining.

PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Variance Refusal: 2592-94 Robie Street

This matter had been deferred from a regular meeting of Halifax City Council held on October 1, 1987.

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

Mr. Michael Purcell of the Development and Planning Department, with the aid of maps and diagrams, gave a brief overview of the circumstances surrounding the Acting Development Officer's decision to refuse the application for minor variances at 2592-94 Robie Street.

In his remarks, Mr. Purcell indicated that the purpose of the variance request had been to allow the legal occupancy of a third unit at this address (the present legal occupancy

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under the R-2 zoning classification being two units). He noted that, in reviewing this application, it had been discovered that the property is deficient in terms of the Land Use Bylaw requirements with regard to lot area, side yards, and maximum coverage. Mr. Purcell also advised that the applicant has altered the interior of the building without obtaining appropriate permits, such that the rear of the building has now been converted into a third (illegal) unit.

Mr. James Diakaios, representing Peter Diakaios Holdings (owners of the property in question) addressed Council, emphasizing that there have been no exterior alterations to the building and submitting a petition signed by approximately 45 residents of the surrounding neighbourhood in support of the appeal.

In addressing Council on this matter, Alderman Meagher emphasized that no exterior alterations to the premises have been made nor have there been any expressions of objection from area residents.

It was therefore moved by Alderman Meagher, seconded by Alderman O'Malley that the decision of the Acting Development Officer be overturned and the appeal by Peter Diakaios Holdings be granted.

The motion was put and passed.

PETITIONS AND DELEGATIONS

Petition Alderman R. Grant Re: Sidewalk Renewal -
Claymore Avenue

Alderman Richard Grant submitted a petition signed by eight residents of Claymore Avenue, requesting that sidewalks on the north side of that street be renewed or repaired.

His Worship indicated that the matter would be referred to the appropriate City staff for review and recommendation.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 7, 1987 as follows:

Metropolitan Authority - Transit Goals

MOVED by Alderman O'Malley, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, a special meeting be scheduled to discuss the matter of Metro Transit's objectives and proposed "Action Plan."

The motion was put and passed.

Newspaper Vending Machines on City Sidewalks

This matter had been referred to Council without recommendation, pending submission of a report from the Council Subcommittee on the Regulation of Activities on City Streets.

MOVED by Alderman Flynn, seconded by Alderman Downey that City Council give approval in principle to the proposed regulations attached as Appendix "A" to the report, dated September 15, 1987, submitted by the Chairman of the Streets Committee, and direct City staff to draft in legal form and arrange for the introduction before City Council of amendments to Ordinance 180, the Streets Ordinance, incorporating the proposed regulations with the following exceptions:

- 1) Item #2 (p. 1 of the Committee's September 15 report): revise to read ". . . restricted to a maximum of 276 boxes . . ." to comply with the locations indicated on Schedule "A"; and further, to provide that additional locations will be reviewed on request up to a maximum of 350 per publisher.
- 2) Appendix "A," p. 5, Section 17: amend to reflect the revision to Item #2 above (license fees to be increased in increments of \$250 for every additional group of 50 boxes to a maximum of 350 boxes at \$2,500.00).

A discussion ensued with Alderman R. Grant addressing the restrictions proposed for individual publishers, suggesting that complications could arise should a publisher be responsible for the supply of more than one newspaper.

Alderman Dewell, echoing Alderman Grant's concerns, also noted that further complications could arise from misjudging the number of publishers and publishing companies located in the Halifax area. He suggested that by allowing each of these companies a maximum of 276 boxes, Council could be defeating its objective of attempting to restrict the placement of such boxes on City streets.

Alderman O'Malley indicated that there are numerous publications (generically known as "newspapers") for which application for vending units could potentially be made. In

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order to minimize the proliferation of such boxes on the City's streets, the Alderman recommended that a more specific definition of "newspaper" be included in the Ordinance.

Alderman Flynn suggested that all these areas of concern (as brought forward during this evening's discussion) could be addressed by the City Solicitor's Department before the matter is brought back to City Council for First and Second Reading.

Deputy Mayor Jeffrey also pointed out a typographical error with regard to Schedule "A," Item #80, "Dutch Village Road at Clifton Street."

The motion was put and passed.

Encroachment License: 6112 Quinpool Road

Following is the recommendation from the October 7 meeting of the Finance and Executive Committee:

that Eastland Developments Ltd. be granted an Encroachment License for the purpose of erecting canopies at Civic No. 6112 Quinpool Road.

Responding to concerns raised by Alderman Cromwell regarding the fact that the canopies in question have already been erected, the City Manager indicated that he would submit a report outlining the course of events leading to their installation.

Alderman Cromwell further referred to the deliberations surrounding the adoption of the Quinpool Road Commercial Area Plan, and asked to be advised of the recommendations made at that time with reference to Eastland Developments Limited and its undertakings in the Quinpool Road area.

It was subsequently moved by Alderman Meagher, seconded by Alderman Cromwell that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, October 21, 1987.

The motion to defer was put and passed.

McCully House Agreement - Lease (Award of Tender #87-80)

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

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Council reject all tenders submitted for Tender No. 87-80,
(McCully House Restoration).

The motion was put and passed.

Amendments to Ordinance Number 121 - Retail Store Hours

MOVED by Alderman O'Malley, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, this matter be referred to staff for consideration and report to City Council.

Motion PASSED.

Levelling of Dam - Colpitt Lake (Report: Lakes and Waterways Advisory Committee)

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, City Council request the Province of Nova Scotia, to whom the protection of Lakes has been entrusted under the Water Act, to initiate an investigation of and report upon this willful act of vandalism.

The motion was put and passed.

Recommendations - Election Procedures Committee

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

1. for the 1988 Municipal Election, City Council appoint the City Clerk, or any other suitably qualified person, as Returning Officer;
2. representation be made to the Province urging that a provision be included in the Municipal Elections Act that persons working on Election Day be given sufficient time off to vote;
3. Council request the Province to repeal subsection (2) of Section 14 of the Municipal Elections Act, thereby making unmarried students subject to the same residency rules as all other voters; and further, that should Section 14(2) of the Act not be repealed, a form be included in the Act to assist election officials in determining the residency of students similar to the draft form attached to the September 23, 1987 report from the Election Procedures Committee;

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4. Council request that the Province amend the Municipal Elections Act by reserving for Canadian citizens alone the important right to vote.

The motion was put and passed.

Sale of Surplus Lands: Lot 26, Colpitt Lake Road and Lot 11, Mansion Road

MOVED by Alderman R. Grant, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, the sale by public tender of Lot 26, Colpitt Lake Road be authorized with no minimum bid, and that the sale by public tender of Lot 11, Mansion Road be authorized with a minimum bid to be established, based on a valuation by an independent accredited real estate appraiser.

In putting forward this motion, Alderman Grant reiterated his request made during the October 7 meeting of the Finance and Executive Committee that the abutting property owners be advised of the sale of these properties by letter forwarded through the auspices of the appropriate City department.

The motion was put and passed.

Acquisition - 31 Herring Cove Road

MOVED by Alderman Walker, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, Civic No. 31 Herring Cove Road be acquired from Mr. Murray Isnor for \$55,000 as settlement in full (funds to be made available from Account No. CK019, Sundry Land Acquisitions).

The motion was put and passed.

Recommendations - Tax Concessions and Grants Committee

An Information Report, dated October 9, 1987, was submitted.

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

1. in recognizing that the Centennial Arena Commission has particular difficulties with respect to the maintenance of the facility in Fairview, and that the facility is of strategic importance in maintaining adequate recreational facilities in that area of the City, a further grant in the amount of \$34,000.00 be made

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available to the Centennial Arena Commission in 1987; and further, that the Centennial Arena Commission should make every effort to obtain funding from sources other than the City and, in particular, from the Department of Recreation of the Province of Nova Scotia and from the local community;

2. no grant or assistance with taxes be given to Nosco Marine Industries;
3. a tax grant of \$370.00 be provided to the art school, the New Art Space;
4. and that these expenditures be authorized under Section 201(1) of the Halifax City Charter.

The motion was put and passed.

Award of Tender #87-143: Housing Demonstration Project

This matter had been forwarded to Council without recommendation.

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

- 1) Council award the tender to Bic Enterprises at a price of \$944,900.00 as the lowest responsible bidder; and
- 2) that a construction contingency of 10 percent of the tender price be approved (the bulk of the contingency to be used to excavate rock).

The motion was put and passed.

Commemoration - St. Paul's Church (National Historic Site)

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman R. Grant that the location of the Historic Sites and Monuments Board plaque and mounting commemorating the historic and architectural significance of St. Paul's Church be approved as shown on the plan attached to the staff report, dated October 5, 1987, being the same plan provided by Environment Canada (Parks) on September 29, 1987.

The motion was put and passed with His Worship Mayor Wallace noting that the commemoration ceremony had taken place earlier in the day.

Titus Smith School

This matter had been forwarded to Council without recommendation.

In addressing this matter, Alderman Leiper emphasized that, subsequent to the dismissal of an evening custodian at the Titus Smith School earlier in the year, Council had written a letter to the Halifax District School Board requesting that (owing to the implications of such dismissals for the surrounding community) prior notification of any future terminations be given to City Council and to the Halifax Recreation Department. She indicated that, in response to that letter, the requested assurance of notification had been received from the School Board.

Alderman Leiper now reported that a second termination of an evening custodian at the Titus Smith School had recently been effected, adding that, owing to the loss of that individual, several community groups had been forced either to cease operation (e.g., Fairview Minor Basketball) or to meet much less frequently in very small accommodations. She emphasized that, again, neither City Council nor the City's Recreation Department had been advised of the impending termination.

Under the circumstances, it was moved by Alderman Leiper, seconded by Alderman O'Malley that Council approach the Halifax District School Board to request that the custodian be reinstated at the Titus Smith School; and further, that a letter be forwarded from Council expressing its concern that such action was taken without consultation either with City Council or with the Recreation Department.

Alderman Dewell emphasized that the transferral or termination of such individuals is not a Board decision, but rather action which would be taken independently by the Superintendent of Education. He suggested that the individual in question could have been transferred because of diminished enrollments, or because the letter previously written to the Board by Halifax City Council had not been forwarded to the proper authorities, but emphasized that he would bring the matter to the Board's attention.

Alderman R. Grant addressed Council on the matter, suggesting that the recent termination is yet another example of the lack of communication presently in existence between the public school system in Halifax and members of the community. He expressed the concern that the education system appears to be growing away from the citizens with whom it is supposed to be interacting with.

Alderman O'Malley emphasized the very significant role played by schools as an integral part of the community. In

this context he suggested that it is imperative that the lines of communication be maintained between Council (on behalf of the community) and the School Board (who is responsible for its administrators). Alderman O'Malley added that, in his opinion, school principals have a duty to report to their Director on the role their particular school is playing in the community; in turn, the Director has a similar responsibility to keep the Board advised on these matters.

Referring to concerns raised by parents of children attending Fairview Junior High, it was moved by Deputy Mayor Jeffrey, seconded by Alderman Walker that the motion be amended by adding "and that the School Board (in conjunction with the City's Recreation Department) be asked to look into the possibility of making gymnasium space available at Fairview Junior High for after-hours basketball."

The amendment to the motion was put and passed.

In closing the debate, Alderman Leiper emphasized that in situations like this where the transfer or termination of an individual has a considerable impact on the community, advance notification is, in her opinion, merited. She suggested that, at the very least, Council's representatives on the School Board should be informed so that they can advise the Aldermen in question.

The motion, as amended, was put and passed.

Report - City Hall Renovation Committee

This matter had been forwarded without recommendation from the Finance and Executive Committee.

At Alderman O'Malley's request, it was agreed that that this item be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, October 21, 1987.

In the interim, Alderman O'Malley asked that copies of minutes from the last meeting of the Renovation Committee be made available to him.

Increase in Social Assistance

This matter had been forwarded without recommendation from the Finance and Executive Committee.

In the absence of the Director of Social Planning, Mr. H. D. Crowell, it was moved by Alderman Downey, seconded by

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Alderman R. Grant that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, October 21, 1987.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on October 7, 1987, as follows:

Power Outage - Mainland South Area

MOVED by Alderman R. Grant, seconded by Deputy Mayor Jeffrey that, as recommended by the Safety Committee, staff forward a letter to the Nova Scotia Power Corporation requesting the Corporation to address the problem of power outages in Mainland South as well as to request a response with respect to the measures being taken to resolve this difficulty.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council then considered the report of the City Planning Committee from its meeting held on October 7, 1987, as follows:

Case No. 4114 - Parcel D-1-A Bedford Highway

This matter was forwarded to Council without recommendation.

Correspondence dated October 14, 1987 from Mr. Peter McDonough, McInnes Cooper & Robertson, representing the applicant, was submitted.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Jeffrey that Council extend the completion date of the contract development agreement for Parcel D-1-A Bedford Highway to March, 1990 to allow the motel development proceed which should allow sufficient time for the specified motel units to be constructed before the termination date.

Alderman Leiper addressed the matter expressing concern with regard to the motion. Alderman Leiper noted that the proposed motel would be located in the centre of a residential area and further indicated that under the Bedford Highway Secondary Planning Strategy this area had been zoned R-1. Alderman Leiper indicated that she had been planning to propose that Council approve Option B of the staff report and urged Council to vote against the motion before Council.

Alderman Flynn addressed the matter noting the reference in the staff report to holding a public hearing should Council decide to consider the requested extension and suggested that an amendment should be made to the motion providing that a public hearing should be held to consider the development of a motel at this location.

The City Manager indicating that Council was not considering a proposed development for this site but, merely the extension of a contract development agreement on an already approved development. The City Manager noted that the development in question has been duly approved by Council and upheld by the Municipal Board.

MOVED in amendment by Alderman Flynn, seconded by Alderman Dewell that the motion be amended to provide that a public hearing be held prior to the granting of an extension on the contract development agreement.

Alderman Dewell addressed the matter indicating that this situation emphasized Council's concerns in relation to open-ended contracts. Alderman Dewell indicated that it was just this type of situation that Council was trying to avoid when they put in place the policy of time limitations on contract developments.

Alderman Dewell went on to note that although Council had granted extensions in relation to other contract developments, these extensions usually referred to six month or less extensions due to some difficulty with financing of the development, etc. Alderman Dewell went on to suggest that holding a public hearing in relation to the possible extension of this contract development would be in keeping with the spirit of Council's motion establishing the policy of time limits on contract developments.

A further short discussion ensued with the City Solicitor indicating that Council had the right to approve or refuse the extension of the contract and noting that, as pointed out, conditions in the area had changed and upon expiration of the contract development agreement Council may not wish to allow development of this nature in the area.

Alderman O'Malley addressed the matter indicating that he felt it was premature to hold a public hearing in relation to this matter at this time. Alderman O'Malley suggested that Council should take no action at this time in terms of an extension of the contract development agreement and, upon expiration of the contract, hold a public hearing in relation to the development of a motel at that location.

The City Manager addressed the matter suggesting that if Council was to agree to such an action, the developer should be given the opportunity to make a presentation in this regard.

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that this matter be deferred to the next meeting of the Committee of the Whole Council to be held on October 21, 1987 and further that a submission from the developer in this regard would be welcome at that time.

Alderman R. Grant addressed the matter indicating that he would like a report from the Legal Department outlining the effect of the developer obtaining permits and beginning work on the development. Alderman R. Grant asked what would happen if, upon expiration of the contract, the development was partially completed.

The motion to defer was put and passed.

Alderman Downey noted that Mr. Crowell, Director of Social Planning, was now present and requested that Mr. Crowell be permitted to respond to his question in relation to agenda Item 10.15, Increase in Social Assistance, to which Council agreed.

Increase in Social Assistance

Alderman Downey addressed the matter noting that he had received a number of calls over the past week from persons having difficulty in obtaining Social Assistance. Alderman Downey noted that it was his understanding that there had been a drastic increase in the caseload for Social Assistance and requested that Mr. Crowell comment upon this.

Mr. Crowell addressed the matter noting that there was a dramatic increase in the requests for Social Assistance and advising that there were at present 500 new requests for assistance. Mr. Crowell noted that only 260 of these applications for assistance had qualified under the City's present policy and guidelines.

Mr. Crowell went on to note that the trend towards greater requests for assistance had begun some 18 months ago and noted that this was partially due to a number of companies in the metro area developing a policy of hiring only part-time workers. Mr. Crowell went on to note that in many cases earnings from part-time work was not sufficient to support the individual or his/her family, therefore, the increase in requests for assistance. Mr. Crowell further noted that an increase in single parents requesting assistance was being evidenced over this time last year.

Mr. Crowell went on to note that the present case load was the largest since 1982 and indicated that the largest increase appeared to be in the Spryfield area. Mr. Crowell noted that staff of his department were having difficulty in keeping up with the demands in this area and suggested that a

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change in policy was needed within the City. In conclusion, Mr. Crowell advised that more than 50% of the new applications for assistance had not qualified to receive assistance under the present policy.

Alderman Downey addressed the matter referring to the recent announcement by the Minister of Social Services that Social Assistance was being increased and noted that it was difficult to respond to individuals expressing concern over not being able to obtain assistance in light of this announcement. Alderman Downey went on to note that he was aware that Mr. Crowell was doing the best job possible in the circumstances and requested that Mr. Crowell report with regard to how he intends to attack this problem.

Mr. Crowell addressed the matter referring to Alderman Downey's comment in relation to an announcement by the Minister of Social Services that Social Assistance was being increased and noted that this increase involved only family benefits. Mr. Crowell noted that the Minister had announced that the rental allowance under family benefits would be increased by \$45.00. Mr. Crowell noted that this increase was of some benefit to those persons receiving family benefits, however, the overall housing allowance was such that it was not close to being enough to provide for adequate housing. Mr. Crowell noted that this resulted in the using of food allowance monies for rent and increased the use of Food Banks, etc.

Mr. Crowell emphasized the need to have a hard look at the City's present policy in light of the shift to part time work and noted, as well, that a review of the City's policy in terms of the incentive allowance must be undertaken. Mr. Crowell noted that the present policy discouraged single individuals from making anymore than \$50.00 per month and families from making more than \$100.00 per month.

Alderman R. Grant addressed the matter expressing concern with regard to the number of persons moving into the City to take advantage of the City's Social Assistance Program. Alderman R. Grant noted that he felt the difficulties being experienced in housing must be attacked as a Metropolitan problem and indicated that the majority of newer buildings within the City were not affordable to those requiring assistance.

Alderman R. Grant went on to note that the City had provided some assistance in relation to affordable housing in terms of cooperatives, etc., however, he suggested that it was time that the City and the neighbouring municipalities looked at affordable housing from a metropolitan perspective. Alderman R. Grant indicated that the metropolitan area should also seek additional funding from the Provincial Government.

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Alderman R. Grant then referred to the trend to part time work and related an individual's experience to members of Council. Alderman R. Grant went on to note that the problem of employment must be addressed. Alderman R. Grant indicated that he would like Mr. Crowell and his department to attempt to address the problems prior to budget time particularly in terms of housing and the affect of the move to part-time workers and people moving into to the City to take advantage of the City's Social Assistance program.

Alderman O'Malley addressed the matter indicating that he experienced similar problems in his area and requesting that Mr. Crowell's department bring forward a report or a forecast, prior to budget time, of the situation in terms of Social Assistance for the next 18 months. Alderman O'Malley went on to note that in light of the comments made this evening in relation to the problems being experienced, it appears that the time has come to involve other sectors of the community in an overall study and review of the problems involved in providing assistance. Alderman O'Malley suggested that a study group be established to develop a route for the future in terms of providing assistance to the needy. In conclusion, Alderman O'Malley reiterated his request for a projection of what is going to be needed over the next 18 months relative to Social Assistance prior to the budget discussions.

Mr. Crowell addressed Council once more noting that Halifax was not the only area experiencing these problems and suggesting that the neighbouring municipalities were, in fact, experiencing a more dramatic increase. Mr. Crowell reiterated his comments regarding a need to review the City's policy in regards to social assistance and noted that it was his intention to keep Council abreast of the trends and the situation within the Community through a succession of information reports.

Alderman Meagher addressed the matter noting that the trend toward companies hiring only part-time workers would have an effect on the future needs of the City. Alderman Meagher noted that a lack of pension and medical benefits would impact on the city in the future, as well as, the immediate effect being experienced by the City at present. Alderman Meagher further indicated that he felt a number of persons needing assistance were hesitant to apply and suggested that this would impact on the City at some future date.

Alderman Dewell addressed the matter expressing concern with regard to able-bodied transients travelling to Halifax and obtaining Social Assistance. Alderman Dewell noted that in a number of cases these transients are merely young people travelling for the summer and noted that it was his understanding that the City was required to provide these young people with assistance. Alderman Dewell indicated that he found this situation upsetting and suggested that many taxpayers would also find it upsetting.

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A further short discussion ensued with His Worship noting that Mr. Crowell's department would be preparing the requested reports, including the projections requested by Alderman O'Malley, for consideration by Council.

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

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

Widening of Dutch Village Road

This matter was forwarded to Council without recommendation.

Deputy Mayor Jeffrey addressed the matter noting that this matter has been before Council on numerous occasions. Deputy Mayor Jeffrey noted that the proposal set out in the staff report in relation to the widening of the Dutch Village Road was much less involved than had originally been recommended. Deputy Mayor Jeffrey noted, however, that there were still four businesses and six to seven homes involved in the proposal and MOVED, seconded by Alderman Leiper that, prior to any action being taken on this matter by Council, a public meeting be held in order that the residents in the area might be made fully aware of what is being proposed and exactly what is going to happen in the area.

A short discussion ensued with regard to the date for the public meeting with Alderman Meagher suggesting that the Chairman could establish the date. His Worship advised that the meeting would be set without delay.

Deputy Mayor Jeffrey addressed the matter suggesting that notices should be set to residents in a four to five block radius in addition to the abutting property owners, and His Worship advised that the normal procedure would be followed.

The motion was put and passed.

Prison Lands Development - Amendment to Development Agreement

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

Central On-Site Water and Sewer Systems - (Package Plants): City Wide

This matter was forwarded to Council without recommendation.

Alderman O'Malley addressed the matter referring to the submitted staff report noting that he felt that Council should not proceed any further in this regard until such time

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as staff has come forward with a set of policies and guidelines under which such systems could be implemented. Alderman O'Malley suggested that at this time it would be more appropriate for Council to agree in principle to the concept of central on-site water and sewer systems pending the development by staff and approval by Council of terms and conditions under which these systems could be implemented.

The City Manager addressed the matter indicating that staff was merely looking for direction from staff on how to proceed. The Manager went on to note that at this point staff was not requesting any form of approval, however, they did not wish to proceed with the development of guidelines without some direction from Council. The City Manager went on to note that the other alternative open to Council was a refusal to consider central on-site water and sewer systems within the City.

Alderman O'Malley addressed the matter once again referring to the lands recently annexed to the City and noting that such systems might be instrumental in developing these lands. Alderman O'Malley indicated that at this point he did not feel that Council had sufficient information to make a decision and suggested that the development of terms and conditions in conjunction with the Departments of Health and Environment would provide the necessary information.

Alderman Flynn addressed the matter indicating that he agreed with Alderman O'Malley's comments regarding the development of the annexed lands. Alderman Flynn went on to note that the prime concern expressed at the public meeting held on this subject was who was going to be responsible for these systems upon completion. Alderman Flynn indicated that he would like to see the City establish a policy whereby the developer would provide the central on-site water and sewer system, in compliance with City guidelines, and then these systems would be turned over to the City.

Alderman Flynn went on to note that city sewage and water were maintained by the City although in many cases a developer had been required to install the system within a development. Alderman Flynn noted that turning central systems over to the City would not greatly differ from the present policy. Alderman Flynn indicated that he felt the City should establish the specifications for the central systems and then, upon completion by the developer, take over these systems.

Alderman R. Grant addressed the matter indicating that he was concerned with possible overflows from central systems noting that it was likely that these overflows would be directed to the North West Arm and other waterbodies. Alderman R. Grant then referred to the plan for a regional sewage treatment plan and asked how the establishment of centralized systems would fit in with this plan. Alderman R. Grant indicated that he felt the City should proceed with plans for

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the metropolitan system and not take up staff time exploring and developing regulations for centralized systems which may be unnecessary once the metropolitan system comes on stream.

Alderman R. Grant then referred to Alderman Flynn's suggestion that these centralized systems be turned over to the City for ongoing maintenance and suggested that the first time some problem occurred with the system, demands would be heard to get rid of the system. Alderman R. Grant indicated that he felt it was premature to take any action in relation to centralized systems and MOVED, seconded by Alderman Leiper that no decision be made by City Council in relation to central water and sewer systems until such time as the metropolitan sewage treatment plan has been developed and implemented.

A discussion ensued with Alderman O'Malley suggesting that it was unfair to suggest that centralized systems would result in overflows and other similar problems. Alderman O'Malley indicated that he would hope that the guidelines developed by staff would be technologically advanced enough to rule out any such instances. Alderman O'Malley indicated that he felt it was unfair of Council to deny the possibility of centralized systems within the City without first having an opportunity to discuss and debate the technology which would make centralized systems possible. Alderman O'Malley referred once again to the development of the annexed lands noting that such systems could be the route to development of these lands.

The City Manager addressed the matter indicating that staff was proposing that only the most northern and southern areas of the Mainland be considered as areas in which centralized systems would be permitted. The City Manager went on to note that this excluded city lands and suggested that to allow centralized systems on city land would defeat the public investment of the public sewer system provided throughout the remainder of the City. The City Manager further noted that the development of City lands using centralized systems had never been considered by staff and would constitute a much broader topic for staff's consideration.

Alderman O'Malley indicated that he was aware of the background of this matter, however, he suggested that should the City develop these guidelines consideration could be given to allowing the development of city lands using centralized systems.

Alderman Cromwell addressed the matter indicating that this subject had come before Council as a result of a particular development and suggested that Council should deal with that particular development and then, if they wished, develop guidelines for the entire city.

A further short discussion ensued and the Motion was put and lost.

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MOVED by Alderman Cromwell that, subject to regulations and policies being brought back to Council for approval, Council approve a central on-site sewer and water system for the lands designated on the map attached to the October 1, 1987 staff report providing that all regulations are adhered to by the developer and the developer retains responsibility for the maintenance of the system.

There was no seconder to the motion.

MOVED by Alderman Flynn, seconded by Alderman O'Malley that staff develop policies and guidelines providing for the establishment of central on-site sewer and water systems within City boundaries, including the industrial park lands, for review and consideration by City Council.

A short discussion ensued with Alderman R. Grant noting that under present subdivision regulations a developer is required to hook into the city's sewer system and other systems such as roads, etc. Alderman R. Grant further noted that many of the areas which would be considered for such systems were quite close to already installed sewer pipes or planned sewer pipes. Alderman R. Grant requested that staff review whether centralized systems would be in keeping with the Subdivision Regulations in terms of the requirement to hook into existing city services including such things as water, sewer and streets.

Alderman R. Grant then referred to the possible establishment of a centralized system in areas that are already developed and asked what would happen if, as the result of the necessary work and blasting to establish a centralized system, a property owner's well or septic system malfunctioned. Alderman R. Grant asked what responsibility the City would have in this case and noted that this was a real problem and would have to be addressed.

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

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 indicating that it was his understanding that under Section 62 of the Planning Act if an advertisement to consider rezoning has not been made within 120 days of the filing of a complete application, the rezoning is deemed to have been refused. Deputy Mayor Jeffrey noted that the 120 days has expired in this instance and the applicant is intending upon submitting another rezoning application.

MOVED by Deputy Mayor Jeffrey, seconded by Alderman Leiper that Council take no action in relation to this matter and that the matter be removed from the agenda.

Motion passed.

Mainland North Traffic

This matter was forwarded to Council without recommendation.

Alderman Leiper addressed the matter indicating that she was proposing to put forward two motions this evening relative to Mainland North Traffic and noted that she would deal with these motions separately. Alderman Leiper went on to refer to her motion regarding a study being carried out in relation to the prohibition of left turns southbound on Dunbrack Street and the effect of such an action on other streets in the area and further noted that this resolution had been referred to the legal department for a report.

MOVED by Alderman Leiper, seconded by Alderman R. Grant that, in light of the report from the legal department, Council recommend to the Police Department the implementation of a left turn prohibition off Dunbrack Street to traffic travelling south between the hours of 7 a.m. and 9 a.m. for a period of two weeks during which time traffic engineers monitor the traffic numbers and that this two week period begin October 26, 1987.

A short discussion ensued with the City Solicitor, in response to a Point of Order by Alderman Dewell regarding the propriety of the motion, indicating that the motion was entirely proper and a valid and legal motion.

After questioning the City Solicitor with regard to the authority of a peace officer under the Motor Vehicle Act in relation to directing traffic, Alderman O'Malley suggested that it might be advisable for the mover of the motion to discuss the motion with the Police Commission or the Chief in an attempt to come to some compromise or agreement.

A further discussion ensued and the Motion was put and lost.

Alderman Leiper addressed the matter noting that a response had been received from the Minister of Transportation, the Honourable Guy LeBlanc with regard to the proposal that there be no turn off to Kearney Lake Road from the Bicentennial Highway between 7 a.m. and 9 a.m.. Alderman Leiper indicated that the Minister had quickly dismissed this proposal and had suggested that the businesses on Bayers Road would suffer as a result of this action.

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Alderman Leiper further noted that in her opinion this would do much to alleviate the difficulties between 7 a.m. and 9 a.m. and would force persons coming into the City to find an alternate route downtown while not inconveniencing the City's residents.

MOVED by Alderman Leiper, seconded by Alderman O'Malley that Council forward a letter to the Honourable Guy LeBlanc, Minister of Transportation, asking for a clear interpretation of why he feels it is impossible to implement a no exit off the Bicentennial Highway onto Kearney Lake Road between 7 a.m. and 9 a.m. and indicate that Council finds the short sentence, that businesses would suffer, is unsatisfactory.

After a further short discussion the motion was put and passed.

MISCELLANEOUS BUSINESS

School Board Structure - Date for Meeting

A report from Mr. E. A. Kerr, City Clerk dated October 8, 1987 was submitted.

Alderman O'Malley noted that the submitted report proposed two possible dates on which this meeting might be held. Alderman O'Malley indicated that would be willing to move a motion establishing November 2, 1987 at 3:00 p.m. as the date for the meeting.

Alderman Dewell, noting that he was the lone representative of Council on the School Board, indicated that he would be unable to attend a meeting on that day due to personal reasons.

Alderman O'Malley referred to the extensive research and work carried out by Ms. Kathleen O'Grady, Executive Assistant to the City Manager on the subject of School Board Structure and asked if this work would be completed by the November 2, 1987 date.

The City Manager indicated that if Council so wished the work would be completed.

A further short discussion ensued and it was MOVED by Alderman O'Malley, seconded by Alderman R. Grant that Monday, November 16, 1987, beginning at 3:00 p.m., be set as the date for the Committee of the Whole Council to discuss the matter of School Board Structure. Motion passed.

Appointments

A report dated October 15, 1987 from His Worship Mayor Ron Wallace was submitted.

MOVED by Alderman Meagher, seconded by Alderman Hamsbaw that Council approve the following appointments:

BARRINGTON STREET BUSINESS IMPROVEMENT DISTRICT COMMISSION

Alderman Ron Cromwell
Mr. Ralph Beal
Mr. Charles Burchell
Mr. Winston Bradley
Ms. Nuala Mattison
Mr. Gary Myers
Mr. Allan Silverman
Mr. Bruce Swinamer

Terms to expire December 31, 1988

SPRING GARDEN ROAD BUSINESS IMPROVEMENT DISTRICT COMMISSION

Alderman Graham Downey
David McIlveen
Ian MacLellan*
Cliff O'Laughlin
Nelly* Novac
Jessica MacNeil
Rachel Martin
Larry Hines

Terms to expire December 31, 1988*

Alderman R. Grant addressed the matter indicating that he had some difficulty with these appointments noting that the Commission on City Government had recommended that appointments should be privately discussed by Council before being approved at Council. Alderman R. Grant noted that this gave Aldermen an opportunity to learn a little about each person recommended for appointment, why they had been nominated for appointment and what contribution was hoped for from the persons nominated. Alderman R. Grant suggested that such a meeting should be held prior to ratification of the appointments before Council at this time.

A further short discussion ensued with Alderman O'Malley expressing concern that Aldermen often only received reports regarding appointments on their desks on Council night. Alderman O'Malley indicated that he found it embarrassing to ask questions with regard to appointments due to a lack of fore-knowledge and input into the nominations. Alderman O'Malley indicated that he felt Council should be made aware of proposed appointments early enough so that they can review them prior to approving them at Council.

A further short discussion ensued with Alderman Cromwell noting that the appointments before Council this evening were provided for under a Provincial Act and Council would have to approach the Province if they wished to make any changes.

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MOVED by Alderman Meagher, seconded by Alderman
Hamshaw that Council approve the following appointments:

BARRINGTON STREET BUSINESS IMPROVEMENT DISTRICT COMMISSION

Alderman Ron Cromwell
Mr. Ralph Beal
Mr. Charles Burchell
Mr. Winston Bradley
Ms. Nuala Mattison
Mr. Gary Myers
Mr. Allan Silverman
Mr. Bruce Swinamer

Terms to expire December 31, 1988

SPRING GARDEN ROAD BUSINESS IMPROVEMENT DISTRICT COMMISSION

Alderman Graham Downey
David McIlveen
Ian McLellan
Cliff O'Laughlin
Nellie Novac
Jessica MacNeil
Rachel Martin
Larry Hines

Terms to expire December 31, 1987

Alderman R. Grant addressed the matter indicating that he had some difficulty with these appointments noting that the Commission on City Government had recommended that appointments should be privately discussed by Council before being approved at Council. Alderman R. Grant noted that this gave Aldermen an opportunity to learn a little about each person recommended for appointment, why they had been nominated for appointment and what contribution was hoped for from the persons nominated. Alderman R. Grant suggested that such a meeting should be held prior to ratification of the appointments before Council at this time.

A further short discussion ensued with Alderman O'Malley expressing concern that Aldermen often only received reports regarding appointments on their desks on Council night. Alderman O'Malley indicated that he found it embarrassing to ask questions with regard to appointments due to a lack of fore-knowledge and input into the nominations. Alderman O'Malley indicated that he felt Council should be made aware of proposed appointments early enough so that they can review them prior to approving them at Council.

A further short discussion ensued with Alderman Cromwell noting that the appointments before Council this evening were provided for under a Provincial Act and Council would have to approach the Province if they wished to make any changes.

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MOVED by Alderman Meagher, seconded by Alderman Hamshaw that Council approve the following appointments:

BARRINGTON STREET BUSINESS IMPROVEMENT DISTRICT COMMISSION

Alderman Ron Cromwell
Mr. Ralph Beal
Mr. Charles Burchell
Mr. Winston Bradley
Ms. Nuala Mattison
Mr. Gary Myers
Mr. Allan Silverman
Mr. Bruce Swinamer

Terms to expire December 31, 1988

SPRING GARDEN ROAD BUSINESS IMPROVEMENT DISTRICT COMMISSION

Alderman Graham Downey
David McIlveen
Ian McLellan
Cliff O'Laughlin
Nellie Novac
Jessica MacNeil
Rachel Martin
Larry Hines

Terms to expire December 31, 1987

Alderman R. Grant addressed the matter indicating that he had some difficulty with these appointments noting that the Commission on City Government had recommended that appointments should be privately discussed by Council before being approved at Council. Alderman R. Grant noted that this gave Aldermen an opportunity to learn a little about each person recommended for appointment, why they had been nominated for appointment and what contribution was hoped for from the persons nominated. Alderman R. Grant suggested that such a meeting should be held prior to ratification of the appointments before Council at this time.

A further short discussion ensued with Alderman O'Malley expressing concern that Aldermen often only received reports regarding appointments on their desks on Council night. Alderman O'Malley indicated that he found it embarrassing to ask questions with regard to appointments due to a lack of fore-knowledge and input into the nominations. Alderman O'Malley indicated that he felt Council should be made aware of proposed appointments early enough so that they can review them prior to approving them at Council.

A further short discussion ensued with Alderman Cromwell noting that the appointments before Council this evening were provided for under a Provincial Act and Council would have to approach the Province if they wished to make any changes.

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

Revenue and Expenditure Statement

A staff report dated October 1, 1987 was submitted.

MOVED by Alderman Dewell, seconded by Alderman Hamshaw that the revenue and expenditure statement for the eight months ended August 31, 1987 be tabled.

Motion passed

QUESTIONS

Question Alderman Flynn re: City of Halifax Investment in South Africa

Alderman Flynn referred to a report he had recently received in relation to the City's investments and asked if any of the City's investments had any relationship with the South African government.

Question Alderman Leiper re: No Smoking Ordinance - No Smoking Sections in Restaurants

Alderman Leiper referred to a call she had received from a resident complaining that he had recently frequented a restaurant which did not have a no smoking area and asked if the No Smoking Ordinance of the City required that restaurants have no smoking areas. Alderman Leiper further asked, in the event the Ordinance contained such a section, whether this section is enforceable.

Alderman Leiper went on to note that in the event the Ordinance did not contain such a requirement she would like to know how to go about bringing such a requirement into the Ordinance. Alderman Leiper noted that there was an increasing number of city residents wanting no smoking areas in restaurants.

Question Deputy Mayor Jeffrey re: Status - Expropriation Dutch Village Road

Deputy Mayor Jeffrey referred to the expropriation of a property at Dutch Village Road and Alma Crescent in connection with the widening of the Dutch Village Road and asked what was the present status of this expropriation. Deputy Mayor Jeffrey indicated that it had been some time since he had received a report in regard to the matter and noted that he would like to be updated in this regard.

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Question Deputy Mayor Jeffrey re: Four Way Stop - Willett Street

Deputy Mayor Jeffrey referred to a number of accidents which had occurred on Willett Street over the past number of weeks and requested that four way stop signs be placed on Willett Street at all intersections between Main and Melrose. Deputy Mayor Jeffrey indicated that he had made this request previously and noted that he would like a report back from the Traffic Authority as to why he felt these four way stops could not be established.

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

Question Alderman Walker re: Exterior Lighting - City Hall

Alderman Walker referred to a report he had received regarding his suggestion of fencing the cenotaph and noted that he understood the reasoning behind not fencing the cenotaph. Alderman Walker indicated, however, that he felt an improvement to the lighting on the cenotaph would be beneficial. Alderman Walker went on to note that upon entering the City Hall buildings this evening he had noticed how dark it was around City Hall. Alderman Walker suggested that appropriate lighting should be placed across the front of the building. Alderman Walker went on to note that he felt that proper lighting around the building and cenotaph would prevent the vandalism occurring to the cenotaph. Alderman Walker requested that staff report with regard to this possibility.

Question Alderman Walker re: Training of Store Employees re Fire Alarm

Alderman Walker referred to an incident which had come to his attention in the last week noting that recently a fire had occurred at a grocery store in his area. Alderman Walker noted that customers in the store at the time of the fire had asked members of the staff at the store what they should do and the staff members had been unable to give them any directions. Alderman Walker indicated that he would like a report from the Fire Department as to whether employees of large retail establishments are trained in the event of a fire.

Question Alderman Dewell re: Intersection Robie and Leeds

Alderman Dewell referred to the intersection of Robie Street and Leeds Street and requested that the Traffic Authority evaluation this situation once more. Alderman Dewell went on to note that a few years ago the stop sign located on Leeds Street was moved to Robie Street and has resulted in a steady stream of fast moving traffic on Leeds. Alderman Dewell indicated that the intersection was dangerous and noted that although it may well be warranted to have the stop sign on

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Robie Street, he believed that it may be warranted to have a four way stop at the intersection. Alderman Dewell further referred to the development of the Prison Lands and suggested that this development might be the justification for a four way stop at that intersection.

Question Alderman Dewell re: Land Use Bylaw

Alderman Dewell referred to copies of the Land Use Bylaw recently distributed to members of Council and noted that on the cover the following sentence appeared: "The City of Halifax officers and employees accept no responsibility for the accuracy of the information contained in the Bylaw." Alderman Dewell asked if the City cannot provide accurate information, who does provide this information. Alderman Dewell noted that this was the Land Use Bylaw that a developer would receive and indicated that he appreciated that the Bylaw could be outdated. Alderman Dewell indicated that he found it a bit unreasonable that the City would not take some responsibility for the accuracy of the Bylaw.

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

Question Alderman Meagher re: Offices Moving to Dartmouth

Alderman Meagher referred to recent concern regarding offices based in Halifax moving to Dartmouth and noted that the Federal Manpower and Immigration Office was presently planning to move to Dartmouth. Alderman Meagher noted that a number of jobs would disappear from Halifax and requested that the Mayor's Office investigate this matter and attempt to put a stop to this. Alderman Meagher indicated that he felt it was unfair to the employees of these various companies and government departments to move to Dartmouth noting, in particular, the increased travel time involved. Alderman Meagher asked that the Mayor's office investigate this matter and report back to Council at a future meeting of the Committee of the Whole Council or regular Council meeting.

Question Alderman Meagher re: Closure of Tower Road

Alderman Meagher referred to a public hearing held some two years ago regarding the closure of Tower Road in front of the V.G. Hospital and noted that this closure had been carried out in order that the Hospital might do some work to their parking lot at that location. Alderman Meagher indicated that since that time no work has been carried out on the parking lot and requested a report from staff regarding the status of the matter particularly with regard to negotiations regarding the sale of the street and whether or not the Development Department has received any proposals in relation to the parking lot.

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Alderman Meagher indicated that he felt the parking lot was a disgrace in its present condition and that if it belonged to anyone else the City's Building Inspection Department would be working towards having it improved. Alderman Meagher indicated that he felt enough time had elapsed for some action to be taken in this regard particularly in light of recent improvements to the sidewalks in that area.

Question Alderman Downey re: Resignation of Chairman of Halifax Housing Authority

Alderman Downey referred to a letter recently received by members of Council advising of the resignation of the Chairman of the Halifax Housing Authority and requested that His Worship write a letter to the Chairman thanking him for his contribution to the Authority. Alderman Downey further requested that steps be taken to ensure that the new Chairman is introduced to Council as soon as possible after being chosen.

Question Alderman Cromwell re: No Parking on Streets between 4:00 p.m. - 6:00 p.m.

Alderman Cromwell referred to those City streets on which parking was not permitted between 4:00 p.m. and 6:00 p.m. and noted that it appeared that most of the traffic was cleared from these streets by 5:30 p.m. Alderman Cromwell requested that the Traffic Authority look into the possibility of changing this restriction on parking from the present time period to 3:30 p.m. to 5:30 p.m.

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

Question Alderman O'Malley re: Response From Minister of Supply and Services - Representation regarding Employment at the Halifax Shipyards

Alderman O'Malley referred to recent representations made to the Minister of Supply and Services regarding employment at the Halifax Shipyards and noted that a response had been promised by October 5, 1987. Alderman O'Malley asked His Worship if he had received a response with regard to these representations.

His Worship indicated that he had received a response, however, he would prefer to deal with this matter at the next meeting of the Committee of the Whole Council, to which Council agreed.

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NOTICES OF MOTION

Notice of Motion Alderman Cromwell re: Amendment to
Administrative Order No. 10, The Finance Department
and City Treasurer Administrative Order

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council intends to propose first reading of an amendment to Administrative Order Number 10, The Finance Department and City Treasurer Administrative Order. The purpose of the amendment is to change the cheque signing authority as set out in the Administrative Order to conform with the City's banking resolution and practice.

ADDED ITEMS

Grant of Easements - Albion Road

A staff report dated October 9, 1987 was submitted.

MOVED by Alderman Walker, seconded by Alderman R.

Grant that the City grant a permanent easement over the lands of the City of Halifax, old school property, Albion Road, to William O. Morrow and the Canada Trust Company, for the purpose of installation of domestic water service to the Hope Estate for the sum of \$2,110, and a temporary working easement over an area ten feet wide, along the Mainland boundary of said permanent easement on the terms and conditions outlined in the October 9, 1987 staff report and further that the Mayor and City Clerk be authorized to execute a document substantially in accordance with that attached as Appendix "B" to the October 9, 1987 staff report.

Motion passed.

Tender - Landscaping - Tremont Plateau Ballfield

A staff report dated October 6, 1987 was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn

that:

1. the bid of Terra Nova Landscaping in the amount of \$61,497 for construction of a ballfield at Tremont Plateau Sportsfield as per relevant tender documents/drawings be accepted; and
2. the sum of \$41,500 be authorized to be brought forward from the tentatively approved 1988 Capital Budget for Tremont Plateau Sportsfield (Capital Account Z0600-PA020) to provide sufficient funding in account Z0600-PA020 in 1987 to cover the cost of the aforementioned bid of Terra Nova Landscaping and to leave approximately \$10,000 in the same Capital Budget

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account for staff to continue site preparation work elsewhere on site for the balance of 1987.

Motion passed.

Halifax-Hakodate Committee

This matter was dealt with later in the meeting.

Tender #87-159 - Gasoline and Diesel Tanks - City Field Stores

A staff report dated October 13, 1987 was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that Tender #87-159 for Gasoline and Diesel Tanks, City Field Stores be awarded to SAR Maintenance Ltd. for \$61,262.00 plus a 20% contingency for a total project cost of \$73,500.00 and authority be granted to transfer funds necessary for completion.

After a short questioning of staff the Motion was put and passed.

Halifax - Hakodate Committee

A report dated October 15, 1987 from His Worship Mayor Ron Wallace was submitted.

Alderman R. Grant addressed the matter referring to his comments during agenda item 17.2 regarding Appointments and indicated that he would like an opportunity to review this report and determine the impact to the City in terms of required funding, etc. Alderman R. Grant went on to suggest that this matter should be deferred to the next meeting of the Committee of the Whole Council at which time a discussion regarding the objectives and terms of reference could be undertaken. Alderman R. Grant further indicated that he felt an incamera meeting should be held with regard to the proposed appointments.

His Worship addressed the matter noting that the Mayor of Hakodate was to be introduced to members of Council at the next meeting of the Committee of the Whole Council and suggested that discussion of this matter at that time would not be appropriate.

After a further short discussion it was MOVED by Alderman R. Grant, seconded by Alderman O'Malley that an incamera meeting be scheduled to discuss this matter.

Motion passed.

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Lot "M" Vimy Avenue - Deputy Mayor Jeffrey

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

Deputy Mayor Jeffrey referred to the deferral of this matter pending a traffic study in the Mainland North Area and indicated that Council had dealt with a number of reports regarding traffic in Mainland North this evening. Deputy Mayor Jeffrey indicated that in light of the action taken by Council this evening he would like the development proposal for Lot "M" Vimy Avenue to be placed on the agenda of the next meeting of City Council two weeks hence.

Alderman Dewell rose on a Point of Order indicating that this matter had been deferred to a specific event and suggested that a Notice of Motion to rescind the motion to defer would be required in order that Council might consider the matter.

A further discussion ensued with Alderman Leiper noting that the deferral of this matter had not only been based on traffic considerations but, as well, on other concerns raised by area residents. Alderman Leiper indicated that these concerns had not yet been addressed and she would like an opportunity to see these addressed prior to Council giving further consideration to the matter.

The City Solicitor addressed the matter noting that as suggested by Alderman Dewell, the Deputy Mayor could put forth a notice of motion to rescind and deal with the matter at the next meeting of Council.

Deputy Mayor Jeffrey then proceeded to give Notice of Motion of his intention to propose a motion rescinding City Council's motion of October 1, 1987 regarding Rezoning, 38 Vimy Avenue (Lot M) from R-2P, General Residential Zone, to R-2AM, General Residential Conversion and Townhouse Zone.

In response to a question regarding whether it was appropriate to bring forward a Notice of Motion to Rescind at this point in the agenda, the City Solicitor indicated that he would review the matter and report to Council regarding the appropriateness of the situation.

12:15 p.m. There being no further business the meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR TOM JEFFREY
CHAIRMEN

*K/sh

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of 10/15/87

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CITY COUNCIL
M I N U T E S

Council Chamber
City Hall
Halifax, Nova Scotia
October 29, 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 members of Council 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 D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Leiper, Flynn and Hamshaw.

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

Presentation - Buskers

His Worship addressed the matter indicating that prior to dealing with the regular agenda, representatives of the 'Buskers' Festival had a presentation to make to Council. His Worship invited Mr. Dale Thompson to come forward and make the presentation on behalf of the 'Buskers' Festival.

Mr. Dale Thompson addressed Council indicating that he, on behalf of the people involved with the 'Buskers' Festival, would like to make two presentations to Council. Mr. Thompson went on to note that the 1987 'Buskers' Festival had been a tremendous success with some 300,000 to 400,000 spectators enjoying the Festival. Mr. Thompson noted that it was believed that Halifax had the seventh largest festival of this type in Canada. Mr. Dale Thompson went on to note that the success of the festival was due to a number of things and people and briefly reviewed the involvement of various members of staff of the 'Buskers' Festival. Mr. Thompson extended a special thanks to the Halifax Police Department and the City Manager for their cooperation and support in relation to the Festival.

Mr. Thompson indicated that since the Festival a number of calls have been received from across Canada and the world in relation to the organization of the Festival. Mr. Thompson noted that in 1988, as a result of comments that individuals had not had sufficient time to view all the Buskers, the Festival would be held over an 18 day period, August 11-28. Mr. Thompson further indicated that there would be some 50 Buskers participating in the Festival from all over Canada and throughout the world. Mr. Thompson then briefly outlined the promotions planned for the Festival.

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In closing, Mr. Thompson thanked the City and its residents for their contribution to and support of the Festival and noted that the Festival had been adopted by the City. Mr. Thompson then advised that a special limited edition poster is being produced in connection with the 1987 'Buskers' Festival and indicated that all members of Council would receive a copy of this poster over the next week. Mr. Thompson then presented His Worship with a framed copy of the said poster.

Mr. Thompson then noted that in line with the Academy Awards tradition of presenting an Oscar for achievements in the entertainment world, the organizers of the 'Buskers' Festival had made arrangements for the production of a bronzed 'Busker' to be presented to the successful Busker at each Festival. Mr. Thompson presented the City with a mold of the Busker noting that a bronzed Busker would be provided to the City in the near future.

His Worship, on behalf of Council and the citizens of Halifax, thanked Mr. Thompson and his associates for the presentation and gifts, as well as, for the organization of the amazing and successful 'Buskers' Festival. His Worship went on to thank the citizens of Halifax for their support of the Festival and noted that he had written each 'Busker' participating in the Festival thanking them for taking part in the Festival. In closing, His Worship indicated that the City was delighted to host such a successful and interesting Festival.

His Worship then referred to the recent birth of a daughter, Amanda, to Anne Marie and Alderman Randy Dewell and congratulated, on behalf of Council, Alderman and Mrs. Dewell on the birth of their daughter. His Worship further congratulated Mr. D. Murphy, City Solicitor, on the birth of his first grandchild. The Mayor then presented both Alderman Dewell and Mr. Murphy with a small gift for each child on behalf of the members of Council.

MINUTES

Minutes of the regular meeting of City Council held on October 29, 1987 were approved on a Motion by Alderman Hamshaw, seconded by Alderman Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Contract Deficiencies - Maritime Formless Limited
- 20.2 Date for Public Meeting - Widening of Dutch Village Road

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

20.3 Mainland North Branch Library

At the request of Deputy Mayor Jeffrey, Council agreed to deal with item 17.1, Appointment - Deputy Mayor, as the first agenda item for this evening's meeting.

At the request of Alderman Dewell, Council agreed to deal with the agenda item 'Petitions and Delegations' immediately following consideration of the Appointment of the Deputy Mayor.

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

Motion passed.

Appointment of Deputy Mayor

MOVED by Alderman O'Malley, seconded by Deputy Mayor Jeffrey that Alderman R. Grant be nominated to serve as Deputy Mayor for the City of Halifax for the 1987/1988 term.

MOVED by Alderman Dewell, seconded by Alderman Cromwell that Alderman A. Walker be nominated to serve as Deputy Mayor for the City of Halifax for the 1987/1988 term.

In nominating Alderman Walker, Alderman Dewell MOVED, seconded by Alderman Cromwell that, due to the unavoidable absence of the Alderman at this evening's meeting, consideration of this matter should be deferred to the next regular meeting of Halifax City Council at which time all members of Council will be present.

The motion to defer was put and passed.

PETITIONS AND DELEGATIONS

Petition Alderman Dewell re: Crossing Guard Corner of Oxford and North Streets

Alderman Dewell addressed the matter indicating that he had received a petition signed by 42 residents in relation to the safety of children when walking to school and having to cross at the corner of Oxford and North Streets. Alderman Dewell indicated that the parents felt that although the intersection is controlled by lights, it was somewhat confusing and in light of the ages of the children a crossing guard should be placed at that intersection.

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Alderman Dewell requested that the petition be distributed to all members of Council and that staff bring forward a report with regard to the matter as soon as possible.

DEFERRED ITEMS

Proposed Amendment to Land Use Bylaw, Peninsula Area respecting Multiple Building Development in R-2 Zones

This matter was deleted from the agenda of the October 15, 1987 City Council meeting during the setting of the agenda. A supplementary staff report dated October 15, 1987 was submitted together with a confidential report from Donald F. Murphy, City Solicitor, dated October 28, 1987.

Alderman Cromwell addressed the matter indicating that while he had some difficulties with the confidential staff report received from the City Solicitor, he did not feel at liberty (due to the confidentiality of the report) to discuss it in open Council. Alderman Cromwell indicated that he felt Council should have an opportunity to discuss the report and suggested that Council should meet in a private session to deal with the report prior to its next regular meeting.

The City Solicitor addressed the matter noting that the report dealt with two matters: firstly, the general principle; and secondly, a lawsuit pending against the City. The City Solicitor noted that as the report expressed an opinion with regard to the City's position, Council may prefer that it not be discussed publicly. The City Solicitor went on to note that it was understandable that Council would want to discuss the report, particularly if it is contemplating some other action than what is recommended. The City Solicitor indicated that under these circumstances it would be advisable to discuss the pros and cons of the matter privately rather than publicly.

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that consideration of this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled to be held on Wednesday, November 4, 1987 at which time Council will adjourn to a private meeting to carry out a discussion on the matter.

Alderman Meagher addressed the matter indicating that this matter was of great importance to residents in his Ward and throughout the City and noted that he would like to see a conclusion to the matter as soon as possible.

The motion to defer was put and passed.

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Proposed Amendment to MPS Peninsula Centre Area, and Land Use
Bylaw Peninsula and Mainland Areas, Neighbourhood Commercial
Uses

The above-mentioned matter was deferred to this meeting from the City Council meeting held on October 15, 1987. A supplementary staff report dated October 26, 1987 was submitted.

Alderman Cromwell addressed the matter indicating that he still had some difficulties with the recommendation contained in the supplementary staff report. He went on to note that although he still had some difficulties with the wording in Appendices E and F of the October 26, 1987 staff report, he would like the matter referred back the Planning Advisory Committee for consideration of amendments to the Municipal Planning Strategy and Land Use Bylaw which would only permit the expansion of drug stores to 1400 sq. ft.

MOVED by Alderman Cromwell, seconded by Alderman D. Grant
that this matter be referred back to the Planning Advisory Committee for consideration of an amendment to the Municipal Planning Strategy and Land Use Bylaw which would only permit the expansion of drug stores to 1400 sq. ft. as outlined in Appendices E and F of the October 26, 1987 staff report.

Alderman O'Malley addressed the matter asking what definition was to be placed on "drug store." Alderman O'Malley indicated that the definition of a drug store was necessary to consider this matter and suggested that this definition should be obtained before the matter goes back to the Planning Advisory Committee.

Alderman Cromwell addressed the matter indicating that he considered a drug store to be a pharmacy and would define it as the typical neighbourhood drug store and not the large chain drug stores. Alderman Cromwell indicated that it would be appropriate for the legal department to bring forward a legal interpretation of the term drug store.

Alderman Dewell addressed the matter referring to concerns raised by representatives of the agency which regulates drug stores. Alderman Dewell pointed out that he was not referring to the self-governing association of local drug stores but, rather the overall governing body. Alderman Cromwell noted that this agency felt they were losing control over the larger drug market type drug store.

Alderman Dewell went on to note that it was his understanding that control of the larger drug store was somewhat different from the smaller independent drug store and that the smaller drug store

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October 29, 1987

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may very well be facing some difficulties of which Council was not aware. Alderman Dewell indicated that Council may very well be proliferating these difficulties by acting on this matter and suggested that some input should be sought from the previously mentioned regulating body.

Alderman Meagher addressed the matter indicating that as a member of the Planning Advisory Committee he would like Council to ensure that a proper definition of drug store is available to the Committee before it considers the proposed amendment.

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that consideration of this matter be deferred until such time as the legal department comes forward to Council with an appropriate definition for the term 'drug store' so that it will be clear what is being referred to the Planning Advisory Committee.

The motion to defer was put and passed.

MOTION OF RESCISSION

Motion Deputy Mayor Jeffrey re: Rescission of Council Resolution
October 1, 1987 re: Rezoning Lot "M" 38 Vimy Avenue

Deputy Mayor Jeffrey gave Notice of Motion of his intention to introduce a motion of Rescission of City Council's resolution of October 1, 1987 regarding Rezoning of Lot "M", 38 Vimy Avenue at the last regular Council meeting.

An information report dated October 29, 1987 from Donald F. Murphy, City Solicitor was submitted.

MOVED by Deputy Mayor Jeffrey that the rezoning application from R-2P to R-2AM for Lot "M" 38 Vimy Avenue be approved.

Alderman Leiper rose on a Point of Order indicating that as the agenda item proposed a Motion to rescind the City Council motion of October 1, 1987 to defer any decision on the 38 Vimy Avenue matter, the Deputy Mayor's motion should be a motion to rescind rather than that which he has put forward.

His Worship addressed the matter noting that the City Solicitor's report indicates that Council may consider any matter upon which action has been deferred previously.

Alderman Leiper indicated that she understood and agreed with this ruling, however, the matter on the agenda this evening deals with a motion of rescission and suggested that Council had not come prepared to deal with a motion to approve this rezoning this evening.

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A further discussion ensued with the City Solicitor giving a brief explanation of the submitted report.

Deputy Mayor Jeffrey addressed the matter indicating that he had no wish to put any member of Council at a disadvantage and noted that he would be willing to defer consideration of this matter to some later date.

A further short discussion ensued and it was MOVED by Deputy Mayor Jeffrey, seconded by Alderman Leiper that this matter be deferred to the City Council meeting scheduled to be held on Thursday, December 17, 1987.

Motion passed.

8:55 p.m. Alderman Dewell leaves the meeting.

PUBLIC HEARING, HEARINGS, ETC.

Appeal of Variance Approval - 5666 Morris Street

A staff report dated October 13, 1987 was submitted.

Mr. Mike Hanusiak, Planner II, addressed Council and with the aid of maps and sketches outlined the application for a minor variance at 5666 Morris Street to permit a three unit, three storey addition to the existing single family dwelling presently located on the property. Mr. Hanusiak advised that as the application was in keeping with the qualifying criteria of the Planning Act, the minor variance was approved, as requested.

A concerned area resident addressed Council indicating that he was one of many area residents who had filed an appeal with regard to this minor variance. The speaker went on to note that this was not merely a matter of an extension to an existing dwelling but, rather an intrusion into a small closely knit neighbourhood in the downtown area. He further indicated that the proposed three storey addition would not only cut off sunlight to surrounding properties but, as well, intrude upon the enjoyment and privacy of surrounding properties.

In referring to the approval of the minor variance, the speaker indicated that it was his opinion that the Development Officer had exceeded his authority in granting the minor variance. The gentleman noted that the staff report indicates that the property has 34 feet of frontage, however, the Planning Act requires 40 feet of frontage. The speaker further indicated that although the staff report states that the difficulties experienced by the applicant in relation to frontage was unique in the area, he would suggest that the properties in the area

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generally experience the same difficulties. The speaker went on to note that the staff report indicates that a number of the properties in the area are two or three unit properties, however, he noted that these properties had been converted internally and no extensions had been necessary. The speaker went on to suggest that the development contravenes the Planning Act in that it does not conform with the other properties in the area.

In summation, the speaker suggested that it was incumbent upon Council to stop this type of infill housing in this area and noted that, in light of a possible precedent, it was important that Council not be seen as making an exception in this particular case.

Mr. Lee Clifford, 5656 Morris Street, addressed Council indicating that he was concerned with the impact of the proposed development on Morris and Wright Streets and suggesting that the proposed development was, in fact, a violation of the Planning Act. Mr. Clifford indicated that this area of the city was truly a neighbourhood and suggested that if developments of this type were allowed to proceed, it would be the beginning of the end of the neighbourhood.

In referring to the Planning Act, Mr. Clifford, indicated that he felt the Development Officer had been incorrect in his judgement that the difficulty in relation to frontage was unique to the property and suggested, as had the previous speaker, that this difficulty was general to the neighbourhood. Mr. Clifford indicated that he had been aware of the development possibilities of his property when he bought it and suggested that the owner of 5666 Morris Street would also be aware of the restrictions on the property at the time of purchase. Mr. Clifford indicated the owner was now seeking relief of these restrictions when, in fact, he had probably been aware of these all along.

In conclusion, Mr. Clifford indicated that he and his neighbours were fighting for the preservation of their neighbourhood and suggested that Council should join this fight.

Mr. Lyndon Watkins, owner of 5660 Morris Street, addressed Council noting that this was the first opportunity for area residents to have input into the matter. Mr. Watkins expressed concern that although the applicant had an opportunity to put his case to the Development Officer, no such opportunity was available to area residents. Mr. Watkins submitted that had an opportunity been available for area residents to present their views to the Development Officer this matter would not be before Council at this time.

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Mr. Watkins went on to note that he felt there were more considerations in relation to this proposal than just whether or not the proposal was compatible with the neighbourhood. Mr. Watkins further noted that he understood the role of the Development Department with regard to their role in determining the issue of whether or not the proposal is permissible under law, however, he suggested that Council's role was to look at the impact of the development on the neighbourhood.

Mr. Watkins advised Council that he had obtained the property located at 5738 Morris Street approximately two years ago as a rental property. Mr. Watkins noted that his apartments were very much sought after due to the southern exposure available to the tenants and noted that as a result he obtained better than average rent on these units. Mr. Watkins noted that the proposed three storey extension would cut off the sun from his property and indicated that his tenants had suggested they would move if the sun were to be cut off. Mr. Watkins noted, therefore, that the proposal would, for him, have very serious economic consequences.

Mr. Watkins went on to suggest that the variance was not minor and would have a very serious impact on the neighbourhood in terms of open space and sunlight. Mr. Watkins further suggested that to allow this development would further encroach on the neighbourhood and suggested that this was just another request to lower the barriers against development in the south end of the City.

Mr. Watkins further submitted that the proposal was not in conformity with the neighbourhood and, in fact, was a gross deprivation of privacy and did not fit architecturally with the Victorian homes in the neighbourhood. Mr. Watkins noted that although certain of the homes in the neighbourhood had been converted to two or more units, this conversion had been undertaken internally without any necessity for extensions or additions.

In summation, Mr. Watkins indicated that this proposal not only involved concerns regarding adherence to the law but, as well, social and personal economic concerns. Mr. Watkins indicated that he did not feel the proposal met the intent or the letter of the law.

Mr. John McNab, 5648 Morris Street, addressed Council noting that the staff report contained some errors in relation to use of adjacent properties and advised that his property was listed as a four unit building in the staff report, however, it had recently been converted to a single family dwelling. Mr. McNab further noted that 5642 now contained only two units.

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Ms. Mary MacDonald, 1257 Wright Avenue, using quotes from an April 7, 1987 report from the Planning Advisory Committee and the May 14, 1987 supplementary staff report in relation to requirements of the Municipal Planning Strategy, made the following points:

1. Suggest that the proposal before Council this evening overpowered the neighbourhood.
2. According to the plan the development does not meet the needs or the characteristics of the neighbourhood.
3. Suggest that the project does not blend in with or enhance the neighbourhood and further is clearly not a small scale development in comparison with the others in the neighbourhood.
4. Suggest that the development is not in character with the neighbourhood as it causes problems for neighbouring properties in terms of sunlight and privacy, as well as, overpowering the houses located on adjacent properties.
5. The staff points out that the majority of dwellings in the area have been converted to three or more units, however, it has been noted that this information is incorrect. Ms. MacDonald noted as well that the staff report indicates that the applicant should be given the same opportunity of conversion as others in the neighbourhood and suggested that the applicant could do so by converting the existing dwelling to three units as has been the case with a number of other dwellings in the neighbourhood.
6. Finally, the problem experienced by the developer in terms of lot frontage is, contrary to the opinion of the development officer, general to the area.

Mr. Pat Wright, 1255 Wright Avenue, addressed Council noting that excluding the Park Victoria building, there are three and possibly four of 14 dwellings in the area which are three or more units.

Mr. Phillip Levangie, the applicant, addressed Council indicating that he made the application for an extension to 5666 Morris Street, to permit a three unit building on behalf of Mr. and Mrs. Robert Harriot, his mother, Mrs. Constance Levangie and his aunt, Eileen Corbitt. Mr. Levangie noted that the future occupancy of the building by himself, his family and friends made the development unique. Mr. Levangie pointed out that the

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development was not being proposed for profit but, rather to provide housing for the applicants. Mr. Levangie went on to note that all the applicants had been taxpayers in the City for at least 10 years and the combined taxpaying years of the applicants was some 88 years.

Mr. Levangie, with the use of a plan, went on to note that up until this time there has only been some 17% lot coverage, considerably less than the surrounding properties. Mr. Levangie further noted that the backyard of this property was the only one not heavily used for parking and indicated that he understood that the neighbouring properties had enjoyed this over the years. Mr. Levangie went on to note that the expansion increased the lot coverage to approximately 40% which was in keeping with the remaining properties on the street. Mr. Levangie further noted that he could, if he wished, increase the coverage to 35% as of right. Mr. Levangie further noted that approximately 50% of the properties in the area were three stories in height and suggested that his proposal would be in keeping with the neighbourhood in terms of height.

Mr. Levangie then briefly described the proposed units noting they would be one bedroom with guest room type units and noting that certain of the present mature growth of trees on the lot would be retained. In response to concerns with regard to loss of open space and sunlight, Mr. Levangie noted that for a number of years properties in the area had extended back some 17-18 feet further than this property and essentially the proposal extended 17-18 feet further back than the properties in the area.

Mr. Levangie then distributed photographs of the neighbourhood for Council's consideration noting that the area was a very mixed use area. Mr. Levangie went on to note that access would be from the front of the property with two parking spaces provided, as well as to the rear of the property from Wright Avenue, with the remaining required parking being underneath the building. Mr. Levangie noted that this allowed for an open and unconstricted backyard. Mr. Levangie noted that as there were some 53 parking spaces in the area at present, he did not feel this development was adding unreasonably to parking in the area.

Mr. Levangie further indicated that every effort has been made through the architect for the development to ensure the property is in keeping with the neighbourhood. Mr. Levangie further indicated that the development he is proposing would preclude the consolidation of two lots allowing for a 14 unit building and suggested that the type of development proposed would not affect the property values in the neighbourhood as is suggested by some area residents. Mr. Levangie then referred to

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the photographs he had distributed previously and reviewed with Council the uses contained within the properties depicted.

In closing, Mr. Levangie requested that Council give unanimous support to the proposal and suggested that the applicants involved would be good neighbours for the neighbourhood. Mr. Levangie indicated that the future tenants of the building were looking forward to enjoying the ambience of the south end of the City. Mr. Levangie further advised that he would continue to meet with the architect for the project to ensure a development in keeping with the neighbourhood is constructed.

Alderman D. Grant addressed the matter noting that she had spent a great deal of time reviewing this matter and had come to her decision in regard to the variance only after a great deal of thought. Alderman D. Grant went on to note that she was aware of and in sympathy with the concerns of the neighbourhood, however, as a result of her review she felt the variance should be approved.

MOVED by Alderman D. Grant, seconded by Alderman R. Grant that the decision of the Development Officer be upheld and the appeal be denied.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on October 21, 1987.

Dalhousie School Lands

At the October 21, 1987 Finance and Executive Committee meeting consideration of this matter was deferred pending a meeting of the Purcell's Cove Community Committee to discuss the contents of the October 19, 1987 staff report.

Alderman Flynn addressed the matter noting that in discussion with Alderman Walker on this matter he had been requested to ask for a deferral in this regard. Alderman Flynn noted that one meeting with the Purcell's Cove Community Committee has taken place, however, a request for a further report has resulted from that meeting.

The City Manager noted that the staff recommendation dealt with negotiations in relation to the ball field, as well as, the disposition of the Dalhousie School lands and requested that

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Council consider approval of the recommendation as contained in the staff report with regard to the ball field.

MOVED by Alderman Flynn, seconded by Alderman Meagher that City Council defer any action with regard to the disposition of the School Building until a further report has been presented to the Purcell's Cove Community Committee.

The motion was put and passed.

MOVED by Alderman Flynn, seconded by Alderman Meagher that City Council authorize staff to negotiate with GRL Properties Ltd. for the acquisition of lands at the corner of Bluestone Road and Purcell's Cove Road, currently under lease by the City for recreational purposes, with the results of negotiations to be returned for Council's consideration.

Motion passed.

Call for Proposals - St. Andrew's School

Alderman Flynn addressed the matter noting that he had put forward certain questions at the Committee of the Whole Council which had not be as yet answered and MOVED, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, this matter be deferred pending receipt of a supplementary staff report outlining the results of discussion with the Halifax District School Board and the Nova Scotia Housing Authority regarding the possible disposition of the St. Andrew's School building.

Motion passed.

Report - Halifax Industrial Commission: Amendment to Act of Incorporation

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the Act of Incorporation of the Halifax Industrial Commission be amended as follows:

Under Clause 15:

That the amount of expenditure be increased as follows:

- 16(1) from "\$250" to "\$5,000";
- 16(2) from "\$250" to "\$10,000";
- 16(3) from "exceeding \$250" to read
"up to \$25,000"

Motion passed.

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Encroachment License - 6112 Quinpool Road

A supplementary staff report, dated October 21, 1987, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Eastland Developments Ltd. be granted an Encroachment License for the purpose of erecting canopies at Civic No. 6112 Quinpool Road.

Motion passed.

Tendering Practices Committee

An information report from D. F. Murphy, City Solicitor was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the Tendering Committee be re-established and that the composition of the Committee be as follows:

Alderman Richard Grant
Alderman Arthur Flynn
Deputy Mayor T. Jeffrey
A representative from the Auditor General's Department
to act as advisor to the Committee and having no vote.

Motion passed.

Alderman R. Grant referred to a report received from the City Auditor General in relation to tendering practices and noted that he would like the matter of Purchase Order practices (as outlined in the City Auditor General's report) to be referred to the Tendering Committee for review.

School Board Structure Meeting

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, November 23, 1987 be set as the date for the Committee of the Whole Council to discuss the matter of School Board Structure; and further, that this meeting be an informal meeting of Council only, to dialogue and air their feelings on the School Board Structure as well as to formulate a position on it and subsequently have it placed on the agenda for public input.

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Christmas Break - Meetings

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the December 23, 1987 Committee of the Whole Council meeting and the December 31, 1987 City Council meeting be cancelled at this time to enable staff to reschedule items that must be dealt with before year's end.

Motion passed.

Report - City Hall Renovation Committee

This matter was forwarded to Council for the purpose of receiving copies of the minutes from the two most recent Renovation Committee meetings.

The City Manager indicated that the minutes of the two meetings had been placed on the Aldermen's desks this evening.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, in light of the late receipt of the Renovation Committee minutes, consideration of this matter be deferred to the next meeting of the Committee of the Whole Council to be held on November 4, 1987.

Motion passed.

Ordinance 180 - Streets Ordinance

This matter was referred to the City Solicitor's Department for a report at the October 21, 1987 Finance and Executive Committee meeting.

An information report from D. F. Murphy, City Solicitor was submitted.

Alderman Cromwell addressed the matter referring to the information report submitted by the City Solicitor noting that he had some difficulty with the City's apparent lack of control over vehicles parking on streets which they must maintain. Alderman Cromwell indicated that it was his understanding that in all matters dealing with vehicular control on City streets the City was bound by the decisions of the Traffic Authority. Alderman Cromwell indicated that he felt the City should have some control with regard to the overnight parking of mobile vendors on city streets and asked the City Solicitor if there were any other avenues open to Council in terms of controlling overnight parking of mobile vendors on city streets.

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The City Solicitor addressed the matter noting that although Council had control over city sidewalks, the control of vehicular traffic on streets came under the Motor Vehicle Act. The Solicitor went on to note that under the present legislation the City could only deal with overnight parking of motorized mobile canteens in the same manner as all other parking violations. The City Solicitor indicated that there were two possible avenues which Council could take, firstly, to solicit authority from the Province in relation to overnight parking of motorized mobile vendors which would be particular to Halifax and, secondly, to devise legislation which under the Charter of Rights would not be considered discriminatory and had an appropriate supporting rationale for dealing with these vehicle differently than other vehicles in the City.

Alderman Cromwell addressed the matter indicating that the City Solicitor should prepare the appropriate recommendation or legislation for submission to the Traffic Authority in this regard.

The City Solicitor indicated that he would give the matter some thought and bring back a report in this regard.

Alderman O'Malley addressed the matter indicating that there were a limited number of motorized mobile canteens in the City, perhaps six to ten. Alderman O'Malley suggested that a more effective means of stopping the overnight parking of these vehicles would be to issue midnight to 8:00 a.m. bans on parking in the three or four places they are usually parked. Alderman O'Malley suggested that this possibility would not place an undue hindrance on the rights of other motorists.

The City Solicitor indicated that this would possibly be an effective way with which to deal with the matter.

Alderman R. Grant addressed the matter indicating that in other cities throughout the country parking areas for mobile vendors are rented from the City as a commercial space. Alderman R. Grant further noted that these spaces were allocated through a lot draw and asked if this would be possible within the City.

His Worship indicated that there may be a recommendation to Council from the Streets Committee in this regard.

The City Solicitor indicated that such a recommendation should come before Council before the end of the year as such a recommendation would require legislation for implementation.

Alderman Cromwell indicated that he hoped the report from the City Solicitor would be forthcoming within the next few weeks.

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

10:10 p.m. - The meeting reconvened with the same members being present with the exception of Deputy Mayor Jeffrey.

CITY PLANNING COMMITTEE

At the request of Alderman Leiper, Council considered the report of the City Planning Committee from its meeting held on October 21, 1987 as follows:

Case No. 4114 - Parcel D-1-A Bedford Highway

The above-mentioned matter had been forwarded to Council without recommendation pending receipt of a report from the City Solicitor.

An Information Report, dated October 21, 1987, was submitted from the City Solicitor, together with a supplementary staff report, dated October 23, 1987 and correspondence, dated October 22, 1987 from Mr. Peter J. E. McDonough, solicitor for Ryco Atlantic Limited.

Alderman Leiper addressed Council on this matter, emphasizing that area residents had been under the impression that their concerns regarding the possible development of a 200-unit motel facility had been put to rest by the adoption of the Bedford Highway Secondary Planning Strategy in 1985 and the zoning of the property in question as R-1.

Noting that, in her opinion, a motel facility would be inappropriate for this site, and following a discussion, it was moved by Alderman Leiper, seconded by Alderman Flynn that Council not extend the completion date of the existing contract development agreement between Mersey Developments Limited and the City of Halifax.

The motion was put and defeated.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that the contractual arrangement, as it now legally exists, remain in place and no action be taken.

Responding to a question from Alderman Flynn regarding the implications of Alderman O'Malley's motion, the City Solicitor advised that, if by March of 1988 the project has not been substantially completed, the contractual agreement could then be considered to be invalid.

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The motion was withdrawn from the floor, with Alderman O'Malley emphasizing that it had been his impression that the developer would merely have had to commence construction of the project by March, 1988.

MOVED by Alderman Richard Grant that the contract be extended for two years, from March, 1988 to March, 1990.

There was no seconder for this motion.

After some discussion, a motion was proposed by Alderman O'Malley that the existing contract be kept in place and that Council indicate to the developer that, should the project be commenced prior to the completion date of the contract, it will agree in principle to an extension of that contract.

There was no seconder for this motion.

Following a discussion and questioning of the City Solicitor, it was subsequently moved by Alderman O'Malley, seconded by Alderman Richard Grant that the contract be extended by one year to March, 1989, and that the proposed extension be contingent upon completion of the structure's foundations prior to March of 1988.

The City Solicitor expressed concern regarding a conditional approval of the type suggested in the aforementioned motion, and recommended that the item be deferred back to the Committee of the Whole in order that a solution to this problem could be attempted.

Alderman O'Malley, concurring with Mr. Murphy's suggestion, requested that the City Solicitor's Department submit a report outlining the City's legal position in this matter vis a vis the contract's beginning, termination and extension dates, from the perspective of assisting Council to formulate a resolution which will protect the City against future legal action in this regard.

It was subsequently moved by Alderman O'Malley, seconded by Alderman Richard Grant that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, November 4, 1987), pending a report from the City Solicitor's Department.

Alderman Flynn also asked to have included in that report from the City Solicitor advice as to whether, if Council merely allows the existing contract to remain in place, the City has any legal obligations or commitments.

The motion to defer was put and passed.

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At this point in the meeting, Council resumed its deliberations of the report from the Finance and Executive Committee.

Status of Search for Replacement of
City Auditor General

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the target date for submission of the short list of five candidates for the position of Auditor General be set for the first Council meeting in January.

The motion was put and passed.

Audit Committee Minutes Re: Expenditures Over Bottom-
Line Budget - City Council Minutes of August 27, 1987
Amendment

MOVED by Alderman O'Malley, seconded by Alderman Richard Grant that, as recommended by the Finance and Executive Committee, the Audit Committee Minutes of September 15, 1987 and the Minutes from the regular meeting of City Council held on August 27, 1987 (pertaining to the Sequential Lighting System proposed for the Council Chamber) be amended to reflect Alderman O'Malley's motion of August 27; i.e., that the implementation of these systems not go over the bottom-line budget for the renovations to City Hall.

The motion was put and passed.

Halloween

This matter had been forwarded to Council without recommendation, pending receipt of a staff report.

An Information Report, dated October 26, 1987, was submitted from the City Solicitor.

Alderman Flynn advised that Alderman Walker has received a number of calls in support of his proposal regarding a Halloween curfew. However, he added that Alderman Walker appreciated the implications of attempting to impose such a curfew, and, under the circumstances, asked that the October 26 Information Report be tabled.

It was subsequently agreed that the matter be tabled.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, October 21, 1987, as follows:

Sidewalk Renewals - Tender #87-59

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Committee on Works, Tender #87-59 for sidewalk renewals as follows be awarded to Armdale Construction Limited for a bid price of \$157,551.25 and a total project cost of \$189,000:

- 1(a) Robie Street (W) - Quinpool to Welsford (funding authorized from Account No. CB211);
- (b) Williams Street (S) - Windsor to Robie (funding authorized from Account No. CB240);
- (c) Agricola Street (E) - Merkel to Cabot (funding authorized from Account No. CB140);
- 2(a) Willow Street (S) - Robie to Agricola (funding authorized from Account No. CB241);
- (b) Robie Street (E) - Willow to North (funding authorized from Account No. CB212);
- (c) Gladstone Street (E) - North to Willow (funding authorized from Account No. CB165);
- (d) Gladstone Street (W) - North to Willow (funding authorized from Account No. CB166);
3. Seaview Walkway - Aurora Avenue to Towerview Drive (funding to be authorized from Account No. CK072).

The motion was put and passed,

CITY PLANNING COMMITTEE

Case No. 4114 - Parcel D-1-A Bedford Highway

This matter was dealt with earlier in the meeting's agenda.

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- (c) Gladstone Street (E) - North to Willow (funding authorized from Account No. CB165);
- (d) Gladstone Street (W) - North to Willow (funding authorized from Account No. CB166);

(NO BIDS SUBMITTED RE: SEAVIEW WALKWAY)

The motion was put and passed,

CITY PLANNING COMMITTEE

Case No. 4114 - Parcel D-1-A Bedford Highway

This matter was dealt with earlier in the meeting's agenda.

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MOTIONS

Amendment - Administrative Order Number 10: The Finance Department and City Treasurer Administrative Order (FIRST READING)

A Notice of Motion regarding this matter was given by Alderman Cromwell during a regular meeting of Halifax City Council held on Thursday, October 15, 1987.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that City Council give First Reading to the amendment to Administrative Order Number 10 (attached as Appendix "A" to the staff report, dated October 5, 1987) as follows, and refer the amendment to the next meeting of City Council scheduled for Thursday, November 12, 1987 for Second Reading:

1. Amend subsection (1) of Section 6 of said Administrative Order Number 10, by deleting the words "or the Assistant Treasurer of the Finance Department," and by adding after the word "Manager" in the second line thereof a comma and the words "the Manager of Treasury and Accounting of the Finance Department or the Manager of Revenue of the Finance Department."

The motion was put and passed.

MISCELLANEOUS BUSINESS

Appointment of Deputy Mayor

This matter was dealt with earlier in the meeting's agenda.

Sale of Portion of Grosvenor School Lands

This matter was last discussed during a regular meeting of City Council held on February 26, 1987.

A supplementary staff report, dated October 27, 1987, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that:

(a) Parcel "X," as shown on Plan P200/15788, be conveyed to Ryco Atlantic Limited for \$50,000, subject to the

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provision of a \$100,000 bond or letter of credit (to be released when the footings for Building "C" are in place); funds from the sale are to be deposited in the Sale of Land Account; and that

- (b) the Mayor and City Clerk be authorized to execute a deed to Ryco Atlantic Limited for Block "A" (which includes Parcel "X") warranting and covenanting title only to Parcel "X" which will confirm the conveyance of Parcel "X" to Ryco Atlantic Limited and to clarify the consolidation of Parcel "X" with the lands of Ryco Atlantic Limited to form Block "A."

The motion was put and passed.

Parachute Jump - Halifax Commons

Correspondence, dated October 21, 1987, was submitted from Deborah Robichaud, Public Relations/Marketing Director, Sport Nova Scotia.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that City Council approve the request from Ms. Deborah Robichaud, Public Relations/Marketing Director, Sport Nova Scotia, to permit a parachute jump to land on the Halifax Commons at approximately 5:00 p.m. on Friday, November 6, 1987 as part of a rally for the Halifax Commonwealth Games effort (subject to the usual conditions absolving the City of all liability).

Alderman Flynn also noted that the jump is scheduled to take place "at approximately 5:00 p.m." when there is both very little daylight and a considerable amount of vehicular traffic. Under the circumstances, he asked that these concerns be conveyed to Sport Nova Scotia staff with a request that they consider holding the jump slightly earlier in the afternoon.

The motion was put and passed.

QUESTIONS

Question Alderman Walker Re: Open Wells

On behalf of Alderman Walker, Alderman Flynn brought to Council's attention the fact that the City of Charlottetown has instituted a procedure whereby the City will voluntarily undertake to fill in open wells if requested to do so by property owners.

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provision of a \$100,000 bond or letter of credit (to be released when the footings for Building "C" are in place); funds from the sale are to be deposited in the Sale of Land Account; and that

- (b) the Mayor and City Clerk be authorized to execute a deed to Ryco Atlantic Limited for Block "A" (which includes Parcel "X") warranting and covenanting title only to Parcel "X" which will confirm the conveyance of Parcel "X" to Ryco Atlantic Limited and to clarify the consolidation of Parcel "X" with the lands of Ryco Atlantic Limited to form Block "A."

The motion was put and passed.

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The motion was put and passed.

QUESTIONS

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At the Alderman's request, His Worship Mayor Wallace suggested that the City Solicitor could discuss the matter with the staff of the Engineering Department and report back to Council.

Question Alderman Leiper Re: No Smoking Ordinance -
No Smoking Sections in Restaurants

Alderman Leiper referred to a question she had raised during the October 15 meeting of Halifax City Council as well as to an Information Report subsequently received from the City Solicitor, and requested that this matter be added to the agenda of the next regular meeting of Committee of the Whole Council scheduled for Wednesday, November 4, 1987.

Question Alderman R. Grant Re: Newspaper Article -
Quote from Provincial Liberal Leader Vince MacLean

Alderman Richard Grant referred to an October 28 newspaper article containing a quotation from Liberal Leader Vince MacLean and headlined "Park Pushed by MacLean - Polluted Water Area of Spryfield and Herring Cove Should be Turned Into Recreation Park."

The Alderman took exception to allegations that the water in these areas was polluted and recommended that a letter be sent on behalf of Halifax City Council to Mr. MacLean requesting clarification of his comments.

His Worship Mayor Wallace suggested that the Alderman could contact his MLA with a request that the matter be taken up with Mr. MacLean.

Question Alderman R. Grant Re: Parent-Teachers Association
- Resolution

Alderman Richard Grant referred to a resolution recently approved during a meeting of the Halifax Parent-Teacher Association to the effect that a public relations committee should be established to alleviate the communication problems between the PTA and Halifax residents on the one hand, and the Halifax District School Board on the other.

Noting that the School Board Chairman had subsequently indicated that such a resolution was unnecessary, Alderman Grant requested that Council forward a letter to the Halifax PTA asking them for clarification as to what they had intended by their suggestion that someone is necessary to publicly relate to the PTA or to parents in general on behalf of the School Board.

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Question Alderman R. Grant Re: Elizabeth Sutherland School -
Walkway

Alderman Richard Grant referred to a resolution approved by City Council on June 13, 1985 to the effect that should the Halifax District School Board agree to install steps between the Elizabeth Sutherland School property and the Tartan Avenue walkway, the City would then undertake to install a walkway to those steps.

The Alderman noted that he had been advised by the Parent Teacher Association of the Elizabeth Sutherland School that the School Board has agreed to undertake this project, and asked for information from staff as to when the City would be prepared to commence construction of the walkway.

Question Alderman O'Malley Re: Letter from Halifax District
PTA - Halifax District School Board Structure

Alderman O'Malley made reference to a letter dated October 9, 1987 which had been forwarded to His Worship Mayor Wallace, and requested that a copy of that correspondence be made available to him by the Mayor's Office as quickly as possible.

Question Alderman O'Malley Re: Report - Task Force
on the Ageing Population

Alderman O'Malley brought to Council's attention that the Task Force on the Ageing Population will be presenting its recommendation during the November 4 meeting of Committee of the Whole Council.

Noting that the majority of Task Force members are expected to be in attendance at that time, the Alderman requested that this item be placed on the agenda as the next item following the Safety Committee.

Question Alderman Meagher Re: Relocation of Federal
Government Offices from Halifax to Dartmouth

Responding to a question from Alderman Meagher, His Worship Mayor Wallace indicated that he had discussed this matter with The Honourable Stewart McInnes and had also received some correspondence. However, he indicated that he would prefer to bring this item forward during a private meeting of Council.

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Question Alderman Meagher Re: Establishment of
Police Foot Patrols

Alderman Meagher made reference to concerns raised during a previous meeting regarding a reported increase in break and enters in various parts of the City (e.g., Quinpool Road, Agricola Street, Gottingen Street) and the need for police foot patrols in those areas. The Alderman queried whether such patrols have yet been implemented, and recommended that members of Council convene a private meeting with the Chief of Police and the Halifax Board of Police Commissioners so that Aldermen can describe the problems that are occurring in this regard in their wards and develop some solutions.

Question Alderman Meagher Re: Traffic Speeds

Alderman Meagher referred to concerns raised by the Home and School Associations at both the Sir Charles Tupper School and the Oxford Street School with regard to excessive rates of vehicular speeds being used on streets in Ward 4. The Alderman made particular reference to the intersection at Beech and Quinpool Road, noting that, despite the provision of a crossing guard, this area is a particularly dangerous one for school children.

Alderman Meagher made reference to a report received previously from the Halifax Police Department which advised that, in their opinion, there was an insufficient number of school children using the intersections to warrant the provision of additional crossing guards. Noting the petition submitted earlier in the meeting by Alderman Dewell, Alderman Meagher asked that traffic speeds be checked at the intersections of Windsor and Summit Streets and also at North and Oxford Streets, emphasizing that, in his opinion, cars are travelling at an excessive rate of speed and are thereby endangering the school children using these streets.

Question Alderman Meagher Re: Meeting with Local MLA's

Alderman Meagher expressed concern that Council has not recently met with local MLA's and asked that such a meeting be arranged as quickly as possible.

Question Alderman Downey Re: Intersection -
Water and George Streets

Alderman Downey referred to various letters received regarding this matter and, in addition, to a response forwarded by Mr. B. N. Kennedy, the City's Traffic Authority.

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The Alderman asked for a further report on the traffic problems at this intersection, particularly during the timeframe 4:30 p.m. - 5:15 p.m.

Question Alderman Downey Re: Winter Parking Ban

Alderman Downey made reference to his previous comments on this matter, requesting that staff consider experimenting during the 1987-88 winter season with allowing motorists on certain streets adjacent to the Central Business District to park overnight on one side of the street. He added that this would be particularly helpful on those streets where alternate parking facilities are limited.

Question Alderman Deborah Grant Re: Surplus Land

Alderman Deborah Grant noted that several years ago staff had submitted a report concerning surplus land in the City, referring in particular to Lot A on Young Avenue and Lot B on MacLean Street.

The Alderman advised that the Halifax Seniors Housing Group are very anxious to locate an appropriate site on which to develop a co-op, and asked if staff could look at the possibility of using these lands for that purpose.

Question Alderman Deborah Grant Re: Closure - Tower Road

Alderman Deborah Grant requested a staff report concerning the closure of Tower Road and the possible redevelopment of the School for the Blind property, emphasizing that negotiations with the Province have now been underway for over two years.

The Alderman was advised that a staff report on that matter has now been submitted.

Question Alderman Deborah Grant Re: Ace Towing Limited

Alderman Deborah Grant requested a staff report concerning the operation of Ace Towing Limited.

NOTICES OF MOTION

Notice of Motion Alderman Richard Grant Re: Amendments to Ordinance 147, the Dog Ordinance

Alderman Richard Grant gave Notice of Motion that at the next regular meeting of Halifax City Council scheduled for Thursday,

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October 29, 1987

November 12, 1987 he intends to propose First Reading of amendments to Ordinance 147, the Dog Ordinance, the purpose of which is to regulate the keeping and handling of vicious dogs.

ADDED ITEMS

Contract Deficiencies - Maritime Formless Limited

This matter was added at the request of the City Clerk during the setting of the meeting's agenda.

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

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that:

1. City Council authorize the award of Quotation #JB-16, dated April 16, 1987, to G. & R. Kelly Enterprises Limited in the amount of \$9,695.00 for completion of deficiencies of contracts 85-24, 85-27 and 85-68;
2. City Council authorize the transfer of \$9,695.00 from CB400 to CB545 for expenditures related to Quotation #JB-16, dated April 16, 1987.

The motion was put and passed.

Date for Public Meeting - Widening of Dutch Village Road

This matter was added to the agenda at the request of the City Clerk, and was last discussed during a regular meeting of Council held on Thursday, October 15, 1987.

MOVED by Alderman Leiper, seconded by Alderman O'Malley that,
as recommended by the City Clerk, a public meeting concerning the widening of Dutch Village Road be scheduled for **MONDAY, NOVEMBER 30, 1987 AT 7:30 P.M.** in the Gymnasium of the Halifax West High School, 3620 Dutch Village Road.

On behalf of Deputy Mayor Jeffrey, Alderman O'Malley requested that staff send notices of this scheduled public meeting to the residents of all streets abutting Dutch Village Road.

The motion was put and passed.

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Mainland North Branch Library

This matter was last discussed during a meeting of the Finance and Executive Committee held on Wednesday, October 21, 1987.

An Information Report, dated October 29, 1987, was submitted from Diane MacQuarrie, Chief Librarian, Halifax City Regional Library.

Thanking the Library Board for its efforts in this regard, it was moved by Alderman Hamshaw, seconded by Alderman Leiper that the Information Report, dated October 29, 1987, be tabled.

Motion passed.

At the request of Alderman O'Malley who indicated that he had various questions to ask regarding the October 29 Information Report, it was agreed that the matter of the Mainland North Branch Library be added to the agenda of the November 4 meeting of Committee of the Whole Council to allow Library Board members an opportunity to attend.

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

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

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SPECIAL COUNCIL
PUBLIC HEARINGS
HERITAGE HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
November 4, 1987
7:30 p.m.

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

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

ALSO PRESENT: Mr. Wayne Anstey, representing the City Solicitor; Mr. E. A. Kerr, City Clerk; Mr. P. Calda, City Manager; and other members of City Staff.

ADDED ITEMS

The following item was added to the agenda at the request of Alderman Flynn from the Committee of the Whole Council held early this date:

Aldermanic Appointments - Alderman Flynn

MOVED by Alderman Flynn, seconded by Alderman Leiper that,
the Aldermanic Appointments for Boards and Commissions be extended to January 1, 1988.

Motion passed.

Heritage Property - 1333/35 Barrington Street

A hearing into the above matter was held at this time. A report dated October 30, 1987, from Mr. P. Calda, City Manager, was submitted. Research material and results of the Heritage Advisory Committee's evaluation of the above noted property was attached to Mr. Calda's report.

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Mr. A. W. Churchill, Heritage Co-ordinator, addressed Council and, with reference to the map displayed, indicated that the property in question was located on the east side of Barrington Street between Morris and Bishop Streets. Mr. Churchill advised that their research indicates that this is the oldest building in this section of Barrington Street. He further advised that the building was built in 1817 and Thomas Nickleton Jeffery was the original owner.

He further advised that all of the owners were notified and no objection to heritage registration was received.

There were no persons present wishing to address Council with regard to this matter. No correspondence in relation to the matter was received.

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

Alderman Downey requested that the representative for the owner be notified in order to determine whether the owner is in fact in favour of the heritage registration.

Alderman O'Malley requested that the view of the owner be expressed in writing and circulated to members of Council. He further suggested that, in the future, every effort be made to have the owners' view recorded formally in writing so that Council is fully aware of the position of the owner. The Chairman indicated that Staff would follow that suggestion up.

Mr. Churchill advised that, after conversation with a representative of the owner, P. Barns Investment Ltd., it does not appear that there will be any objection to the heritage registration.

The motion was put and passed.

His Worship recognized the presence of the Honourable Joel Matheson, Minister of Mines and Energy.

Closure of Portion of Briarwood Crescent

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

Mr. Peter S. Connell, P.Eng., Director of Engineering and Works, addressed Council making reference to the staff report dated August 18, 1987, circulated to members of Council, which

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November 4, 1987

outlined Staff's response to the petition which was submitted from the residents of Briarwood Crescent. Mr. Connell advised that the purpose of the public hearing was to determine whether or not the closure of Briarwood Crescent best serves the general public.

Mr. Connell pointed out that the report referred to previously was prepared by the Traffic Services section of the Engineering and Works Department and is strictly a traffic management report. He further noted that it does not have the same implications as a recommendation from the traffic Authority.

Mr. Connell indicated that the residents have requested the closure of Briarwood Crescent at one end. He went on to indicate that Staff reviewed the request from the residents and it is their recommendation that Briarwood Crescent not be closed. Mr. Connell, at this point, outlined the reasons why Staff are recommending that it not be closed. With reference to the map displayed, Mr. Connell explained that Briarwood Crescent is approximately 1100 feet in length and accommodates 500-600 vehicles per day. As a residential street, Mr. Connell pointed out that figure is considered extremely low. Therefore, he advised that it does not meet any requirements for closure. With respect to accidents recorded at Bayview Road and Briarwood Crescent, Mr. Connell advised that only 2 collisions occurred at Lacewood and Briarwood in the past 5 1/2 years, therefore, he indicated that it does not warrant any consideration for closure.

Mr. Connell advised that the other criteria considered respected emergency vehicles. He advised that the Police Department and Works Division of the Engineering Department are against such a closure. Mr. Connell further explained that the Fire Department does not object if the closure is at Bayview. He pointed out that City Field prefers that it be at Bayview Road, if a closure were to take place, and outlined the reasons why as stated in the staff report.

In conclusion, Mr. Connell indicated that Mr. Kennedy, Supervisor, Traffic Services, was in attendance to provide more details with respect to traffic.

In response to a question from Alderman R. Grant, Mr. Connell advised that the Engineering and Works Department has the authority to close a street for six months for construction purposes. Alderman R. Grant further inquired if staff has looked at the possibility of making Briarwood Crescent a one way street. Mr. Kennedy addressed Alderman R. Grant's inquiry explaining that a one way street would not accomplish what the residents are requesting noting that the traffic volume would not necessarily be reduced.

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Alderman Leiper made reference to Clayton Park Drive advising that vehicles are restricted from turning left on Clayton Park Drive onto Dunbrack Street and from turning left off Dunbrack Street onto Clayton Park Drive. She inquired if that semi-closure was done purely on the number of vehicles. Mr. Kennedy responded that it was done in 1975 in cooperation with the Department of Transportation and was part of the overall design of Dunbrack Street. Alderman Leiper requested a report stating why the Department of Transportation had a median constructed completely closing off Clayton Park Drive and not closing off Lacewood Drive to left turns.

Alderman Leiper further requested that Mr. Kennedy elaborate on why staff is recommending that Briarwood Crescent not be closed. Mr. Kennedy, as part of his explanation, made reference to the subdivision regulations explaining that Section 12 states that 750 feet is the maximum for any street like this without a dual access noting that Briarwood Crescent is about 1100 feet in length. Alderman Leiper pointed out that there are similar streets in the City that are closed at one end. With reference to snow removal, Alderman Leiper advised that it is her understanding that the plow never exits onto Bayview Road when it is snow clearing. She went on to indicate that the reason for this could be due to the fact that this Street is so busy. Therefore, she suggested that the closure of Briarwood Crescent would not necessarily affect the snow removal programs.

Alderman O'Malley made reference to the map displayed suggesting that it is out of context in terms of what he has heard over the last few months about the monstrosity of the traffic toll problem in that generalized area. Alderman O'Malley acknowledged that the traffic problem in this area is associated with Dunbrack Street. Mr. Connell indicated that Lacewood Drive between Bayview Road and Dunbrack Street carries 11,600 vehicles per day. He further explained that one of the concerns of the residents is that Briarwood Crescent is being used as a short-cut.

Ms. Martha Haley, 44 Briarwood Crescent, addressed Council stating that she has been a resident of Briarwood Crescent for approximately 6 years and, since they have moved to this area, she advised that the traffic has increased greatly. Ms. Haley made reference to the traffic figures quoted by Staff inquiring what the figures were for the end of July and the middle of September. Mr. Kennedy, in referring to information contained in the Staff report and to traffic counts carried out by their Department, responded to the inquiry. Mr. Kennedy explained that there is a seasonal variation and almost all of their traffic counts increase in the Fall. Ms. Haley suggested that the figures quoted by staff are not accurate in her assumption.

Special Council
November 4, 1987

With reference to the diagram displayed, Ms. Haley suggested that it was inaccurate pointing out that there is a bad curve on Briarwood Crescent which is not accurately displayed on the diagram. Ms. Haley went on to state that the residents of Briarwood Crescent have a much higher percentage of "speeders" than normal. She further advised that their Street does not have a sidewalk which is desperately needed. Ms. Haley indicated that she did not care which end of Briarwood Crescent is closed; but, she suggested if the Fire Department wants the Bayview end closed that it be done in their favour. Ms. Haley also stated that better visibility exists on Lacewood Drive to get on and off the Street as opposed to Bayview. She went on to report that traffic is heaviest when the kids are going and coming home from school.

Ms. Haley suggested that there are other streets in the City which are dead end streets and do not meet the specifications for a dead end street.

Mr. Paul Branny, 7 Briarwood Crescent, addressed Council expressing concern with regard to safety noting that there are nine children living in this area. He explained that vehicles travelling on this Street have no regards for the children. Mr. Branny suggested that speed bumps be considered as a possible solution to slow down the traffic on this Street.

Mr. Robert Hill, 23 Briarwood Crescent, addressed Council stating that he is not against blocking off Briarwood Crescent, however, he expressed concern with regard to closing off the Bayview end of the Street. Mr. Hill suggested that it would be difficult to make a left hand turn from Briarwood onto Lacewood if two lanes were to exist in the future.

Alderman Flynn inquired if a median could be built down the centre of Lacewood Drive from Dunbrack Street to Clayton Park Drive. Mr. Kennedy advised that geometrically speaking this is possible; but, he indicated that it does not solve the problems that the residents have expressed. Alderman Flynn suggested that perhaps left turns off Lacewood Drive could be restricted if a median was placed there.

Dr. Hosain, 44 Briarwood Crescent addressed Council indicating that the diagram is inaccurate and pointed out, as indicated by a previous speaker, that a dangerous curve exists on Briarwood Crescent which is not illustrated on the diagram. The gentleman pointed out that Edward Arab Avenue has been closed for the same concerns expressed by the residents of Briarwood Crescent. He further suggested that the cost of a median should not matter when children's lives are in danger. The gentleman invited Council to come and live on Briarwood Crescent for 24 hours to see exactly what situation exists there with respect to

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traffic and suggested closing the Street in the middle thus meeting the criteria for a street closure.

Mr. Russel Walker, 10 Plymouth Avenue, addressed Council stating that he travels on Briarwood Crescent frequently. He suggested that there will be even more short cuts through Briarwood Crescent during snow storms.

A resident of 59 Briarwood Crescent addressed Council in support of the closure of Briarwood Crescent noting that it is a dangerous Street for children to cross due to the speed and amount of traffic. The lady suggested that a policeman be present during peak hours of traffic to monitor the speed at which vehicles travel this Street.

Miss Foster, 67 Briarwood Crescent, addressed Council on behalf of her father, Tony Foster, expressing concern with regard to the danger which exists on the Street due to traffic. Miss Foster expressed concern with regard to the fact that Council has approved a building for 10,000 new residents in an area in the northend of Lacewood Drive, occupancy for an additional 6,000 new residents in the Knightridge area, an apartment complex on Vimy Avenue, and are now considering permission for an unwanted and unneeded motel at the bottom of Bayview on the Bedford Highway. Miss Foster went on to state that, as these residential areas increase, the traffic volume on Lacewood Drive will increase as well.

There were no further persons present wishing to address Council.

Alderman Leiper again requested, as requested earlier in the hearing, a report from the Minister of Transportation with respect to the closing of Clayton Park Drive.

MOVED by Alderman Leiper, seconded by Alderman Dewell that,
this matter be forwarded to Council without recommendation.

Motion passed.

Case No. 5338 - Contract Development - Corner of Russell,
Isleville, and Sullivan Streets

The above item was withdrawn by the Applicant. A letter was circulated from Mr. John A. Renouf dated October 29, 1987, requesting that their application for a Development Contract on the corner of Isleville and Russell Streets be withdrawn.

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Case No. 5397 - Development Agreement - 1574-1582 Hollis Street -
"Journey's End Motel"

The above item was withdrawn by the Applicant. A letter dated October 28, 1987, from Mr. John S. McFarlane, Stewart MacKeen & Covert Barristers and Solicitors, requesting that this application be withdrawn was circulated to members of Council.

8:40 p.m. There being no further business the meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

/mmd

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
November 12, 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, members of Council joined the City Clerk in the recitation of the Lord's Prayer.

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

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

MINUTES

Minutes of the regular meeting of City Council held on October 29, 1987 and a Special meeting of City Council held on November 4, 1987 were approved on a motion by Alderman Cromwell, seconded by Alderman Downey.

Before moving to the regular agenda, His Worship addressed the matter of the Commonwealth Games advising that Victoria, B.C., was chosen as the City to host the Games. His Worship pointed out that there were nine major cities in the competition and Halifax was chosen among the top three cities to host the Games which His Worship noted was an achievement in itself. His Worship extended a vote of appreciation to Mr. P. Green and those involved in putting together a great presentation.

His Worship also extended birthday congratulations to Alderman Dewell on behalf of Council.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

The City Clerk indicated that he had no additions or deletions to add.

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

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20.1 Report to City Council - Activities of Coalition Re:
Acquiring Work for the Halifax Shipyards

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

20.2 Neptune Theatre

20.3 Removal of Freight Subsidy

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

20.4 Bell Welding

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

Motion passed.

DEFERRED ITEMS

Heritage Hearing re: 1333/35 Barrington Street

A hearing on the above-mentioned matter was held on
November 4, 1987.

Mr. Calda, City Manager, addressed the matter indicating
that Council requested at the November 4, 1987, hearing, a letter
from the property owner confirming non-objection to the
registration.

The City Clerk advised that no correspondence has been
received from the property owner.

MOVED by Alderman Downey, seconded by Alderman O'Malley
that this matter be deferred to the next regular meeting of City
Council.

Motion passed.

Closure of Portion of Briarwood Crescent

A hearing on the above matter was held on November 4,
1987.

Alderman Leiper addressed the matter indicating that a
number of residents addressed Council at the November 4, 1987,

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hearing in favour of the closure of Briarwood Crescent and, therefore, MOVED seconded by Alderman Flynn that the closure of Briarwood Crescent at Bayview Road be authorized.

Motion passed.

PUBLIC HEARINGS, HEARINGS, ETC.

Case No. 5479 - Appeal of Minor Variance Refusal - 2019 Bauer St.

A staff report dated October 27, 1987 was submitted. The applicant's letter of appeal was attached to the report for Council's information.

Mr. Mike Hanusiak, Planner II, addressed Council and with the aid of a map outlined the application for a minor variance at 2019 Bauer Street to permit an enlargement of the kitchen. Mr. Hanusiak advised that the variance was refused due to a conflict with Section 79(3)(c) of the Planning Act. He further advised that, although the applicant had applied for a building permit, construction was started before the permit was issued. Mr. Hanusiak concluded that, had the applicant waited, he would have been informed of the problem respecting lot coverage as well as the need for a minor variance. Given the circumstances at hand, Mr. Hanusiak noted that staff are recommending refusal of the application.

The applicant, Mr. Alan Story, addressed Council indicating that he had applied for a building permit and a demolition permit at the end of September, and did so after consultation with an architect. Mr. Story advised that the architect informed him that he had spoken to City staff about this project and concluded that it had been approved in general by the City Staff. Unfortunately, Mr. Story advised that the architect forgot to ask City staff if the project would require a minor variance. Mr. Story indicated that he then went ahead and got the demolition permit.

Mr. Story went on to explain that, on the morning of October 16, 1987, he spoke with Mr. G. Fleming, Sr. Planning Technician, who informed him that a minor variance was required. By that time, Mr. Story indicated that the carpenters had put in several posts, therefore, they had in fact developed the construction beyond the original outline of the existing structure. Mr. Story agreed that the report is correct in stating that a very small portion of the construction had begun before the permit was granted. He suggested that this was a very inadvertant error on his part and that he was following the advise of an architect. Mr. Story further advised that he had no intention to intentionally breach the planning regulations.

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In conclusion Mr. Story informed Council that he had contacted the abutting neighbors and they indicated to him that they had no objection to the application.

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

MOVED by Alderman Downey, seconded by Alderman Dewell that the decision of the Acting Development Officer be overturned and the appeal for a minor variance be granted.

Motion passed.

PETITIONS AND DELEGATIONS

Petition - Alderman Flynn Re: Dickson Avenue Rezoning

Alderman Flynn, on behalf of Alderman Hamshaw, presented a petition from the area residents requesting the City of Halifax to rezone Dickson Avenue from R-2 to R-1 in order to ensure that the present, single family, residential nature of the street is maintained.

Petition - Alderman Leiper Re: Lot D 1 A, Bedford Highway

Alderman Leiper, on behalf of the residents of Bayview Road, presented a petition requesting that City Council refuse the extension on the contract for lot D 1 A on the Bedford Highway beyond the March, 1988 date.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on November 4, 1987.

Report - Task Force on Ageing Population: Coordinated Home Care Program

Alderman O'Malley, as Chairman of the Task Force on Aging Population, addressed the matter noting that he received a considerable amount of telephone calls since the Finance and Executive Committee meeting on November 4, 1987 at which time Council approved in principle the implementation of a Comprehensive Home Care Program. Alderman O'Malley further noted that three of the calls were from municipalities within the Province inquiring about the content of the Program. In light of that, Alderman O'Malley outlined the proposed Coordinated Home Care Program.

* AMENDED PAGE *

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MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, City Council approve in principle the implementation of a Comprehensive Home Care Program for the City of Halifax for the 1988 fiscal year, as projected in the report submitted by the Task Force on Aging Population dated October 22, 1987.

Alderman Flynn thanked Alderman O'Malley for his initiative with respect to this proposed Program and read the names of the Task Force members which he indicated were creditable names to make recommendations.

Alderman Leiper complemented the Task Force and also informed Council that she received information from the Executive Director for "Meals on Wheels", a resident of Ward 18, who sees this program as a program the organization could be involved in. Alderman Leiper indicated that she would give the name of this person to Alderman O'Malley so that he could contact her with respect to this matter.

The motion was put and passed.

Mainland North Branch Library

MOVED by Alderman R. Grant, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the Information Report, dated October 29, 1987, submitted by Diane MacQuarrie, Chief Librarian, and entitled "Mainland North Branch Library", be tabled.

Motion passed.

Commission on City Government

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council clarify its resolution of * July 12, 1984 in that a minimum of two Aldermen serve on each Board, Committee, Commission of the City of Halifax and it shall be the responsibility of such appointees to serve the expressed interest and policy positions as stated by Council, and further, to act as liaison links between Council and such Boards and Commissions.

Motion passed.

Encroachment License - 1588 Argyle Street

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

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MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, City Council approve in principle the implementation of a Comprehensive Home Care Program for the City of Halifax for the 1988 fiscal year, as projected in the report submitted by the Task Force on Aging Population dated October 22, 1987.

Alderman Flynn thanked Alderman O'Malley for his initiative with respect to this proposed Program and read the names of the Task Force members which he indicated were creditable names to make recommendations.

Alderman Leiper complemented the Task Force and also informed Council that she received information from the Executive Director for "Meals on Wheels", a resident of Ward 10, who sees this program as a program the organization could be involved in. Alderman Leiper indicated that she would give the name of this person to Alderman O'Malley so that he could contact her with respect to this matter.

The motion was put and passed.

Mainland North Branch Library

MOVED by Alderman R. Grant, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the Information Report, dated October 29, 1987, submitted by Diane MacQuarrie, Chief Librarian, and entitled "Mainland North Branch Library", be tabled.

Motion passed.

Commission on City Government

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council clarify its resolution of December 7, 1984 in that a minimum of two Aldermen serve on each Board, Committee, Commission of the City of Halifax and it shall be the responsibility of such appointees to serve the expressed interest and policy positions as stated by Council, and further, to act as liaison links between Council and such Boards and Commissions.

Motion passed.

Encroachment License - 1588 Argyle Street

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

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David Ingraham be granted an Encroachment License for the purpose of erecting a canopy at Civic No. 1588 Argyle Street.

Motion passed.

Encroachment License - 6190 Lawrence Street

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Mr. Tom Vinci be granted an Encroachment License for the purpose of erecting a roof at Civic No. 6190 Lawrence Street.

Motion passed.

Question Alderman Downey re: Increase in Social Assistance Rates

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

1. City staff experiment and evaluate the implication of changing various incentive allowances and working training schemes, the results to be reported back to Council within six months;
2. a conference be organized that would involve several sectors of the community such as government, business labour and social assistance recipients, the first such meeting be called to identify more clearly the problem within the Metro Area and a second conference arranged that would involve speakers from the Provincial and Federal levels.

Alderman Leiper inquired if this recommended conference was planned to take place in the near future.

Mr. Crowell, Director of Social Planning, addressed Council advising that there were no fixed dates for the Conference but suggested that the last conference would take place before the end of March and the first one would take place possibly before the end of the year.

Alderman R. Grant expressed concern with regard to the able bodied persons who are on assistance but who wish to work and suggested that this be discussed at the recommended conference.

Mr. Crowell addressed Alderman R. Grant's concern indicating that the recent announcement of the Agreement between the Federal and Provincial Government would allow the City to divert a certain amount of funds for job creation and job training. He further advised that they were already doing this in a number of instances i.e. senior citizen centres.

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Alderman O'Malley indicated that he would like to see included in the recommendation, the involvement of the business community as an example to bring about a more acute awareness of the kinds of problems that are facing government structures in terms of debt and revenue generation by the Government. He commented that he would like to see the involvement of such organizations as the Halifax Board of Trade, the World Trade Organization, plus a number of others. Alderman O'Malley requested a draft proposal for the proposed conference and the sectors of the community that would be participating in the conference prior to the actual calling of the conference.

Mr. Crowell advised that they would certainly be bringing back suggestions to Council for recommendations.

The motion was put and passed.

Returning Officer

A staff report dated November 10, 1987, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Downey that City Council approve the following procedure for the appointment of a Returning Officer for the 1988 Civic Election:

1. The Director of Employee Relations cause an appropriate advertisement to be placed in the local newspapers requesting applications from qualified candidates for the position of Returning Officer; and
2. The Mayor and Deputy Mayor, in consultation with the Elections Procedures Committee and the Director of Personnel and Labour Relations, review the applications and make a recommendation to City Council for the appointment of the best qualified candidate along with a recommendation with respect to the compensation to be paid to the successful candidate.

Motion passed.

No Smoking Ordinance - No Smoking Sections in Restaurant

This matter was forwarded to Council without recommendation.

Alderman Leiper addressed the matter referring to a call she had received from a gentleman in Ward 10 who informed her of an instance where he had difficulty in finding a major restaurant with a no smoking section. As a result, Alderman Leiper noted that she telephoned several major restaurants in the City and was

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informed by many of them that they do not have no smoking sections.

MOVED by Alderman Leiper, seconded by Alderman D. Grant that staff prepare the amendment to Ordinance No. 172 (as contained in Schedule "A" of the staff report, dated October 21, 1987) and present it to Council for First Reading.

Motion passed.

Report - City Hall Renovation Committee

This matter was forwarded to Council without recommendation.

Alderman O'Malley addressed the matter indicating that the minutes of the Renovation Committee have now been circulated to members of Council and that no further comment is necessary. He suggested that this is the appropriate way to keep Council informed on what is happening on that Committee and requested that all minutes of future meetings of this Committee (as well as all other committees) be circulated to Council.

Encroachment License - 1654 Barrington Street

This matter was forwarded to Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman Flynn that Chez Francois Salon be granted an Encroachment License for the purpose of erecting a canopy at Civic No. 1654 Barrington Street.

Motion passed.

Provincial-City Cost Sharing Agreement No. 39

This matter was forwarded to Council without recommendation.

Alderman Flynn, on behalf of Alderman Hamshaw, MOVED, seconded by Alderman D. Grant, that Council approve the cost sharing Agreement No. 39 (as outlined in the report attached to the October 30, 1987, staff report) and that His Worship the Mayor and City Clerk be authorized to sign this proposed Agreement No. 39 (see letter of request Appendix "A") so that the Minister of Transportation may finalize legal documentation.

Motion passed.

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City Auditor General Search - Requirements

This matter was forwarded to Council without recommendation.

Alderman R. Grant addressed the matter referring to the last page of the report respecting experience for the position of Auditor General where it reads "...8 - 10 years in municipal government with exposure to all functions within the municipal unit...". Alderman R. Grant advised that it was his understanding that Council did not want to limit the position to people with just municipal government experience.

Mr. Calda suggested and it was agreed that the report be changed to indicate "...8 - 10 years in employment related to the above duties...".

Special Events Committee

This matter was forwarded to Council without recommendation.

Alderman R. Grant addressed the matter referring to an article he read in the newspaper which indicated that the City of Halifax had a Special Events Committee. He commented that he was surprised to read this since he had been unaware that such a Committee existed within the City of Halifax. Alderman R. Grant requested that a staff report be brought forward indicating when the Committee was established and by whom, as well as its mandate.

His Worship indicated that there are certain City staff members who deal with events that affect City streets and City property (i.e. Parks and Grounds, Recreation, and Police personnel). He further explained that the committee referred to by the Alderman is not an official committee of Council, but rather a working group within the City.

Alderman O'Malley advised that he would also like to receive more information about the Committee, and indicated he would prefer to see such a committee established by Council.

A discussion ensued with Alderman R. Grant repeating his request for information about the Committee, and advising that he would be bringing a proposal forward for Council's consideration with regard to the formal establishment of such a committee.

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Co-operative Education Work Experience Program - City of
Halifax Participation

This matter was brought before Council without recommendation.

Alderman R. Grant addressed the matter requesting Council's support towards work experience programs within the public school system. He explained that such programs will enable students to work in a field which they may be interested in pursuing after they complete school.

MOVED by Alderman R. Grant, seconded by Alderman Meagher that City Council endorse the concept of co-operative education and work experience programs and, wherever possible, be an active supporter of those programs.

Motion passed.

Halifax Commons

This matter was forwarded to Council without recommendation.

Alderman Cromwell addressed the matter expressing concern with regard to the fact that 64 teams with over 1200 participants of touch football played on the Commons over a weekend during the end of October and, as a result of the rainy weather, the field was greatly damaged. He went on to indicate that the Commons will require an approximately \$40,000 refurbishment in order to make it suitable for use next summer. Alderman Cromwell suggested that action must be taken in order to protect this resource and in order that an instance like this does not occur again.

Alderman Meagher requested that the Recreation Department bring a report forward with respect to this matter. He explained that a similar event occurred a few years ago and, at that time, Council passed a motion recommending that, if the playing field was in poor condition i.e. wet and muddy, it could not be used. Alderman Meagher further requested a report from Parks and Grounds on how they intend to remedy the problem in order to make it playable for next year, as well as the associated costs.

Alderman Leiper commented that in the past it was suggested that an answering service be established so that, at any

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time, organizers could reach a source which could give them permission to use the field. She requested that the Recreation Department include in their report whether or not they did implement this suggestion.

A discussion ensued with Alderman O'Malley requesting that a report be brought forward on how damages of this nature could be repaired through an insurance policy.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, November 4, 1987, as follows:

City Fire Alarm

MOVED by Alderman Flynn, seconded by Alderman Walker that effective January 1, 1988, the connection charge for new customers be increased to \$150.00 and the annual service charge be increased to \$375.00

Motion passed.

West Armdale Residents Association - Stanley Park

This matter was forwarded to Council without recommendation.

Alderman Walker addressed the matter indicating that Mr. Havill has agreed to present the plans for the new area of Stanley Park. Alderman Walker suggested that Council arrange, through the courtesy of Mr. Havill, a viewing of these plans for the residents of the West Armdale Association and the public.

Alderman R. Grant commented that he received a number of calls while Alderman Walker was in the hospital from the residents in Ward 8 with respect to Stanley Park. He explained that, under the Mainland North Secondary Planning Strategy, it allows for more public participation. Alderman R. Grant inquired as to what "public participation" means and asked if it was proper for the public to discuss the matter with staff prior to the public meeting. He expressed the concern that, when they asked questions of staff, they were not addressed appropriately.

Mr. Murphy, City Solicitor, explained first of all that when a developer comes to Staff with his plans, they are confidential at that point. Secondly, Mr. Murphy advised that plans are not revealed to the public until after such time that they have been discussed with Council. He further explained that

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it is a natural desire of every citizen to know what is to take place in his or her community at the earliest possible date.

Alderman R. Grant questioned whether such an explanation should be included in the Secondary Planning Strategy.

Mr. Hanusiak addressed Council indicating that this particular application is a very large, complex matter and many "unknowns" have to be worked out. He explained that it is better to come forward when the application is "sound" rather than during the negotiation stages.

A discussion ensued with Alderman Flynn suggesting that this matter be deferred until such time that the application is before Council.

Pollution - MacIntosh Run

This matter was forwarded to Council without recommendation.

Alderman R. Grant addressed the matter requesting that Staff report to Council on the latest data on the MacIntosh Runs with respect to water quality.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendment - Administrative Order Number 10, The Finance Department & City Treasurer Administrative Order - SECOND READING

MOVED by Alderman O'Malley, seconded by Alderman Meagher that City Council give Second Reading to the amendment to Administrative Order Number 10 (attached as Appendix "A" to the staff report, dated October 5, 1987) as follows:

1. Amend subsection (1) of Section 6 of said Administrative Order Number 10, by deleting the words "or the Assistant Treasurer of the Finance Department," and by adding after the word "Manager" in the second line thereof a comma and the words "the Manager of Treasury and Accounting of the Finance Department or the Manager of Revenue of the Finance Department".

Motion passed.

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REPORT - CITY PLANNING COMMITTEE

Case No. 4114 - Parcel D-1-A Bedford Highway

MOVED by Alderman Leiper, seconded by Alderman Walker that, as recommended by the City Planning Committee, Council not extend the existing contract pertaining to Parcel D-1-A Bedford Highway beyond March, 1988.

Motion passed.

Case No. 5452 - Contract Development/Development Agreement:
The Henry House, 1222 Barrington Street

This matter had been forwarded to Council without recommendation.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that a public hearing be scheduled (pursuant to Section 16AA(d) of the Land Use Bylaw, Peninsula Area) to consider the conversion of the property known as the Henry House (located at 1222 Barrington Street) to a beverage room and accessory brewery.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, DECEMBER 9, 1987, at 5:00 p.m.** in the Council Chamber, City Hall.

With reference to the time of the proposed public hearing, Alderman O'Malley asked that the agenda for the Committee of the Whole Council meeting scheduled for earlier that afternoon be kept to what he termed a "manageable" level.

Case No. 5340 - Development Agreement: 6331 and 6335-6337
Pepperell Street

This matter was forwarded to City Council without recommendation.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that a public hearing be scheduled (pursuant to Section 16AB(g) of the Land Use Bylaw, Peninsula Area) to consider proposed commercial parking at 6331 and 6335-37 Pepperell Street, provided such parking facilities are built in substantial conformity with Plan No. P200/16018 and the provisions of the development agreement attached in draft form to the staff report, dated October 15, 1987.

The motion was put and passed.

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At the request of Alderman Cromwell, the City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, JANUARY 6, 1988 at 7:30 p.m.** in the Council Chamber, City Hall.

Union Street Rezoning

This matter was forwarded to Council without recommendation.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that a public hearing date be scheduled to consider rezoning of the area identified on Map P200/16242 (attached to the staff report dated October 30, 1987) from R-2 to R-1.

In making this motion, Alderman O'Malley requested that the appropriate newspaper advertisements be inserted at staff's earliest possible convenience so as to provide area residents with an opportunity to adequately prepare themselves.

The motion was put and passed.

The City Clerk advised that the proposed public hearing would be scheduled for **WEDNESDAY, JANUARY 6, 1988 at 7:30 p.m.** in the Council Chamber, City Hall.

Case No. 5289 - Proposed Subdivision:
1060 Ridgewood Drive

This matter was forwarded to Council without recommendation.

MOVED by Alderman D. Grant, seconded by Alderman Downey that City Council approve a resolution of non-objection to the approval of Lots 1, 2 and 3 in a fashion substantially in conformance with that shown on Sketch 2 of the staff report dated October 30, 1987.

Motion passed.

Proposed Amendment to the Land Use Bylaw (Peninsula Area)
Re: Multiple-Building Development in R-2 Zones

This matter was forwarded to Council without recommendation, being last discussed at a regular meeting of Council held on October 29, 1987.

MOVED by Alderman Meagher, seconded by Alderman Dewell that Council adopt the following resolution:

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Amend the Land Use Bylaw (Peninsula Area) to amend Subsection 10(3) as follows to delete reference to R-2:

10(3) Notwithstanding the provisions of subsections (1) and (2) hereof, more than one residential building excluding single family, semi-detached and duplex buildings may be constructed on a lot in an R-2A or an R-3 Zone, provided that:

Subsections 10(3)(a), 10(3)(b), and 10(3)(c) to be retained as they are at present.

Following a discussion, the motion was put and passed with Aldermen R. Grant and Walker abstaining owing to non-attendance at the September 23, 1987 public hearing.

A discussion ensued with it, and it was MOVED by Alderman Flynn, seconded by Alderman R. Grant that staff bring forward a report concerning the feasibility of disallowing more than one building on a single lot in both the R-2A and R-3 zones throughout the City.

The motion was put and passed.

Letter to Mayor - Department of Municipal Affairs Re:
Provincial Land Use Planning and Policy Development

This matter was forwarded to Council without recommendation. Correspondence dated October 28, 1987 from The Honorable David Nantes, Minister of Municipal Affairs, to His Worship Mayor Wallace, was submitted.

Referring to Mr. Nantes' letter, Alderman Cromwell expressed concern that the City of Halifax will have only a limited opportunity for input into the review process pertaining to the Halifax-Dartmouth Regional Development Plan. He added that, in his opinion, indirect representation through regular meetings of MAPC was not sufficient, suggesting that more intensive consultation with the City is required in this matter.

Alderman Leiper, referring in particular to the "travel surveys" noted in Mr. Nantes' letter, concurred with Alderman Cromwell's remarks and suggested that a formal meeting be arranged between the Minister and members of Council.

Addressing the matter, Alderman O'Malley suggested that Aldermen could delineate the areas of their specific concerns and hold a meeting to formulate a collective position for submission to the Province.

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His Worship indicated that such a course of action would no doubt be welcomed by the Province.

MOTIONS

Motion Alderman Richard Grant Re: Amendments to Ordinance No. 147, the Dog Ordinance (FIRST READING)

Notice of Motion with regard to this matter was given by Alderman Richard Grant at a regular meeting of City Council held on Thursday, October 29, 1987.

A private and confidential report, dated October 5, 1987, was submitted from Mr. Donald F. Murphy, Q.C., City Solicitor.

MOVED by Alderman R. Grant, seconded by Alderman Flynn that City Council give First Reading to the amendments to Ordinance 147, the Dog Ordinance (attached as Appendix "A" to the October 5, 1987 staff report), and refer them to the Committee of the Whole Council for consideration and report.

The motion was put and passed.

10:15 p.m. - The meeting adjourned for a brief recess.

10:30 p.m. - The meeting reconvened with the same members being present with the exception of Aldermen Deborah and Richard Grant.

MISCELLANEOUS BUSINESS

Revenue and Expenditure Statement

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

MOVED by Alderman Dewell, seconded by Alderman Walker that the revenue and expenditure statement for the nine months ended September 30, 1987 (as contained in the staff report dated October 28, 1987) be tabled.

Motion passed.

Assessment Appeals - Barrington Place

A private and confidential report, dated November 3, 1987, was submitted from Mr. Donald F. Murphy, Q.C., City Solicitor.

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His Worship indicated that such a course of action would no doubt be welcomed by the Province.

MOTIONS

Motion Alderman Richard Grant Re: Amendments to Ordinance No. 147, the Dog Ordinance (FIRST READING)

Notice of Motion with regard to this matter was given by Alderman Richard Grant at a regular meeting of City Council held on Thursday, October 29, 1987.

A private and confidential report, dated October 5, 1987, was submitted from Mr. Donald F. Murphy, Q.C., City Solicitor.

MOVED by Alderman R. Grant, seconded by Alderman Flynn that City Council give First Reading to the amendments to Ordinance 147, the Dog Ordinance (attached as Appendix "A" to the October 5, 1987 staff report), and refer them to the Committee of the Whole Council for consideration and report.

The motion was put and passed.

10:15 p.m. - The meeting adjourned for a brief recess.

10:30 p.m. - The meeting reconvened with the same members being present with the exception of Aldermen Deborah and Richard Grant.

MISCELLANEOUS BUSINESS

Revenue and Expenditure Statement

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

MOVED by Alderman Dewell, seconded by Alderman Walker that the revenue and expenditure statement for the nine months ended September 30, 1987 (as contained in the staff report dated October 28, 1987) be tabled.

Motion passed.

Assessment Appeals - Barrington Place

A private and confidential report, dated November 3, 1987, was submitted from Mr. Donald F. Murphy, Q.C., City Solicitor.

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MOVED by Alderman Cromwell, seconded by Alderman Walker that City Council approve the establishment of the assessments for the property situated at 1895-97 Barrington Street at the level of \$9,664,100 for the years 1981 to 1983, and at \$11,161,200 for the years 1984 and 1985; and direct the City Solicitor to make representations to the appropriate appellate authorities to carry out this settlement.

The motion was put and passed.

Alderman Flynn observed that by its approval of the above motion, the City will incur a double loss: the property owner in question will supposedly have to be reimbursed in part for his taxes previously paid to the City (which were based on the original -- and higher -- assessment) during those years; in addition, it is questionable whether the Province will make an adjustment to its transfer payments to reflect this reduction in the City's total assessment.

The City Solicitor concurred in part with Alderman Flynn's remarks, but noted that he would prefer to submit a subsequent report on the possibility that the Province will make an adjustment to the City's transfer payments as a result of this evening's deliberations. He emphasized that the City has been placed in a difficult position over the last several years primarily because the matter presently before Council does not represent an isolated incident. He indicated, however, that a staff report will be forthcoming which will contain recommendations for alleviating these problems in part.

A discussion ensued with Alderman O'Malley requesting a more definitive explanation as to the costs to the City incurred by the approval of the foregoing motion, particularly in terms of losses in taxation and in Provincial grants. He added that he would appreciate receiving this information prior to the next regular meeting of City Council.

On another matter, Alderman O'Malley advised that assessors are misleading the public by identifying themselves as "City of Halifax assessors," implying that they are in the employ of the City of Halifax. Emphasizing the problems posed by such misinformation, the Alderman requested that a letter be sent to the Provincial Assessment Office bringing this matter to their attention and asking that assessors correctly identify themselves as Provincial employees.

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QUESTIONS

Question Alderman Leiper Re: No Smoking Signs in Council Chamber

Alderman Leiper asked that the "No Smoking" signs (requesting members of the public to adhere to the provisions of Ordinance 172 and refrain from smoking) be replaced in the Council Chamber.

Question Alderman Leiper Re: Meeting with MLA's

Alderman Leiper noted that it has now been approximately 19 months since members of Council last met with the MLA's for Halifax, and asked whether any progress had been made in arranging another meeting.

Alderman Flynn advised that he had been attempting to get in touch with the Speaker for the House ever since the matter was first raised at the October 29 meeting of City Council, and would follow the matter up later in the week.

Question Alderman Leiper Re: Commonwealth Games

Alderman Leiper requested that two letters be sent on behalf of Halifax City Council: the first to Mr. Peter Green, Chairman of the Commonwealth Games Committee, expressing Council's gratitude for all the work that was done on behalf of the City in attempting to bring the Commonwealth Games to Halifax; the other to the City of Victoria wishing them every success with their bid to bring the Games to Canada.

Members of Council indicated their support for Alderman Leiper's request.

Question Alderman Meagher Re: Relocation of Federal Government Offices from Halifax to Dartmouth

Alderman Meagher noted that a Halifax Member of Parliament has been recently quoted as saying that approximately 25 percent of all government offices will be moved from Halifax to Dartmouth. The Alderman expressed his deep concern regarding this matter, emphasizing that recent decisions of this nature appear to indicate that Dartmouth is receiving assistance not only with regard to its industrial park but also in terms of filling up its office towers, while very little help of that nature is being directed toward the City of Halifax.

His Worship Mayor Wallace advised that the MP in question had indicated his willingness to discuss the matter with members of Council, and on that basis was subsequently requested to arrange such a meeting with the Minister.

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Question Alderman Dewell Re: Request for Crossing Guards

Alderman Dewell made reference to a petition he had submitted during the October 29 meeting of City Council with regard to a request for a crossing guard at the intersection of Oxford and North Streets. He noted that, as an alternative, a suggestion had been made that no right turns be permitted at this intersection during certain hours of the day.

Alderman Dewell also indicated that at that same meeting Alderman Meagher had expressed concern with regard to the safety of school children crossing at Windsor and Summit Streets, emphasizing that a staff report with regard to these matters has not yet been received.

Question Alderman Dewell Re: Meter Policies -
Halifax Water Commission

Alderman Dewell referred to a letter recently received from one of his constituents expressing concern that, although her water meter is located on the exterior of her premises, she regularly receives what is referred to as an "estimated" water bill. The Alderman noted that it had been his opinion that such estimates were forwarded only when Commission employees could not gain access to the meter itself, and asked that information on this matter be obtained.

Question Alderman Dewell Re: Regulations - Repackaging of Meat

Alderman Dewell made reference to a matter recently raised by one of his constituents who had discovered that it is common practice (at least at one local supermarket) to unwrap meat at the end of daily store hours and repackage it for sale the following day. The Alderman advised that the lady in question had checked with the Department of Health and had learned that no regulations exist at the present time with regard to the packaging or repackaging of edibles such as meat.

Under the circumstances, Alderman Dewell requested that the Department of Health be contacted to ascertain whether, in their opinion, this constitutes a legitimate concern and if so, that the appropriate draft legislation be brought back for Council's consideration.

Question Alderman O'Malley Re: Status - Leaf Clearing Program

Responding to a question from Alderman O'Malley, Mr. Peter S. Connell, Director of Engineering and Works, advised that there are presently eight City crews engaged in removing leaves primarily from the most heavily treed areas of the City (i.e., the North and South Ends of Peninsula Halifax). Mr. Connell added

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that another two to three weeks is estimated as being necessary to complete this program, emphasizing that the onslaught of winter weather may delay this process somewhat.

Question Alderman Meagher Re: Crossing Guards

Alderman Meagher referred to concerns previously expressed by the Home and School Association at the Sir Charles Tupper School (as well as other parents with children who cross Quinpool Road frequently) regarding the hazards posed by the heavy traffic volumes on that street.

The Alderman advised that he has written a letter to the Deputy Chief of Police asking that consideration be given to the placement of additional crossing guards on Quinpool Road intersections and that, in addition, some thought be given to reducing the traffic speeds on that street.

Alderman Meagher indicated that he would like to have a report on this matter prior to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, November 18.

NOTICES OF MOTION

Notice of Motion Alderman Leiper Re: Amendments to Ordinance 172, the Smoking Ordinance

Alderman Moira Leiper gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Thursday, November 26, 1987, she intends to propose First Reading of amendments to Ordinance 172, the Smoking Ordinance, the effect of which will require certain restaurants in the City of Halifax to provide non-smoking sections for their patrons.

ADDED ITEMS

Report to City Council: Activities of Coalition Re: Acquiring Work for Halifax Shipyards (Alderman O'Malley)

This matter was added to the agenda at the request of Alderman O'Malley who noted that he and His Worship the Mayor had been part of the Coalition who had travelled to Ottawa in an attempt to secure work for the Halifax Shipyards. In this regard, the Alderman made the following report:

Alderman O'Malley advised that as a direct result of the consultation with the Honorable Michel Cote, Minister of Supply and Services, two projects (the ferry "Holiday Island" and "Vacation Land") had been directed to the Halifax shipyards and

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has now been completed. In addition, work on the submarine "HMCS Onedaga" will be assigned to the Dartmouth marine slips in the very near future with bids being submitted for work regarding the Canadian Coast Guard Ship "Franklin." Alderman O'Malley further noted that positive steps have been taken to have work on the "Louis St. Laurent" advanced, with a bid being submitted by the local yards on the ship's bow component. He added that he has recently been advised by union representatives that there are now 130 men working in the Halifax shipyards with 125 in the Dartmouth facility.

Alderman O'Malley further advised that the Coalition has negotiated an agreement with the Province of Nova Scotia which will ensure that a number of those individuals laid off from their work at the local shipyards (who are now receiving social assistance) will be enrolled in job retraining programs. In conclusion, the Alderman emphasized that the Coalition will continue to meet in order that the necessary pressure can be applied as needed to the various government agencies.

Neptune Theatre (Alderman Flynn)

This matter was added to the agenda at the request of Alderman Flynn who made reference to a letter recently forwarded to members of Council from the Neptune Theatre with regard to problems they are experiencing in terms of building repairs. The Alderman emphasized that the Federal Government, when approached for financial assistance by the Theatre, has indicated that such assistance will be forthcoming only if municipal support is also provided.

On that basis, it was moved by Alderman Flynn, seconded by Alderman Leiper that the request from Neptune Theatre (regarding funding from the City of Halifax pertaining to building repairs) be referred to the City's Tax and Grants Committee for review and recommendation to Council.

In making this motion, Alderman Flynn noted that staff had also been requested to make recommendation on this matter, and asked that the staff report be made available as quickly as possible to the Tax and Grants Committee for its reference.

The motion was put and passed.

Removal of Freight Subsidy (Alderman Flynn)

This matter was added to the agenda at the request of Alderman Flynn who referred to a recent newspaper editorial concerning the possibility that the Federal Government intends to remove the freight subsidies on grain and wheat shipments moving

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through the Port of Halifax. While noting that the Halifax-Dartmouth Port Commission has already made representation on this matter, the Alderman suggested that additional credibility could be gained through Council adopting an official stance on the matter.

It was therefore moved by Alderman Flynn, seconded by Alderman O'Malley that a letter be sent by His Worship the Mayor on behalf of Halifax City Council to the Minister of Transport objecting to the Federal Government's proposal to remove the current grain and wheat subsidies, and emphasizing the adverse effects such action would have on the shipments coming in and out of the Port of Halifax.

On a related matter, Alderman O'Malley made reference to a letter received by His Worship the Mayor from the Minister of Transport in response to previous correspondence on the subsidy issue. The Alderman noted that the Minister appears to indicate that, in his opinion, Halifax City Council does not understand the background and implications of the \$3.00 subsidy. Alderman O'Malley recommended that a letter be forwarded by Mayor Wallace, refuting the Minister's comments and emphasizing that Council continues in its view that the current subsidy represents a "penalty" to the Port of Halifax.

The motion was put and passed.

Bell Welding (Alderman Cromwell)

This matter was added to the agenda at the request of Alderman Cromwell who brought to Council's attention the situation which has developed between Bell Welding (a company who had been hired by the City of Halifax to scrape and paint certain of its fences) and a female pedestrian. In his remarks, the Alderman advised that because the company in question had failed to take the necessary precautions (even though warned on two previous occasions), a lady's clothing and eye glasses had been damaged by paint being sprayed in the vicinity of an adjacent sidewalk.

Alderman Cromwell emphasized that while Bell had initially agreed to take responsibility for replacing the lady's belongings, the situation has now continued for over nine weeks with no reimbursement being forthcoming for the damages incurred.

In view of Bell's behavior in this matter, Alderman Cromwell strongly recommended that any future bids from this company be rejected, emphasizing that, in his opinion, the City cannot afford to enter into agreements with companies who do not conduct their businesses in the best interests of the City of Halifax. In addition, the Alderman requested that staff be directed to investigate this matter to ensure that restitution is made to the lady in question within the next 18 hours.

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There being no further business to be discussion, the meeting was adjourned at 11:25 p.m.

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

mmd/*K

HEADLINES FOR CITY COUNCIL MINUTES
of 11/12/87

MINUTES

APPROVAL OF ORDER OF BUSINESS

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Heritage Hearing Re: 1333-35 Barrington Street

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Closure of Portion of Briarwood Crescent

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PUBLIC HEARINGS, HEARINGS, ETC

Case No. 5479 - Appeal of Minor Variance Refusal:
2019 Bauer Street

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PETITIONS AND DELEGATIONS

Petition - Alderman Leiper Re: Lot D-1-A,
Madford Highway

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Petition - Alderman Flynn Re: Dickson Avenue Rezoning

REPORT - FINANCE AND EXEC COMM

Report - Task Force on Ageing Population: Coordinated
Home Care Program

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Encroachment License - 1588 Argyle Street

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Mainland North Branch Library

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Commission on City Government

Petition Alderman Downey Re: Increase in
Social Assistance Rates

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Encroachment License - 6190 Lawrence Street

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Returning Officer

No Smoking Ordinance - No Smoking Sections in
Restaurants

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Report - City Hall Renovations Committee

Provincial-City Cost-Sharing Agreement No. 39

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Encroachment License - 1654 Barrington Street

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Special Events Committee

City Auditor General Search - Requirements

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Co-Operative Education Work Experience Program -
City of Halifax Participation
Halifax Commons

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REPORT - COMMITTEE ON WORKS

West Armdale Residents Association - Stanley Park

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City Fire Alarm

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Pollution - MacIntosh Run

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REP.- COMM. OF WHOLE COUNCIL

Amendment - Administrative Order No. 10, Finance Dept. and
City Treasurer Admin. Order - FIRST READING

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REPORT - CITY PLANNING COMM.

Letter to Mayor - Dept. of Municipal Affairs Re:
Provincial Land Use Planning and Policy Development
Case No. 5452 - Contract Development/Development Agreement:
The Henry House, 1222 Barrington Street
Case No. 5340 - Development Agreement: 6331 and
6335-37 Pepperell Street
Case No. 4114 - Parcel D-1-A, Bedford Highway

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Union Street Rezoning

.... ~~727~~ 734

Case No. 5289 - Proposed Subdivision:
1060 Ridgewood Drive
Proposed Amendment to the LUB (Peninsula Area) Re:
Multiple-Building Development in R-2 Zones

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MOTIONIONS

Motion Alderman Richard Grant Re: Amendments to Ordinance
147, the Dog Ordinance (FIRST READING)

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MISCELLANEOUS BUSINESS

Revenue and Expenditure Statement

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Assessment Appeals - Barrington Place

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HEADLINES FOR CITY COUNCIL MINUTES
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QUESTIONS

- Question Alderman Leiper Re: Commonwealth Games ~~731~~ 739
- Question Alderman Meagher Re: Relocation of Federal
Govt. Offices from Halifax to Dartmouth ~~731~~ 738
- Question Alderman Leiper Re: No Smoking Signs in
Council Chamber ~~731~~ 138
- Question Alderman Leiper Re: Meeting with MLA's ~~731~~ 738
- Question Alderman Dewell Re: Request for Crossing Guards ~~732~~ 739
- Question Alderman O'Malley Re: Status -
Leaf-Clearing Program ~~732~~ 739
- Question Alderman Dewell Re: Meter Policies
- Halifax Water Commission ~~732~~ 739
- Question Alderman Dewell Re: Regulations
- Repackaging of Meat ~~732~~ 739
- Question Alderman Meagher Re: Crossing Guards ~~733~~ 739

NOTICE OF MOTIONS

- Notice of Motion Alderman Leiper Re: Amendments to
Ordinance 172, the Smoking Ordinance ~~733~~ 740

ADDED ITEMS

- Report to City Council: Activities of Coalition Re:
Halifax Shipyards (Alderman O'Malley) ~~733~~ 740
- Removal of Freight Subsidy (Alderman Flynn) ~~734~~ 741
- Neptune Theatre (Alderman Flynn) ~~734~~ 741
- Bell Welding (Alderman Cromwell) ~~735~~
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**CITY COUNCIL
M I N U T E S**

Council Chamber
City Hall
Halifax, Nova Scotia
November 26, 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, O'Malley, Dewell, R. Grant, Walker, Leiper, Flynn, and Hamshaw.

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

MINUTES

Minutes of the regular meeting of Halifax City Council held on Thursday, November 12, 1987 were approved on a motion by Alderman Hamshaw, seconded by Alderman Flynn.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Revenue and Expenditure Statement
- 20.2 Impact of Assessment Changes

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

- 20.3 128 Old Sambro Road

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

Motion passed.

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Presentation: Retirement Scroll - Captain Harold Young,
Halifax Fire Department

His Worship Mayor Wallace presented a retirement scroll to Captain Harold Young, a 35-year veteran of the Halifax Fire Department.

In making the presentation, Mayor Wallace acknowledged the contribution made by Captain Young throughout his career, not only through his service with the Fire Department, but as a result of his work with the Muscular Dystrophy Association of Nova Scotia and the Boy Scouts. He therefore emphasized that grateful appreciation was being extended to Captain Young, not only by members of Council, but also on behalf of the residents of the City of Halifax.

Alderman Richard Grant presented Mrs. Young with a corsage in honor of the occasion.

Presentation: Swearing-In Ceremony: Police Recruits,
Halifax Police Department

On behalf of Halifax City Council, His Worship Mayor Wallace extended congratulations to the following nine police recruits recently graduated from Holland College:

Roger Wayne Booker	Donald Ward Stienburg
Mark Alan Galloway	James Harteny Wasson
Robert Ian MacKay	Ross George Webb
Daniel Michael Roache	Todd Williams
Kevin Peter Smith	

Following the administration of the Oath of Office by Sergeant Gerald D. Zinck, the Constables were congratulated by Chief Blair Jackson and by members of City Council.

DEFERRED ITEMS

Heritage Hearing Re: 1333/35 Barrington Street,
T. N. Jeffery House

This matter was deferred from the last regular meeting of Halifax City Council held on November 12, 1987.

A staff report, dated November 26, 1987, was submitted.

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MOVED by Alderman Downey, seconded by Alderman Deborah Grant that a decision on the recommendation to register the property at 1333/35 Barrington Street in the Halifax Registry of Heritage Properties be deferred until January 28, 1988 unless a reply is sooner received from the owner.

Motion passed.

Appointment of Deputy Mayor

This matter had been deferred from a regular meeting of Halifax City Council held on October 29, 1987.

MOVED by Alderman Dewell, seconded by Alderman Meagher that Alderman J. Albert Walker be appointed to serve as Deputy Mayor for the forthcoming year.

The motion was put and passed.

Deputy Mayor Walker, in expressing his appreciation to his fellow members of Council, commented that during his political career as an Alderman he has tried to return to the City something of what he feels Halifax has given to him. He emphasized that his appointment as Deputy Mayor marks what he called "the greatest honor" of his life.

His Worship Mayor Wallace welcomed the new Deputy Mayor and, in so doing, expressed his appreciation to former Deputy Mayor Tom Jeffrey for his assistance and support over the past 12-month period.

Alderman Jeffrey indicated that it had been a real privilege to serve Council and the City of Halifax as Deputy Mayor and extended his congratulations to Deputy Mayor Walker on his appointment.

PUBLIC HEARINGS, HEARINGS, ETC.

Case No. 5472 - Appeal of Minor Variance Refusal:
6168 Duncan Street

A staff report, dated November 3, 1987, was submitted.

Mr. Boyd Algee, Development Officer, with the aid of maps and diagrams, gave a brief overview pertaining to his refusal of Mr. Murray DeWolfe's application for a minor variance at 6168 Duncan Street.

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In his remarks, Mr. Algee emphasized that, in conjunction with the provisions of the Nova Scotia Planning Act regarding the approval of minor variances, it was his opinion that the deficiencies evidenced by Mr. DeWolfe's property were not minor in character nor were they unique to the area. He added that while Mr. DeWolfe maintains that he purchased the property in question in 1968 as a dual-unit building, there are no City records to indicate that permits have ever been issued permitting anything but a single-family dwelling at this address.

Speaking on the applicant's behalf, Alderman Meagher advised that it was his understanding that the continued use of the property at 6168 Duncan Street as a two-unit building (i.e., the subject of the minor variance application) is unopposed by neighboring residents.

Under those circumstances, it was moved by Alderman Meagher, seconded by Alderman Cromwell that the decision of the Development Officer be overturned and the appeal for a minor variance be granted.

Motion carried.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, November 18, 1987 as follows:

Encroachment License - 1581 Barrington Street

MOVED by Alderman Downey, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Mr. Mike Crosby be granted an Encroachment License for the purpose of erecting a canopy at Civic No. 1581 Barrington Street.

The motion was put and passed.

Responding to a question from Alderman Cromwell, the City Solicitor advised that the conditions surrounding the majority of applications for an encroachment license are currently being analyzed by staff, adding that a report will be forthcoming very shortly.

Right-of-Way Maintenance Agreement - Richmond Family Court

This matter had been forwarded to Council without recommendation owing to Alderman O'Malley's absence from the November 18 meeting of the Finance and Executive Committee.

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MOVED by Alderman O'Malley, seconded by Alderman Jeffrey
that the Mayor and the City Clerk be authorized to:

- 1) execute right-of-way agreements with the Minister of Housing of the Province of Nova Scotia for the southeastern portion of Lot N-2, Dartmouth Avenue, and the northwestern portion of Lot N-2, Devonshire Avenue, substantially in the form attached to the staff report dated November 6, 1987 as Schedules "B" and "C;"
- 2) execute a maintenance agreement with the Halifax Housing Authority covering the driveways and drainage systems on the southeastern portion of Lot N-2, Dartmouth Avenue, and the northwestern portion of Lot N-2, Devonshire Avenue, substantially in the form attached to the staff report dated November 6, 1987 as Schedule "D."

The motion was put and passed.

Harbour City Homes - Lease Approvals

MOVED by Alderman Downey, seconded by Alderman O'Malley
that, as recommended by the Finance and Executive Committee, the
Mayor and City Clerk be authorized to execute the leases on behalf
of the City (in the form attached to the staff report dated
November 5, 1987) for the lands required for completion of the
Housing Demonstration Project.

In making this motion, Alderman Downey expressed his very deep appreciation to Ms. Cathy Mellette of the City's Non-Profit Housing Division for her efforts with regard to this project, and requested that a letter of commendation be forwarded to Ms. Mellette on behalf of the Mayor and members of Council on the occasion of her departure to the Halifax Housing Authority.

The motion was put and passed.

Pension Provisions - William Shea

Mr. B. G. Smith, Director of Finance, responded to questions from Alderman Dewell with regard to the potential disbenefits which might accrue to Mr. Shea as a consequence of the Finance Committee's recommendation.

It was subsequently moved by Alderman Dewell, seconded
by Alderman Hamshaw that, as recommended by the Finance and
Executive Committee, the City of Halifax make an additional
voluntary contribution to the City of Halifax Superannuation Plan,
such that monies presently held in that plan in the name of Mr.

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William Shea will be increased and when taken together with payments made into the Metropolitan Authority Superannuation Plan by Mr. Shea, the two combined amounts will equate to that which would have been held on behalf of Mr. Shea had he remained with the City of Halifax; and further, that on the final day of service with the Metropolitan Authority, Mr. Shea should resign and be rehired by the City of Halifax as an employee for one day only, and arrangements be made for all sums held on his behalf in the Metropolitan Authority Plan to be transferred to the City Plan, with Mr. Shea then receiving a City of Halifax pension.

The motion was put and passed.

Pollution Control Charges - 1988

Following is the recommendation from the November 18 meeting of the Finance and Executive Committee:

That this matter be referred back to staff for a further review, and that staff come forward to Council with a more appropriate increase in the area of five percent.

A supplementary information report, dated November 26, 1987, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that the Pollution Control Charge for 1988, as called for under Section 4(2) of Ordinance Number 156, be set at 55.64 cents per one thousand (1000) gallons of water consumed (representing a five percent increase).

The motion was put and passed.

Digital Mapping - Eastcan Contract

MOVED by Alderman Flynn, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Council approve the extension of the conversion of data by Eastcan from April 30, 1988 to September 30, 1988.

The motion was put and passed.

Hakodate Committee

MOVED by Alderman Leiper, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, Council approve the formation of the Halifax/Hakodate

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Committee with the terms of reference and the categorization of membership as contained in the October 15, 1987 report from His Worship Ron Wallace; and further, that future appointees be appointed by Council.

Responding to a question from Alderman O'Malley, Alderman Leiper advised that it is intended that the various City Boards (such as the School Board, Library Board and Industrial Commission) would each be responsible for making their own selection as to their representative on the proposed committee.

Addressing the motion on the floor, Alderman Richard Grant expressed concern that by establishing the group as the "Hakodate" Committee, Council would be restricting the City's opportunities to investigate other equally beneficial twinning arrangements.

An amendment was therefore moved by Alderman Richard Grant, seconded by Alderman O'Malley that the motion be amended by substituting the word "Twinning" for "Halifax/Hakodate."

With reference to the proposed amendment, Alderman Dewell indicated that while he had no objection to a general twinning committee being established by Council at some future date, it was his opinion that a specific "Hakodate" group must be formed to ensure that Halifax lives up to its obligations with regard to the City of Hakodate. He suggested that in the five years since the twinning was formalized, the City of Halifax has done little to promote the project's objectives, adding that the establishment of a specific "Hakodate" Committee would add considerable impetus in this regard.

Alderman O'Malley suggested that by establishing a general twinning committee, as recommended by the amendment to the motion, the City would broaden the scope of the advantages which result from such twinings and could also avoid a certain amount of duplication.

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

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

Proposed Amendment to the Land Use Bylaw (Peninsula Area) Re:
Multiple-Building Development in R-2 Zones

This matter was forwarded to Council without recommendation from the November 18 meeting of the Finance and Executive Committee, with it being suggested that members of

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Council meet privately to discuss the proposed amendment in greater detail.

A private and confidential information report, dated November 26, 1987, was submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that a date be set for a public hearing to consider an amendment to the Land Use Bylaw (Peninsula Area) to delete reference to "R-2" in Section 10(3), as recommended in the staff report of October 15, 1987.

Responding to a question from Alderman Cromwell, the City Solicitor advised that while some of the information the Alderman is seeking can be found in the October 20 staff report, a further report will be prepared in an attempt to clarify the circumstances surrounding this matter (in particular, the reasons why the City is being forced to readvertise).

The motion was put and passed with the City Clerk advising that the requested public hearing would be scheduled for WEDNESDAY, JANUARY 6, 1987 at 7:30 p.m. in the Council Chamber, City Hall. The Clerk was also directed to insert the necessary advertisements as quickly as possible.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, November 18, 1987 as follows:

Appeal: Ordinance Number 180 - Driveway Application,
5759 Inglis Street

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the Committee on Works, the decision of the Director of Engineering and Works be upheld on the basis that the request for a driveway access to the front yard of 5759 Inglis Street is considered to be undesirable as it would result in violations of municipal and provincial legislation.

The motion was put and passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Amendments to Ordinance Number 147 - The Dog Ordinance:
(SECOND READING)

This matter was given First Reading during a regular meeting of Halifax City Council held on November 12, 1987.

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MOVED by Alderman R. Grant, seconded by Alderman Hamshaw that Second Reading be given to the amendments to Ordinance Number 147, the Dog Ordinance attached as Appendix "A" to the October 5, 1987 staff report.

The motion was put and passed.

Report - Halifax Taxi Commission Re: Driver
Education Course - Tuition Fee

A report, dated November 23, 1987, was submitted by the Chairman of the Halifax Taxi Commission, Alderman T. Jeffrey.

MOVED by Alderman Jeffrey, seconded by Alderman Flynn that, as recommended by the Halifax Taxi Commission, an amendment to the City Charter be sought as quickly as possible to enable the City of Halifax to impose a minimum non-refundable tuition fee of \$45.00 for its taxi driver education school. Payment of this amount will entitle the applicant to enrollment in the two evenings of lectures, the initial examination, and one make-up exam.

The motion was put and passed.

Report - Halifax Taxi Commission Re: Exclusive Bus Lanes:
Armdale Rotary and Fairview Overpass

A report, dated November 23, 1987, was submitted by the Chairman of the Halifax Taxi Commission, Alderman T. Jeffrey.

In addressing this matter, Alderman Jeffrey advised that representations had been made to the Halifax Taxi Commission concerning the loss of business suffered by taxi companies operating in the area of the Armdale Rotary as well as the additional costs that must be absorbed by their passengers owing to the detours necessitated by the exclusive bus lane.

The Alderman drew Council's attention to an excerpt from the Minutes of the Taxi Commission's November 17 meeting in which Mr. Derek Mathers, owner of Armdale Spryfield Taxi Limited, indicated that he had observed vehicles other than Metro Transit buses and emergency vehicles being allowed to use the exclusive bus lane. Alderman Jeffrey suggested that this was an act of discrimination against the local taxi industry and MOVED, seconded by Deputy Mayor Walker that the City Traffic Authority be requested to submit a report and recommendation concerning the use by taxis of the exclusive bus lanes at the Armdale Rotary and the Fairview Overpass during peak hours.

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Alderman Richard Grant also indicated it was his understanding that City of Halifax snow removal vehicles have also been prevented from using the exclusive bus lanes at the Armdale Rotary, being rerouted to Quinpool Road even during inclement weather conditions. On that basis, the Alderman requested information from the City Traffic Authority as to whether such City vehicles are required to abide by the same rules as the general motoring public, or whether indeed they can also be allowed to use the exclusive lane, particularly in times of heavy snowfall.

Alderman Leiper asked that the Traffic Authority also be requested to comment on the feasibility of completely eliminating the exclusive bus lane at the Fairview Overpass, noting that this course of action might be instrumental in alleviating some of the Mainland North traffic problems.

The motion was put and passed.

REPORT CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on November 16, 1987, as follows:

Case No. 5376 - Development Agreement: 2093 Creighton Street

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, Case No. 5376 - Development Agreement: 2093 Creighton Street be forwarded to the Planning Advisory Committee for review and recommendation.

Motion passed.

Chebucto Landing/Fisherman's Market Area

Alderman Downey addressed the matter indicating that a number of questions had been put forward at last week's Committee of the Whole Council for which a response has not been received. Alderman Downey indicated that he would be moving the recommendation of the Committee of the Whole this evening; however, he would like a report responding to the questions raised at Committee of the Council, particularly in relation to traffic, to come forward for Council's consideration.

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

- 1) endorse the relocation of the "Chebucto Landing" open space so that it is on the south of the Fisherman's Market, extending

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approximately to the southern boundary fo the former RCMP garage lot (see Map 1 of the staff report, dated November 10, 1987) and authorize negotiations for the acquisition of that lot;

2) endorse the concept of expanding and upgrading the Fisherman's Market operation in its present location (see Map 2, Note A of the November 10 staff report), and authorize negotiations of the terms of a land exchange with the Fisherman's Market Limited and Waterfront Development Corporation to permit it to proceed;

3) endorse the concept of leasing space under the covered pedestrian walkway (see Map 2 and Figure 1 of the November 10 staff report); and authorize staff to refine that concept with Mr. Michel Lindthaler and negotiate the terms of a development and lease agreement subject to Council approval;

4) authorize staff to negotiate a design for the open area between the covered pedestrian way to the Ferry Terminal and Fisherman's Market, in conjunction with (2) and (3) above, that will resolve current conflicts of pedestrian access, vehicle access and congestion in the area.

Alderman Flynn addressed the matter indicating that he had some difficulty with Council taking this action at this time. Alderman Flynn indicated that he felt Council should not give the impression that they were in favour of the proposal as presented by Mr. Green and his associates noting that this would send out a signal to the developers to continue with the planning of the proposal. Alderman Flynn indicated that many of the Aldermen on Council presently were not aware of the history of the waterfront development and suggested that these Aldermen should be given an opportunity to review the history of this particular piece of property.

Alderman Flynn referred to the historic significance of Chebucto Landing and noted that he did not feel that Council could just arbitrarily move the boundaries of Chebucto Landing. Alderman Flynn further noted that he was very happy to see that Mr. Green was showing initiative in relation to the development of the waterfront and Fisherman's Market; however, he suggested that this might be an opportunity for the City to negotiate with Mr. Green for the relocation of Fisherman's Market.

Alderman Flynn then referred to the original proposal for the development of Chebucto Landing and indicated that it was proposed at that time that Chebucto Landing be an open area to be enjoyed by all the residents of Halifax. Alderman Flynn noted that some members of Council have never seen the original overall plan of development proposed for the waterfront and suggested that the original plan should be reviewed by all members of Council. Alderman Flynn indicated that Council should not make any rash decisions in relation to this matter and further indicated that he felt, due to the significance of Chebucto Landing, that Council should seek public input into its development.

In conclusion, Alderman Flynn indicated that there were a number of questions to be answered and MOVED, seconded by Alderman D. Grant that this matter be deferred to the next meeting of the Committee of the Whole Council to be held on December 9, 1987 so that members of Council can see what was originally proposed for the development of Chebucto Landing and how they can proceed with accommodating Mr. Green and Lindthaler's proposal.

Alderman Downey addressed the matter indicating that he was not suggesting that this motion be taken as final approval of this matter. Alderman Downey indicated that he did not believe that Mr. Green would re-locate and noted that the present situation on the site had given rise to a number of complaints. Alderman Downey indicated that it was his understanding that staff would be coming forward with a number of reports before Council gave final approval to this matter. Alderman Downey further noted that the matter could be forwarded to a public meeting prior to Council giving final approval.

The motion to defer was put and passed.

Proposed Amendment to Municipal Planning Strategy and Land Use Bylaw (Peninsula and Mainland Areas) Re: Neighbourhood Commercial Uses

MOVED by Alderman Cromwell, seconded by Alderman Dewell that, as recommended by the City Planning Committee, the Information Report, received from the City Solicitor and dated November 4, 1987, be tabled, and that the matter be deferred pending receipt of a recommendation from the Planning Advisory Committee.

Motion passed.

His Worship Mayor Wallace leaves the meeting and Deputy Mayor A. Walker takes the Chair.

2506 Oxford Street

An information report dated November 23, 1987 was submitted.

Alderman Meagher addressed the matter referring to Council's decision to uphold the decision of the Development Officer in relation to a refusal of a minor variance at this property and noted that presently an addition is being made to the property which is in keeping with the Building Code and the Land Use Bylaw. Alderman Meagher further noted that as a result of complaints regarding the unsightliness of the property, the Building Inspector had visited the site and had ordered the property to be cleaned. Alderman Meagher went on to note that he had visited the property recently and had found it to be in deplorable condition with building materials and rubbish strewn around the property.

Alderman Meagher then referred to the previous minor variance application which had, in fact, involved an illegal addition. Alderman Meagher indicated that he felt that, in light of Council's decision to uphold the decision of refusal, the applicant should have been required to remove the addition and restore the building to its original condition. Alderman Meagher suggested that permitting the applicant to build the present addition contradicted the motion of Council in relation to the previous illegal addition.

Alderman Meagher went on to suggest that Council should, if possible, deny a building permit for the purpose of building a two storey addition at this location. Alderman Meagher requested that the City Solicitor review the matter and indicate to Council the City's position in terms of the present second floor addition.

The City Solicitor addressed the matter indicating that he would review the situation; however, he noted that the report indicates that the present addition is in keeping with the Land Use Bylaw and the Building Code. The City Solicitor indicated that this being the situation, he held very little hope that Council could take action in this regard.

Alderman Meagher addressed the matter requesting that staff ensure that the permit issued in relation to the present addition is enforced including the cleaning and on going appearance of the property and further that legal action be taken in relation to any contravention of the permit.

The City Solicitor indicated that legal action would be taken should it be necessary.

Alderman Meagher indicated that he would like his previously requested report to come forward to the next meeting of the Committee of the Whole Council.

MOTIONS

Motion Alderman M. Leiper re: Amendments to the Smoking Ordinance Number 172 - FIRST READING

Alderman Leiper gave notice of motion of her intention to propose First Reading of amendments to Ordinance 172, the Smoking Ordinance, (the effect of which will require certain restaurants in the City of Halifax to provide non-smoking sections for their patrons), at the City Council meeting held on November 12, 1987. A report from D. F. Murphy, City Solicitor dated October 21, 1987 was submitted.

MOVED by Alderman Leiper, seconded by Alderman Cromwell that Council give First Reading to the amendments to Ordinance Number 172, the Smoking Ordinance, as outlined in Schedule "A" of the report from Mr. D. F. Murphy, City Solicitor dated October 21, 1987. Motion passed.

QUESTIONS

Question Alderman R. Grant re: Computer Advisory Committee

Alderman R. Grant referred to the establishment of the Computer Advisory Committee and asked what has happened to the Committee. Alderman R. Grant indicated that he had forwarded certain names for membership on this committee; however, the Committee membership had not come before Council for ratification. Alderman R. Grant asked if it was intended that the membership of the Committee be dealt with when all other appointments to Committees are made.

Question Alderman Dewell re: Time Limit on Building Permits

Alderman Dewell referred to the Alderman Meagher's earlier comments in relation to the issuance of building permits and asked if there was any city Ordinance which dealt with a time limit on Building Permits and, if so, is it strictly enforced.

The City Solicitor indicated that there was a time limit of one year and suggested that providing staff was made aware of situations where the time limit has expired they would be acted upon. The City Solicitor further indicated that it was likely that action would depend upon the stage of completion and suggested that if work had not been started, the permit would be cancelled.

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The City Manager noted that the time limit referred to the start of construction; however, there was no provision for completion of the project.

Alderman Dewell noted that although he did not wish to place undue hardship on owners doing work to their properties, in many cases building materials and rubble were allowed to collect on properties undergoing renovation creating an unsightly premise. Alderman Dewell requested that the City Solicitor look into the possibility of placing a provision in the appropriate regulations limiting the time for completion of construction.

Alderman Dewell further noted in response to a comment from the City Manager regarding the situation where financing was not available to allow for the completion of renovations, that the question was in effect twofold, the first dealing with the matter of a time limit on completion of construction and the second part dealing with the creation of unsightly premises as a result of construction.

Question Alderman Downey re: Overnight Parking Ban

Alderman Downey referred to an information report he had received in relation to the overnight parking ban and noted that City crews had been busy clearing snow throughout the day. Alderman Downey indicated his appreciation of staff's efforts in the clearing of snow during today's storm.

Question Alderman Downey re: Revitalization of Uniacke Square

Alderman Downey referred to the revitalization of Uniacke Square and indicated that it was his understanding that renovation of the units would begin the first of January. Alderman Downey indicated that he had recently received information that renovations were being postponed to the spring and, in fact, there were no plans developed in relation to the renovation of Uniacke Square. Alderman Downey noted that he believed the City Manager was a member of this Committee and asked if the City Manager could respond with regard to whether or not this information was correct.

The City Manager indicated that he had no information in this regard at this time; however, he would check into the matter and report back to Council.

Question Alderman Cromwell re: Expiration of Citizen Appointments

Alderman Cromwell referred to the citizen appointments on City Boards, Committee and Commissions and indicated that he believed that some of these appointments were expiring. Alderman Cromwell asked if it was intended that Council should hold a meeting in the near future to discuss appointments to the various

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Boards and Committees and that these then be forwarded to Council for ratification. Alderman Cromwell noted that should this not be the case, Council should take some action in relation to extending the citizens appointment as has been done with the Aldermanic appointments.

A short discussion ensued and it was MOVED by Alderman Cromwell, seconded by Alderman Meagher that all citizen appointments whose terms have expired or are due to expire prior to the new year be extended until January 1, 1988.

Motion passed.

Question Alderman Cromwell re: Rules of Order

Alderman Cromwell referred to the report from the Rules of Order Committee which has recently been before Council and asked if this matter, along with concerns regarding the efficiency of the Committee of the Whole, would be coming forward to the next meeting of the Committee of the Whole Council. Alderman Cromwell indicated that it was his understanding that the Rules of Order Committee had planned to meet in the present week and were intending upon discussing the concerns regarding the efficiency of the Committee of the Whole Council.

Question Alderman Meagher re: Sale of Christmas Trees

Alderman Meagher referred to a telephone call he had received from a resident in his area who, for a number of years, had sold Christmas Trees from a vacant lot owned by his mother. Alderman Meagher advised that the Police Department had indicated to the gentleman in question that he would have to obtain a permit costing some \$405.00, as well as, a \$10.00 peddlers fee to sell Christmas Trees in the City. Alderman Meagher asked if this information was correct and requested that the City Manager check into the matter.

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

Question Alderman Meagher re: Limitation - Hours of Construction

Alderman Meagher referred to the recent construction and renovation to the Steak Centre and the Anchor Restaurant and noted that he had received complaints with regard to the early and late hours at which work began and ended. Alderman Meagher indicated that apparently work had begun at 7:00 a.m. and had continued until 11:00 p.m. seven days a week. Alderman Meagher went on to note that an Inspector had visited the site and as a result work on Sunday's had been discontinued. Alderman Meagher asked if there were regulations in the City restricting construction or

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similar type work between certain hours and, if so, are they enforceable.

The City Solicitor indicated that the City does have such regulations and noted that he believed that such work was to be carried out between the hours of 7:00 a.m. and 10:00 p.m. The City Solicitor noted, however, that he believed Sundays would be not be excluded.

Alderman Meagher addressed the matter noting that he understood the problems experienced in relation to the Lord's Day and requested that the City Solicitor look into the matter and report back to Council with some suggestions in relation to legislation restricting construction and similar type work to six days a week and being disallowed on Sundays.

Question Alderman O'Malley re: Cost Sharing Renovation
Home of the Guardian Angel - Spryfield

Alderman O'Malley referred to the matter of cost sharing of the proposed renovations to the Home of the Guardian Angel facility in Spryfield and requested that this matter be placed on the next agenda of the Committee of the Whole Council.

Alderman Meagher indicated that this matter would be discussed by the Tax and Grants Committee at a meeting to be held next week.

Question Alderman Leiper re: Locking of Garbage Containers -
Halifax Housing Authority Properties

Alderman Leiper referred to correspondence received from the Halifax Housing Authority expressing concern with regard to Council's recommendation regarding the locking of garbage containers on Halifax Housing Authority property and noted that she was not aware of any response made to this correspondence. Alderman Leiper asked what action had been taken in relation to this correspondence.

Question Alderman Leiper re: Parking in Grand Parade

Alderman Leiper referred to damage to the Grand Parade over the weekend and indicated that she had become very upset upon viewing this damage. Alderman Leiper indicated that she now wished to join those Aldermen who have expressed concern in the past and requested that staff come forward with a report regarding the possibility of restricting parking in the Grand Parade except on Council and Committee days. Alderman Leiper further requested that staff report with regard to the feasibility of parking being provided off-site.

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Question Alderman D. Grant re: Closure of Public Gardens
during the Winter Months

Alderman D. Grant requested that the Superintendent of Parks and Grounds provide Council with a report regarding the policy relating to closure of the Public Gardens during winter months.

NOTICES OF MOTION

Notice of Motion Alderman A. Flynn re: City Council Resolution
of November 26, 1987 re the Twinning Committee - Agenda
Item 10.7

Alderman Flynn gave Notice of Motion of his intention to introduce a Motion of Reconsideration in relation to the establishment of the Twinning Committee, Agenda Item 10.7 at the next regular meeting of Halifax City Council to be held on December 17, 1987.

Notice of Motion Alderman R. Cromwell re: Amendment to
to Ordinance 37, Respecting the Sale and Use of
Fire Crackers

Alderman Cromwell gave Notice of Motion of his intention to introduce a motion to amend Ordinance 37, Respecting the Sale and Use of Fire Crackers, the purpose of which is to clarify when fireworks can be set off in the City, at the next regular meeting of Halifax City Council to be held on December 17, 1987.

ADDED ITEMS

Statement of Revenue and Expenditure

A staff report dated November 24, 1987 was submitted.

In response to a question from Alderman Flynn, Mr. B. G. Smith, Director of Finance, indicated that staff was projecting a \$300,000 deficit for 1987. Mr. Smith noted that this deficit resulted from assessment reductions resulting in a lost of taxes and Provincial cost sharing on Social Assistance expenditures and the cost of maintaining individuals in Homes for Special Care. Mr. Smith noted that these factors were rapidly pushing the City into a deficit position after nine months of good performance in 1987.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw
that the staff report dated November 24, 1987 containing the
Statement of Revenue and Expenditure for the ten months ended
October 31, 1987 be tabled.

Motion passed.

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Impact of Assessment Changes

A staff report dated November 24, 1987 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Flynn
that Council petition the Minister of Municipal Affairs to:

1. As an interim measure, make a special additional grant to the City equal to Provincial grant losses as a result of their calculation, based on the original and subsequently adjusted assessment;
2. Guarantee the assessment levels provided to the City, such that these can be relied upon by the City for its budget process.
3. Failing #2 above, to hand back the assessing funding to the City of Halifax.

After a discussion, Alderman Cromwell withdrew his motion and MOVED, seconded by Alderman Flynn that Council
petition the Minister of Municipal Affairs to:

1. As an interim measure, make a special additional grant to the City equal to Provincial grant losses as a result of their calculation, based on the original and subsequently adjusted assessment.
2. Guarantee the assessment levels provided to the City, such that these can be relied upon by the City for its budget process.

After a further short discussion the Motion was put and
passed.

128 Old Sambro Road - Alderman R. Grant

Alderman R. Grant addressed the matter referring to the major fire experienced in his Ward on Tuesday and indicated that he would like to offer his thanks and compliments to a great number of people including members of City staff and residents/companies of the City. Alderman R. Grant went on to suggest that as the number of people to be thanked was numerous an advertisement in the local newspaper thanking all those who were of assistance would be appropriate.

Alderman R. Grant went on to offer his personal thanks to Mr. P. Calda, City Manager; Fire Chief Don Swan and all those

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firemen involved in fighting the fire, the Police Department; the Salvation Army; Mr. Jim McGee of the City's Social Planning Department and the Halifax Housing Authority. Alderman R. Grant further thanked the Halifax District School Board for providing a location for the evacuees to be taken to and in particular the students and staff of the Elizabeth Sutherland School. Alderman R. Grant further noted that area residents had been very helpful and supportive and indicated that it was fortunate that there was no loss of life involved.

MOVED by Alderman R. Grant, seconded by Deputy Mayor Walker that, in light of the fact that the groups and individuals involved in aiding the victims of Tuesday's fire are too numerous to mention, that an advertisement be placed in the local newspaper thanking all those who helped in this situation.

Alderman R. Grant went on to note that Tuesday's fire brought to mind the need for a Bylaw Enforcement Officer to carry out follow up building, health and fire inspections. Alderman R. Grant suggested that it was time that Council gave this matter some consideration and noted that Legal had prepared a report in this regard for Council's consideration some time ago. Alderman R. Grant noted that the Building, Health and Fire Inspectors were able to carry out the initial inspections; however, due to a manpower problem, follow-up inspections were becoming increasingly difficult.

Alderman R. Grant went on to note that it has been suggested that conditions at 128 Old Sambro Road contributed to the fire and noted that he had been assured that all aspects would be investigated to uncover the reason for the fire. Alderman R. Grant indicated that he felt it was time that some support was given to the various inspectors and requested that staff come back with a more detailed report on how to implement the suggestions made in the initial staff report regarding this matter.

In closing, Alderman R. Grant, on behalf of the fire victims, voiced appreciation for all the support and help they had received.

Deputy Mayor Walker addressed the matter adding his thanks and compliments to the residents of Spryfield, the corporate bodies who had extended aid, the Red Cross and city staff, particularly the Fire Department.

A further short discussion ensued with Deputy Mayor Walker requesting that staff should look into the possibility of the city, through social assistance, providing funds for property insurance purposes to those persons receiving social assistance.

Alderman R. Grant addressed the matter suggesting that an appropriate alternative to the Deputy Mayor's suggestion would

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Alderman R. Grant addressed the matter suggesting that an appropriate alternative to the Deputy Mayor's suggestion would be the establishment of an Emergency Fund to be used in these instances. Alderman R. Grant went on to suggest that perhaps the Halifax foundation could assume responsibility for such a fund, thereby, making contributions tax deductible.

The motion was put and passed.

10:20 p.m. The meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. WALKER
CHAIRMEN

E. A. Kerr
City Clerk

*K/sh

HEADLINES CONT'D

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HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR A. WALVER
CHAIRMAN

E. A. Kerr
City Clerk

*K/sh

SPECIAL COUNCIL
PUBLIC HEARING
M I N U T E S

* AMENDED PAGE

Council Chamber
City Hall
Halifax, Nova Scotia
December 9, 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; Deputy Mayor Walker; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Jeffrey, Leiper, Flynn, and Hamshaw.

Also Present: Mr. C. Reddy, Development and Planning; Mr. G. Goneau, Acting City Solicitor; Mr. E.A. Kerr, City Clerk; and other members of City Staff.

Case No. 5452 - Contract Development - 1222 Barrington Street
(Henry House)

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

Mr. Chris Reddy, Development and Planning, outlined the application for a contract to permit the internal conversion of the former Henry House Restaurant and Little Stone Jug Lounge at 1222 Barrington Street to a beverage room and accessory brewery. He indicated that staff are recommending approval of the application as presented in the staff report dated October 26, 1987, and addressed questions from members of Council.

Mr. Kevin Keefe, President, * Granite Properties Limited, addressed Council. In response to a question from Council, Mr. Keefe advised that they have the following licenses: National Revenue Excise Department, a Brewery License; Nova Scotia Liquor Commission, a Brewer's Permit; and from the Nova Scotia Liquor License Board, a Tavern License. He went on to advise that they are proposing to move all the existing licenses to 1222 Barrington Street from Ginger's.

In response to a concern respecting entertainment, Mr. Keefe indicated that they are not going to have any entertainment. He went on to advise that the main attraction of the property will be that they brew their own beer there. He advised that

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
December 9, 1987
5:00 p.m.

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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; Deputy Mayor Walker; and Aldermen D. Grant, Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Jeffrey, Leiper, Flynn, and Hamshaw.

Also Present: Mr. C. Reddy, Development and Planning; Mr. G. Goneau, Acting City Solicitor; Mr. E.A. Kerr, City Clerk; and other members of City Staff.

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Mr. Kevin Keefe, President, Grand Brewery Limited, addressed Council. In response to a question from Council, Mr. Keefe advised that they have the following licenses: National Revenue Excise Department, a Brewery License; Nova Scotia Liquor Commission, a Brewer's Permit; and from the Nova Scotia Liquor License Board, a Tavern License. He went on to advise that they are proposing to move all the existing licenses to 1222 Barrington Street from Ginger's.

In response to a concern respecting entertainment, Mr. Keefe indicated that they are not going to have any entertainment. He went on to advise that the main attraction of the property will be that they brew their own beer there. He advised that

they have been brewing beer for about three years noting that they are the only brew pub in Atlantic Canada.

With respect to smell and noise, Mr. Keefe explained that there will only be one hour once a week when there will be any smell coming out of the building. Mr. Keefe indicated that comments have been made with respect to the pleasant smell of the beer boiling.

Mr. Keefe went on to advise that they purchased this property mainly for its heritage nature. He noted that the brewery they operate is a traditional style brewery with traditional style beer which will fit, in his opinion, with the whole purpose of the Heritage Property Act.

In response to a question from Deputy Mayor Walker, Mr. Keefe advised that there are approximately 11 paved parking spaces behind the Henry House. He further responded to a question respecting the use of Ginger's, suggesting that if someone wanted to operate Ginger's as a tavern, they would have to apply for a license.

Commodore McMillin, Chairman, Heritage Advisory Committee, addressed Council indicating that the Heritage Advisory Committee has no objection to the application as outlined in the report he submitted to Council dated November 25, 1987. Commodore McMillin pointed out that the Committee is recommending that Council consider an agreement with the property owner in accordance with the provisions of the Heritage Property Act (Section 18).

Mrs. Marie Smith addressed Council on behalf of the owner and 11 residents of 1230 Barrington Street. She expressed the concern that Halifax is being turned into a mini New York and also expressed concern with respect to the "horrendous" traffic situation on Barrington Street particularly when there is a function at the Hotel Nova Scotian. Mrs. Smith read the letter from her landlord, Mr. Charles H. Harris, dated December 8, 1987, which was submitted earlier and circulated to members of Council (a copy of which is in the official file of this meeting).

Mrs. Smith also read and submitted a short note from one of the tenants, Mr. Blaine H. d'Entremont, in opposition to the application (a copy of which is in the official file of this meeting).

Mr. Mike Barns residing at 1230 Barrington Street addressed Council. Mr. Barns indicated that his main concern respects noise levels noting that he thought that there was going to be entertainment in the establishment. Mr. Barns inquired if

there was any possibility of the license being changed in the future to a cabaret license.

Mr. Keefe suggested that it was unlikely that the license would be changed explaining that the Henry House is very small. With respect to parking, Mr. Keefe indicated that he was unaware of the concern about traffic and, therefore, advised that he would be willing to put up a fence along the property line.

In conclusion, Mr. Barns expressed concern with regard to the beverage room creating even more noise than the Henry House and Little Stone Jug created.

Mr. J. Smith, 1230 Barrington Street, addressed Council in opposition to the application. He expressed concern with respect to the traffic and noise that is already generated from the establishment. Mr. Smith also referred to incidents of persons loitering in the doorway of his premises in the morning hours.

There were no further persons present wishing to address Council.

MOVED by Alderman D. Grant, seconded by Alderman Dewell
that this item be forwarded to Council without recommendation.

Motion passed.

ADDED ITEMS

The City Clerk advised of the following items which were referred to this meeting from the Committee of the Whole held earlier this date:

1. Development Agreement - 2093 Creighton Street - Planning Advisory Committee Report.
2. Case No. 5484 - Development Agreement - 1546 Barrington Street.

Development Agreement - 2093 Creighton Street - Planning Advisory
Committee Report

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

MOVED by Alderman Flynn, seconded by Alderman Leiper
that, as recommended by the City Planning Committee, a public
hearing be scheduled to consider an application for a development

agreement to permit a four unit apartment building at 2093 Creighton Street, currently zoned C-2, under Schedule "C".

Motion passed.

The City Clerk advised that the date for the public hearing was set as Wednesday, January 6, 1988 at City Hall, Council Chambers, beginning at 7:30 p.m.

Case No. 5484 - Development Agreement - 1546 Barrington Street

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

MOVED by Alderman Flynn, seconded by Alderman Leiper that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an application for a development agreement to permit construction of a five storey addition to an existing registered heritage building at 1546 Barrington Street.

Motion passed.

The City Clerk advised that the date for the public hearing was set as Wednesday, January 6, 1988 at City Hall, Council Chambers, beginning at 7:30 p.m.

HEADLINES

Public Hearing - Case No. 5452 - Contract Development 1222 Barrington Street (Henry Street)	770
Development Agreement - 2093 Creighton Street - Planning Advisory Committee Report	772
Case No. 5484 - Development Agreement - 1546 Barrington Street	773

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

/mmd

CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
December 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, members of Council joined the City Clerk in the recitation of the Lord's Prayer.

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

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

MINUTES

Minutes of the regular meeting of City Council held on November 26, 1987 and a Special meeting of City Council held on December 9, 1987 were approved on a motion by Alderman Cromwell, seconded by Alderman Downey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Administrative Order #16 - Private Sewers Blocked by Roots of City Trees
- 20.2 Report - Tax Concessions and Grants Committee
- 20.3 Non-Union Salaries

Receipt of Report - Public Hearing Procedure Committee

A report from Judge T. H. Coffin, Chairman, Committee on the Public Hearing Process dated December 15, 1987 was submitted.

Judge Coffin addressed Council indicating that all members of the Committee hoped that the submitted document would be of assistance to Council. Judge Coffin went on to thank the members of the Committee for their enthusiasm in bringing forward this report and noted that the combined expertise of the Committee was quite substantial. Judge Coffin thanked all the members of the Committee for the fine work they had done toward the

submission of this report. Judge Coffin then formally presented the submitted report to Council.

His Worship addressed the matter congratulating and thanking Judge Coffin and his Committee and indicating that he believed the report would be of great assistance to Council.

Alderman O'Malley addressed the matter adding his congratulations and thanks to that of the Mayor's and noting that he felt the submitted report was an exceptional document and would be of great assistance to Council upon its approval. Alderman O'Malley went on to suggest that the document might even form Province wide guidelines for the Public Hearing Process.

DEFERRED ITEMS

Case No. 5452 - Contract Development - 1222 Barrington
Street (Henry House)

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

Alderman D. Grant addressed the matter indicating that she was proposing to put forward a motion to approve this matter. Alderman D. Grant went on to note that she was aware of concerns expressed by area residents regarding the establishment of a beverage room in their neighbourhood. Alderman D. Grant further indicated that the applicant had discussed his proposal with the area residents, as well as, the owner of the neighbouring property. Alderman D. Grant advised that the applicant had, by contract, agreed to having only 50 seats on each of the floors and that there would be no live entertainment. Alderman D. Grant further advised that under Nova Scotia Liquor Licensing Laws the establishment would be required to close by 12:30 a.m.

Alderman D. Grant went on to note that one of the reasons for allowing different uses in heritage buildings was to encourage the owners to maintain the properties. In closing, Alderman D. Grant noted that, in light of the contractual agreement and the cooperation of the applicant, she supported the beverage room use in this property.

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

1. Pursuant to Section 16AA(d) of the Land Use Bylaw, Peninsula Area, City Council approve the conversion of the property known as the Henry House located at 1222 Barrington Street to a beverage room and accessory brewery; and
2. The contract shall be signed within 120 days or any extension thereof by Council on request of the applicant from

the date of final approval by Halifax City Council and any other bodies as necessary; whichever approval is later, including any applicable appeal periods, otherwise, this contract approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

MOTIONS OF RECONSIDERATION

Motion of Reconsideration - Alderman A. Flynn - City Council
Resolution of November 26, 1987 re: Establishment of
the Twinning Committee

Alderman Flynn gave Notice of Motion of his intention to introduce a Motion of Reconsideration in relation to the establishment of the Twinning Committee at the City Council meeting held on November 26, 1987.

A report dated December 17, 1987 from Mr. Louis W. Collins, Halifax Civic Historian, was submitted.

Alderman Flynn addressed the matter noting that he had made his Notice of Motion to reconsider based on the history of the twinning procedure in the City of Halifax. Alderman Flynn then referred to the report submitted by Mr. Collins noting that he was somewhat surprised with the number of relationships the City has enjoyed over the years. Alderman Flynn went on to note, however, that the relationships entered into by the City in the past have not been encouraged. Alderman Flynn noted that the relationship between Halifax and Hakodate has been ongoing over the past number of years and there has been a tremendous amount of interest on the part of Hakodate in continuing and enhancing this relationship.

Alderman Flynn then referred to the technological expertise to be found in Japan and noted that countries all over the world were very interested in establishing good relations with Japan. Alderman Flynn suggested that encouragement of the twinning arrangement with Hakodate would give Halifax an edge in this regard. Alderman Flynn went on to note that, this being the case, he felt it was necessary to identify the committee as the Halifax/Hakodate Committee rather than merely a Twinning Committee. Alderman Flynn went on to note that he felt that the identification of this committee as the Halifax/Hakodate Committee would give those persons dealing with Hakodate more credibility. Alderman Flynn, in referring to the submitted report, indicated that he had no difficulty with another committee being established to review and research other twinning possibilities.

MOVED by Alderman Flynn, seconded by Alderman Leiper that Council reconsider its decision of November 26, 1987 regarding the establishment of a Twinning Committee.

The motion to reconsider was put and passed.

MOVED by Alderman Flynn, seconded by Alderman Leiper that Council approve the formation of the Halifax/Hakodate Committee with the terms of reference and the categorization of membership as contained in the October 15, 1987 report from His Worship Ron Wallace and further that future appointees be appointed by Council.

Alderman O'Malley addressed the matter referring to Alderman R. Grant's interest in this matter and noting his absence due to an illness in his family and MOVED, seconded by Alderman Jeffrey that this matter be deferred to the next meeting of the Committee of the Whole Council to provide an opportunity for an open and full debate with regard to the matter.

The motion to defer was put and lost.

Alderman D. Grant addressed the matter indicating that she would be supporting the establishment of the Halifax/Hakodate Committee; however, she felt that the recommendation contained within the submitted report that a Municipal Relations Committee be established, should be considered by Council. Alderman D. Grant requested that staff review this recommendation and prepare a report for Council's consideration in this regard.

A further discussion ensued with Alderman O'Malley indicating that although he would support the motion to establish a Halifax/Hakodate Committee, he was somewhat concerned that there would be a proliferation of Committees established to deal with twinning situations. Alderman O'Malley went on to suggest that such a proliferation would be counterproductive and that the City would be best served by a single Committee to co-ordinate all such situations.

His Worship indicated that some municipalities are involved in friendship agreements rather than a formal twinning and suggested that reference to that procedure should be included in the requested staff report.

The motion was put and passed.

Case No. 5328 - Appeal of Minor Variance Refusal - 2107 Oxford Street

A staff report dated December 15, 1987 was submitted.

Alderman Meagher addressed the matter indicating that there had been a great deal of confusion in relation to this minor variance. Alderman Meagher noted that the confusion related to whether or not the variance complies with the Detailed Area Plan, the size of the lot and the extent of the variance.

MOVED by Alderman Meagher, seconded by Alderman Jeffrey that, in light of the confusion relating to this minor variance, this matter be deferred to the Planning Advisory Committee for a review and report and further that this matter be brought back to Council in early January.

The motion to defer was put and passed.

Case No. 5464 - Appeal of Minor Variance Refusal - 120 Central Avenue

A staff report dated November 19, 1987 was submitted.

Mr. B. Algee, Development Officer, addressed Council and with the aid of maps and sketches outlined the application for a minor variance of the west side yard requirement at 120 Central Avenue. Mr. Algee indicated that the minor variance had been requested to allow a 4' x 10' one-storey addition to project 2 feet into the required side yard of 8 feet.

Mr. Algee further indicated that although staff is of the opinion that the variance is minor, the difficulty being experienced is general to the area. Mr. Algee noted, therefore that although the variance meets the requirements of 79(3)(a) of the Planning Act it does not meet the subsequent section, 79(3)(b). Mr. Algee indicated that based upon the non-compliance with Section 79(3)(b) of the Planning Act, the variance had been refused. Mr. Algee further indicated that, given the circumstances within this area of the City, should Council desire to grant this variance, the proper course of action would be an amendment to the Land Use Bylaw rather than the granting of individual variances.

In response to a question from Alderman Jeffrey, Mr. Algee indicated that no objections had been received in relation to this minor variance.

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Walker that the appeal in relation to the minor variance refusal at 120 Central Avenue be granted and the decision of the Development Officer be overturned.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

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

Approval to Overspend - City Auditor General

MOVED by Alderman Cromwell, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Council approve the recommendation as contained in the December 1, 1987 confidential report from Mr. M. K. Sweeney, Acting City Auditor General.

Motion passed.

Building Sewer Connections (Sewer Main to Street Line)

Following is the recommendation of the Finance and Executive Committee:

"That this matter be deferred pending receipt of a staff report responding to the questions raised by the Committee at the December 9 meeting and including input from the Legal Department."

Mr. P. Connell, Director of Engineering and Works addressed Council indicating that Council had made a number of requests for information at the Finance and Executive Committee which would require a fair amount of research. Mr. Connell noted that this research was presently ongoing; however, a report in this regard has not yet been completed. Mr. Connell indicated that the report would be available to Council in January.

MOVED by Alderman O'Malley, seconded by Alderman Hamshaw that this matter be deferred pending receipt of the requested staff report.

The motion to defer was put and passed.

Proposed Ordinance - Respecting Discharge of Waters and Wastes into Public Sewers

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

- a) Council approve the proposed Ordinance No. 183, Respecting the Discharge of Waters and Wastes into Public Sewers, in principle; and

b) staff arrange for the introduction of the proposed Ordinance No. 183 to Council for FIRST READING.

Motion passed.

Supermailboxes

MOVED by Alderman O'Malley, seconded Alderman Cromwell that Council, as recommended by the Finance and Executive Committee, for the four locations within Gainsborough Place outlined in the November 6, 1987 staff report and throughout the City, reject the installation of supermailboxes on City property, and further, that Council confirm its resolution of November, 1986 relating to supermailboxes.

Alderman O'Malley addressed the matter indicating that Council had not come to this decision without first giving this matter a great amount of serious consideration. Alderman O'Malley went on to note that the reasoning behind not acquiescing to the request made by Canada Post to appear before Council was to ensure that Council's message that they did not want Supermailboxes in the City was sounded loud and clear. Alderman O'Malley indicated that Council did not wish to project the image that Council was in any way flexible in it's position regarding the installation of Supermailboxes in the City.

Alderman Cromwell addressed the matter indicating that it has only recently come to his attention that Canada Post, through the Federal Government, can locate these boxes anywhere within the City that they so wish. Alderman Cromwell indicated that municipal government has no way of stopping the location of these boxes on city owned land noting that this matter had been the subject of a court appeal in Ontario.

A further discussion ensued, with Alderman Flynn noting that, regardless of the objections raised by Council, Canada Post had already installed rural type mailboxes on Franklin Street. Alderman Flynn went on to note that he did not know what could be done in this situation and suggested that complaints to Canada Post would be to no avail. Alderman Flynn went on to note that residents in the Franklin Street area were already experiencing problems with the boxes leaking and the locks freezing.

A further discussion ensued with Alderman D. Grant further detailing the problems being experienced by residents of Franklin Street and noting that complaints to Canada Post had not achieved any results. Alderman D. Grant put forward the opinion that having representatives of Canada Post appear before Council would provide Council with an opportunity to not only emphasize their position that they do not wish to have Supermailboxes in the City, but to outline to Canada Post the real problems being experienced by City residents in relation to the mailboxes and

encourage Canada Post to respond to those concerns as quickly as possible.

After a further short discussion the motion was put and passed.

Home of the Guardian Angel - 3 Sylvia Avenue

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

- (a) the Real Estate Department of the City of Halifax renegotiate the lease of 3 Sylvia Avenue for an additional five-year period to allow expansion to the building;
- (b) the City of Halifax approve up to \$15,000 for the expansion of the building, with payments being based on 50 percent of the actual expenditures, and monies being available in RC-EH009 Rehabilitative Facilities.

Motion passed.

Sale and Closure - Portion of Douglas Avenue

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

- 1) the portion of Douglas Avenue shown as Parcel "B" on Plan TT-39-29310 dated October 20, 1987, be closed as a street and sold to F. S. Industries Ltd. for the sum of \$1,641, following approval of the Minister of Municipal Affairs and subject to retention of the sewer easement as identified; and
- 2) a date be set for a public hearing regarding the proposed street closure.

Motion passed.

The City Clerk advised that the date set for the public hearing was Wednesday, January 20, 1987 beginning at 7:30 p.m. in the Council Chamber.

Acquisition - 17 Levis Street

This matter was forwarded to Council without recommendation.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, in light of the absence of the Alderman for the area, this matter be deferred to the next regular meeting of the Committee of the Whole Council.

Motion passed.

Current Borrowing Resolution

MOVED by Alderman Flynn, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign the current borrowing resolution (attached to the November 25, 1987 report), in the sum of \$7,000,000 for the period January 1, 1988 to June 30, 1988, in accordance with Section 213 of the Halifax City Charter.

Motion passed.

Acquisition - 1 Kent Avenue

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Civic No. 1 Kent Avenue be acquired from Mrs. Lorna Taylor for \$65,000 and further funds are available in Account No. CK019 (Miscellaneous Land Acquisitions).

Motion passed.

McCully House, 2507 Brunswick Street: Call for Proposals

This matter was forwarded to Council without recommendation. A supplementary staff report dated December 14, 1987 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that staff be authorized to prepare and issue a Call for Proposals for the re-use of the McCully House, the results of such a Call to be returned to Council for consideration in March.

Motion passed.

Heritage Plaques

MOVED by Alderman Dewell, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, tenders be called for supply of up to 200 customized heritage building plaques of porcelain enamel on metal, including necessary mounting hardware, the cost to be charged to the Heritage Reserve Account Number A0830-EM006.

Motion passed.

Write-Off of Accounts

MOVED by Alderman Dewell, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, under Section 184 of the City Charter 1963, City Council excuse the Treasurer from collection of monies due to the City, as summarized in the November 27, 1987 staff report, and authorize the write-off of \$328,831.27.

At the request of Alderman Meagher, Mr. I. Kent, City Treasurer, briefly outlined the reasons, as outlined in the November 27, 1987 staff report, for the unusually high amount involved in write-off of Accounts and responded to questions from members of Council in this regard.

Motion passed.

Gordon B. Isnor Bus Service and Alternative Transit
Service to Manors

Correspondence dated December 16, 1987 from R. Mort Jackson, Executive Director, Metropolitan Authority was submitted.

Following is the recommendation of the Finance and Executive Committee:

(a) Transit be asked to provide for the next Council meeting a financial cost projection for, say, eight runs per day using the existing route (2 in the morning, 3 in the afternoon, and 3 in the evening) to the Manor with times to be determined by consultation between Transit and the residents of the Manor; and

(b) a request be made for a cost projection for the re-routing of the Springvale/Fairmount route (as explained by Alderman Jeffrey during the December 9 meeting).

Alderman Downey addressed the matter noting that a meeting had been held with staff of Metropolitan Authority on Tuesday at which time they had agreed to prepare a report regarding the cost of expanding the regular route to provide transit to the residents of the Gordon B. Isnor Manor. Alderman Downey noted that the submitted correspondence indicates that this staff of the Metropolitan Authority are working on this report and MOVED, seconded by Alderman Meagher that this matter be deferred to the next regular meeting of the Committee of the Whole Council pending the receipt of the requested report from Metropolitan Authority.

Motion passed.

Recommendations - Rules of Order Committee

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that Council, as recommended by the Finance and Executive Committee, approve the following recommendations as contained in the report dated December 2, 1987 submitted by the Rules of Order Committee:

Recommendation #1:

It is recommended that Recommendation #1 be deleted, and that no change be made with respect to the matter of the Chief of Police and Fire Chief appearing at meetings of the Committee of the Whole Council.

Recommendation #2:

It is recommended that variance appeals be scheduled for Public Hearing meetings of City Council.

Recommendation #3:

It is recommended that changing the order of the Committee of the Whole Council agenda should be resisted, but that at 3:45 p.m. it be determined if persons are present in the gallery wishing to make presentations.

Recommendation #4:

It is recommended that Committee of the Whole items involving presentations be listed as the first item under the appropriate Committee when possible.

Recommendation #5:

It is recommended that Agenda items be grouped, when possible, to avoid several members of staff from waiting.

Recommendation #6:

It is recommended that the practice be followed of always having a Motion on the floor prior to debate at City Council meetings and preferably at Committee of the Whole Council meetings.

Recommendation #7:

(The first part of Recommendation #7 was withdrawn for review, at the request of His Worship Mayor Wallace).

It is recommended that, with regard to Recommendation #7A, items not dealt with at the conclusion of a Committee of the Whole meeting should be referred to the next Committee of the Whole meeting, unless referred for special reasons to City Council without recommendation.

Recommendation #8:

It is recommended that the Committee of the Whole agenda include an "Added Items" heading similar to the City Council agenda, with the City Clerk to incorporate the added items under the appropriate Committee when preparing the minutes of the various standing committees.

Recommendation #9:

It is recommended that Recommendation #9, which states that "during City Council meetings, the agenda should be reviewed at 11:00 p.m. to determine whether to proceed or to perhaps

adjourn the remaining agenda items to a subsequent date," be deleted.

Recommendation #10:

It is recommended that there should not be Notices of Reconsideration or Rescission or a Stay or Proceedings in the case of contracts that have been awarded.

Recommendation #11:

It is recommended that Motions at City Council should be stated in full for the benefit of those in the gallery and the viewing audience.

Recommendation #12:

It is recommended that City Council continue with its break period at 10:00 p.m.

Recommendation #13:

It is recommended that questions during Question Period at City Council meetings should be stated simply, concisely and without comment.

Recommendation #14:

It was agreed that this matter be presented (together with Recommendation #7) at a later date.

Recommendation #15:

It is recommended that reports be received 24 hours in advance of meetings whenever possible unless specifically requested by Council.

Alderman Cromwell addressed the matter indicating that he was somewhat concerned with regard to Recommendation #10 and noted that he felt Council should be careful with regard to this recommendation. Alderman Cromwell noted that it was his understanding that Recommendation #10 would leave Council without the ability to put forward a motion of Reconsideration in relation to a contract.

The City Solicitor addressed the matter indicating that the role of the Rules of Order Committee was to provide Council with direction in relation to the orderly conduct of Council. The City Solicitor indicated that rather than bringing forward a Notice of Reconsideration in relation to contracts, Council should exercise caution in awarding tenders.

The City Solicitor went on to note that a contract was a two party matter and providing the contractor was willing to accept the terms upon which Council would contract, no difficulties would arise. In closing, the City Solicitor noted that the City could be and, has been, disadvantaged by the use of a Notice of Reconsideration in relation to a contract.

In response to a question from Alderman Cromwell as to whether or not the recommendation was suggesting that there be no Notice of Reconsideration in relation to contracts, the City Solicitor indicated that in contract law either a contract is entered into or it is not. The City Solicitor indicated that this being the case a Notice of Reconsideration is redundant and the only other avenue open to Council in dealing with a contract is to defer the decision in relation to the contract.

After a further short discussion regarding whether or not Recommendation #10 should be included it was MOVED by Alderman O'Malley, seconded by Alderman Dewell that the Motion be amended to delete Recommendation #10.

The motion to amend was put and passed.

The motion, as amended was put and passed.

Review of Licenses, Permit Fees and Other Possible Revenue

MOVED by Alderman Leiper, seconded by Alderman Walker that, as recommended by the Finance and Executive Committee, City Council authorize the City Solicitor to seek changes to the various ordinances to effect increases in the fees as indicated on the attachment to the staff report dated December 1, 1987, except that the tax certificate fee be increased to \$30.00, and that other charges not subject to an ordinance be increased effective January 1, 1988, with the exception of the Library fines, which is to be the subject of a recommendation to the Library Board.

Motion passed.

Naming of Private Lanes

MOVED by Alderman Downey, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the naming of private lanes when required to facilitate the provision of emergency services and/or conformance to the requirements of utilities and/or Canada Post be delegated to the Director of Engineering and Works through the City Manager after consultation with the Alderman of the particular area.

Motion passed.

Recreation - Policy on Advertising

MOVED by Alderman Jeffrey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City Council consider and adopt the "Policy of Advertising on Recreational Facilities" as outlined in the November 25, 1987, report from the Chairman of the Recreation Committee.

Alderman Jeffrey addressed the matter indicating that

included in this motion is the concept that Council does not look favorably towards advertising on recreational facilities.

His Worship indicated that the resolution would carry the message that Council is not soliciting advertising to be placed on the City's recreational facilities.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on December 9, 1987, as follows:

Petition - Renewal of Sidewalk - Claymore Avenue

This matter was forwarded to Council without recommendation.

MOVED by Alderman Leiper, seconded by Alderman Flynn that, due to the absence of the Alderman for the area, this matter be deferred to the next regular meeting of the Committee of the Whole Council.

The motion to defer was put and passed.

Award of Tender #87-10 - Lower Water Street

This matter was forwarded to Council without recommendation.

MOVED by Alderman Downey, seconded by Alderman Meagher that:

1. Council award Tender 87-10 for project materials and services listed for a bid price of \$1,038,775.00 and a total project cost of \$1,195,00.00 to Seaport Contracting Limited;
2. Funding authorized from Account Numbers: DA052, DD020, CE039, CK026; and
3. Transfer the following funding to CE039;
 - a. DA052 - \$ 5,654.00
 - b. DD020 - \$534,744.00
 - c. CK026 - \$ 65,602.00

Motion passed.

Endorsement of Resolution from the Canadian Association of Housing

This matter was forwarded to Council without recommendation.

Alderman Leiper addressed the matter noting she had received the resolutions from the Canadian Association of Housing by virtue of her membership on the Board of Harbour City Homes. Alderman Leiper indicated that the municipalities were being requested to forward these resolutions to the various Ministers of Housing. Alderman Leiper went on to note that she had initially taken the resolutions to the Union of Nova Scotia Municipalities; however, she had been informed that it was required that the resolutions be referred to the Union by a member municipality. Alderman Leiper requested that Council endorse the resolutions and forward them to the Union of Nova Scotia Municipalities.

A brief discussion ensued and it was noted that certain members of Council did not have the resolution before them and it was MOVED by Alderman Leiper, seconded by Alderman O'Malley that this matter be deferred to the next regular meeting of the Committee of the Whole and further that the documentation distributed to members of Council at the December 9, 1987 Committee of the Whole detailing these resolutions be recirculated.

Motion passed.

School Board Letter on Wilson Tax Formula

This matter was forwarded to Council without recommendation.

Alderman O'Malley addressed the matter and MOVED, seconded by Alderman D. Grant that, in light of the recent announcement regarding the tax program, this matter be deferred to the next meeting of the Committee of the Whole Council and further that the staff report dealing with the direct impact on the City of Halifax of the proposed tax reform also be dealt with at that time.

Alderman D. Grant addressed the matter noting that she had received a copy of a letter addressed to His Worship the Mayor regarding the tax reform program and noted that it appeared that the Federal Government were aware of the concerns expressed by municipal government and were willing to listen to these concerns.

The motion to defer was put and passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on December 9, 1987, as follows:
Mitchell House

Alderman D. Grant addressed the matter indicating that she had an opportunity over the past week to meet with members of the Mitchell family, the Mayor and members of staff. Alderman D.

Grant went on to note that the meetings appeared to be very positive and indicated that it was her understanding that the Mitchell family were working with staff to bring forward a development proposal for the site. Alderman D. Grant indicated that she believed the Mitchell family were aware of the sensitive nature of the neighbourhood. In closing, Alderman D. Grant noted that a further staff report would be forthcoming in January and indicated that the residents living in the area were very pleased the Mitchell House demolition had not gone ahead.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Proposed Operating Budget - Spring Garden Business
Improvement District Commission

A report, dated December 11, 1987, was submitted from Mr. Clifford O'Laughlin, Chairman, Spring Garden BIDC.

MOVED by Alderman Downey, seconded by Alderman Cromwell that City Council approve the operating budget for the Spring Garden Business Improvement District Commission (as attached to the December 11, 1987 report), and authorize area rates of \$0.01 per one hundred dollars of assessment on business realty and \$0.482 per hundred dollars of assessment on business occupancy, subject to possible minor adjustments when the 1988 assessment roll is filed.

The motion was put and passed.

Proposed 1988 Operating Budget - Barrington Street
Business Improvement District Commission

A report, dated December 11, 1987, was submitted from Mr. Winston Bradley, Chairman, Barrington Street BIDC.

MOVED by Alderman Cromwell, seconded by Alderman Downey that Council approve the proposed 1988 operating budget for the Barrington Street Business Improvement District Commission (attached as Schedule "A" to the December 11, 1987 report), and authorize area rates of \$0.0235 per hundred dollars of business realty assessment and \$0.0432 per hundred dollars of business occupancy assessment, subject to adjustments based on the 1988 Provincial Assessment Roll.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

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

Chebucto Landing/Fisherman's Market Area

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

- 1) endorse the relocation of the "Chebucto Landing" open space so that it is on the south of the Fisherman's Market, extending approximately to the southern boundary of the former RCMP (see Map 1 of the staff report, dated November 10, 1987) and authorize negotiations for the acquisition of that lot;
- 2) endorse the concept of expanding and upgrading the Fisherman's Market operation in its present location (see Map 2, Note A of the November 10 staff report);
- 3) endorse the concept of leasing space under the covered pedestrian walkway (see Map 2 and Figure 1 of the November 10 staff report); and authorize staff to refine that concept with Mr. Michel Lindthaler;
- 4) authorize staff to negotiate a design for the open area between the covered pedestrian way to the Ferry Terminal and Fisherman's Market, in conjunction with (2) and (3) above, that will resolve current conflicts of pedestrian access, vehicle access and congestion in the area.

Alderman Flynn noted that it had been his impression from the deliberations during the December 9 meeting of the City Planning Committee that while Council is agreeable to the continuance of discussions and negotiations with regard to the development of Chebucto Landing, it is reluctant to grant its approval in principle. He expressed concern, therefore, that the motion currently on the floor appears to indicate that Council is giving its endorsement and, on that basis, asked for clarification as to the intent of the motion from its mover.

Responding to Alderman Flynn's request, Alderman O'Malley emphasized that the object of his motion made this evening (and at the December 9 City Planning Committee meeting) was to reflect Council's willingness to endorse the movement in geographic location and geometric configuration of Chebucto Landing, and to allow City staff to proceed (without entering into any monetary considerations) with a development arrangement based on that premise.

In making these comments, the Alderman stated that, in his opinion, the removal of Chebucto Landing from its present site would serve to encourage further negotiations with regard to suitable development in this portion of the Waterfront. He emphasized, however, that while there would not appear to be any historical significance associated with the current Chebucto Landing site, it is Council's intention that an appropriate waterfront location be designated to commemorate the achievements of the Honourable Edward Cornwallis. In addition, he suggested

that Council wished to ensure that development surrounding that location is in harmony with the City's general objectives for the evolution of the overall waterfront area.

Alderman Flynn expressed concern that, by approving the motion currently on the floor, Council may be shutting the door on other, more appropriate development alternatives for this site. He emphasized that he would prefer to allow staff some latitude for negotiation without giving any assurance that a specific proposal will be accepted. The Alderman added that, in his opinion, Alderman O'Malley's motion indicates Council's commitment to a particular course of action.

In addressing this matter, Alderman D. Grant referred to various questions she had raised during the December 9 City Planning Committee meeting and asked again for staff's assurance that, in their negotiations with the developer, they would consider the relocation of Fisherman's Market as an option. The Alderman expressed the opinion that, should the relocation of Mr. Greene's establishment become feasible, it should be negotiated from the perspective of ensuring that Mr. Greene will continue to own his own property, that that property will be located adjacent to the water, and that there will be appropriate customer parking. Alderman Grant emphasized that, in her view, staff should continue to work to find the best possible location, not only for Mr. Greene but also for all the citizens who are going to use this area.

Alderman D. Grant further noted that during the December 9 meeting she had requested information as to whether, in staff's opinion, the retail component of the proposed development project (proposed for the Ferry Terminal building) could take place in isolation. She indicated that this report had not yet been received and suggested that the matter be deferred to allow staff an opportunity of submitting this information.

Concurring with Alderman Flynn's earlier remarks that Council should consider a rewording of its recommendations on this matter to allow staff to continue with their negotiations (and to provide staff with an opportunity of submitting the aforementioned report), it was moved by Alderman Deborah Grant, seconded by Alderman Flynn that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, January 6, 1988.

His Worship Mayor Wallace clarified that this motion of deferral does not prevent staff from continuing their ongoing discussions with developers regarding this project.

Alderman O'Malley, in supporting the motion of deferral, asked to have included in this report information from staff as to the length of time and the amount of discussions and negotiations that have already taken place in reference to the matters raised by Alderman D. Grant. He added that he would also appreciate receiving a progress report with regard to current negotiations

as well as information with regard to the degree of latitude still available to the City.

Alderman Cromwell made reference to the minutes taken from the December 9 meeting of the City Planning Committee, and indicated that he would appreciate receiving an extract from the tape recording of those deliberations.

The motion to defer was put and passed.

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

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

Grace Maternity Hospital - Building Height at Lot Line

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that, as recommended by the City Planning Committee:

- a) pursuant to Section 47(2)(e) of the Land Use Bylaw, Council enter into an agreement to permit the Grace Maternity Hospital to exceed the height limit at the property line where the building podium abuts the Civic Hospital property line and where the Grace abuts the Services Link Building, generally as shown on Plan Nos. P200/16317 to 16319;
- b) pursuant to Section 47(2)(e) of the Land Use Bylaw, enter into an agreement to permit the Services Link Building to exceed the height limit at the property line where it will abut the Grace Maternity Hospital, generally as shown on Plan Nos. P200/16317 to 16319; and
- c) approve the final design of the Grace Maternity Hospital and Services Link Buildings.

The motion was put and passed.

Proposed Amendment to the MPS and LUB (Peninsula and Mainland
Areas) Neighborhood Commercial Uses - Planning Advisory
Committee Report

It had been recommended by the City Planning Committee that staff submit a report regarding the solutions proposed by Alderman Cromwell during the December 9 meeting.

A supplementary staff report, dated December 16, 1987, was submitted.

MOVED by Alderman Cromwell, seconded by Deputy Mayor Walker that a public hearing be scheduled to consider amendments to the Municipal Planning Strategy and the Land Use Bylaw to change the RC-1 (Neighbourhood Commercial) Zone to permit pharmacies to expand to 1,400 square feet (as contained in Appendix "E" of the supplementary staff report, dated December 16, 1987).

A discussion ensued with Mr. D. F. Murphy, City Solicitor, responding to questions from various members of Council.

Alderman D. Grant brought to Council's attention that during the previous Planning Advisory Committee public meeting process there had been strong opposition (particularly from the members of the Residents Associations for Wards 1 and 2) to any amendments of the nature proposed by Alderman Cromwell. She noted that the feeling would appear to be that neighborhood drug stores of this type should serve mainly as convenience stores, and should not therefore attempt to compete in size and scope with the national chains. Alderman Grant further indicated that Planning Department staff as well as the Planning Advisory Committee have continually recommended against the proposed Plan and Bylaw amendments. Under the circumstances, therefore, the Alderman indicated that she would not be supporting the motion presently on the floor.

Alderman O'Malley noted that he continues to have concerns regarding the usage of the word "pharmacy," recommending that a very specific definition of this term be agreed upon by Council before the matter is taken through the public hearing process. The Alderman further suggested that this definition be included in the public hearing advertisements so that members of the public will be left in no doubt as to what is being proposed.

Alderman Leiper suggested that a draft of the proposed advertisement be brought back for Council's consideration and, on that basis, MOVED, seconded by Alderman O'Malley that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, January 6, 1988.

Alderman Cromwell stated his intention to have this matter (if recommended for public hearing by the City Planning

Council
December 17, 1987

Committee) added to the agenda of the Special Meeting of City Council scheduled for the evening of January 6, 1988.

The motion to defer was put and passed.

Case No. 5492 - Proposed Rezoning: 2727 Dutch Village Road
(SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone the property at 2727 Dutch Village Road from R-2 (General Residential) Zone to C-2 (General Business) Zone.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, JANUARY 20, 1988 at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

Case No. 5354 - Rezoning: 3538 Percy Street and 7156 Andrew
Street from R-2P to R-2AM (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw that, as recommended by the City Planning Committee, a public hearing be scheduled to consider the application to consolidate and rezone three lots of the former Deal Estate Subdivision on the southwestern corner of the intersection of Andrew and Percy Streets.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, JANUARY 20, 1988 at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

Case No. 5439 - Rezoning from R-2P to R-2AM: 1 Alma Crescent
(SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an application to rezone the property located at Civic No. 1 Alma Crescent (Lot 27) and a rear portion of the property located at Civic No. 3 Alma Crescent (Lot

26B) from R-2P (General Residential) to R-2AM (General Residential Conversion and Townhouse) Zone.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, JANUARY 20, 1988 at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

Amendment to Land Use Bylaw: Implementation Policy
No. 10 (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an amendment to the Land Use Bylaw which will enable development by agreement pursuant to Implementation Policy 10.

The motion was put and passed,

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, FEBRUARY 3, 1988 at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

Case No. 5221 - Development Agreement: Canadian Cancer Society
Lodge, 5820, 5826 and 5830 South Street (SET DATE FOR
PUBLIC HEARING)

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, a public hearing be scheduled to consider an application for contract development involving the lands of the Canadian Cancer Society at 5820, 5826 and 5830 South Street.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, FEBRUARY 3, 1988 at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

Widening of Dutch Village Road, Titus Street and Alma Crescent

The following motion was approved during the December 9 meeting of the City Planning Committee:

That Council approve the improvements to Dutch Village Road from Titus Street to Joseph Howe Drive, and that staff be requested to prepare a presentation for the 1988 budget.

MOVED by Alderman Leiper, seconded by Alderman Flynn that Council authorize the widening of Titus Street, Alma Crescent, and a section of Dutch Village Road, and that staff be instructed to prepare costs for inclusion in the 1988 budget.

In making this motion, Alderman Leiper reiterated her concerns regarding the congestion which presently exists on Titus Street and which is caused both by the narrowness of the thoroughfare and also by the presence of a major grocery outlet which often results in traffic being backed up as far as the Main Avenue interchange. Addressing concerns raised since the December 9 meeting, the Alderman emphasized that the "village" atmosphere characteristic of the lower portion of Dutch Village Road would not be affected by the proposed widening since the changes are intended to take place on Titus Street down to Dutch Village Road and onto Howe Avenue.

In conclusion, Alderman Leiper offered the opinion that if Council is to honor the commitment it has made to the residents of Mainland North that they will seriously address the traffic problems in that area, they must therefore give due consideration to the proposal contained in the motion currently on the floor.

Alderman Jeffrey brought to Council's attention the presence of several businessmen from the Dutch Village Road area in the public gallery, and emphasized that they had not had an opportunity to speak either during the December 9 meeting of Committee of the Whole Council or at the November 30 public meeting on this matter. He further noted that at the time of that public meeting there had been no concrete proposals put forward for public comment with regard to the widening of Titus Street, and that, in his opinion, area residents and businessmen have a right to further input on the matter.

Under the circumstances, it was moved by Alderman Jeffrey, seconded by Alderman O'Malley that the matter be deferred so that a further public meeting can be scheduled to consider specific proposals for the widening of a portion of Titus Street.

The motion to defer was put and defeated.

A discussion ensued with Mr. P. S. Connell, Director of Engineering and Works, responding to questions from Alderman Jeffrey concerning the estimated cost of the proposed widening and the impact of the project on current traffic problems on Bayview Avenue.

Alderman Jeffrey, speaking in opposition to the motion proposed by Alderman Leiper, offered the opinion that the solution to the traffic problems outlined by the Alderman does not lie in the widening of Titus Street, but rather in correcting the situation at the Fairview Overpass where two traffic lanes merge into one. In this context, Alderman Jeffrey suggested that greater consideration should be given to ways of diverting incoming traffic from Bedford, Sackville, and Hammonds Plains.

The Alderman added that during his years on Council he has never received a complaint from area residents regarding traffic on this portion of Titus Street, and offered the opinion that to attempt a project of the nature proposed would be a waste of taxpayers' money. He also expressed concern for those Titus Street property owners (most of them senior citizens) who will find themselves living in close proximity to a four-lane highway, should Council proceed with the widening.

Alderman Cromwell, while supporting the concept contained in Alderman Leiper's motion, expressed concern that by approving this course of action, Council would be making a commitment without knowing the extent of the project's financial implications.

Addressing the Alderman's concerns, however, the City Manager indicated that no action would be taken on this motion until Council has fully reviewed the matter in conjunction with its deliberations concerning the 1988 Capital Budget.

Alderman D. Grant commented that, in her opinion, the proposal put forward by the motion does not represent good planning, adding that the widening of Titus Street as proposed will only partially impact on the traffic bottleneck which presently exists on Bayview Avenue while creating another such situation in the Titus Street area. Instead, she suggested that a variety of solutions be considered, one of which being a strategy to encourage motorists to use Dunbrack Street (and the proper connector routes), and that a policy of "no left turns" during certain hours be implemented. Alderman Grant further noted that, as evidenced by the input received during the November 30 public meeting, there would not appear to be any support among either area residents or businessmen for the Titus Street widening, and, on that basis, indicated that she would not be supporting the motion presently before Council.

Alderman O'Malley addressed the motion, stating that, in his opinion, the proposed widening of Titus Street represents a "band-aid" approach to the traffic problems in Mainland North and emphasizing that, while there is no simple solution, Council must seek to develop a comprehensive method of addressing this situation.

The discussion continued with Alderman Leiper emphasizing that she has repeatedly received support from residents of Wards 9, 10 and 12 with regard to this matter. She added that this proposal was never intended as a solution to the Bayview Avenue, but merely to ensure that traffic moves more efficiently through Mainland North. Alderman Leiper commented that the Traffic Authority has recommended the widening of Titus Street as a means of alleviating the traffic problems in Mainland North and asked that Council support her motion in the interests of area residents.

After some further discussion, the motion was put and passed, 6 voting for the same, and 5 against as follows:

FOR: Deputy Mayor Walker, and Aldermen Cromwell, Dewell, Leiper, Flynn, and Hamshaw (6)

AGAINST: Aldermen D. Grant, Downey, Meagher, O'Malley, and Jeffrey (5)

12:00 a.m. - His Worship Mayor Wallace retires from the meeting with Deputy Mayor Walker assuming the Chair.

2506 Oxford Street

A staff report, dated December 16, 1987, was submitted from D. F. Murphy, Q.C., City Solicitor.

Alderman Meagher expressed his personal disappointment with regard to the contents of the December 16 report from the City Solicitor, emphasizing that, in his opinion, a property owner who illegally constructs an addition to his building should be forced to restore that building to its original condition (by removing the addition), should Council refuse his application for an extension.

In recognition of the problems currently being experienced by property owners abutting 2506 Oxford Street, Alderman Meagher indicated that he would be bringing a motion before Council to address this matter during its first meeting in January of 1988.

Peninsula North Secondary Planning Strategy - Planning Advisory Committee Report (SET DATE FOR PUBLIC HEARING)

An Information Report, dated December 14, 1987, was submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, Council give notice of its intent to adopt the draft Peninsula North Secondary Planning Strategy with the amendments contained on Maps 1 and 2 of the report dated December 3, 1987; that a date be set for a public hearing; and further, that Council meet with the Planning Advisory Committee to discuss the proposed Strategy and report prior to setting the public hearing date.

In making this motion, Alderman Meagher requested that two dates (Wednesdays for which no Committee of the Whole Council meetings have been scheduled) be set aside in January for a consultation with staff, the Planning Advisory Committee, and members of Council regarding the Peninsula North Secondary Planning Strategy (prior to the setting of a public hearing date).

The motion was put and passed.

Plan Amendments/Rezoning: 26 Alton Drive
(Planning Advisory Committee Report)

This matter had been forwarded to Council without recommendation.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the Planning Advisory Committee, Council set a date for a public hearing concerning the redesignation and rezoning of 26 Alton Drive from "Institutional" and Park and Institutional (P) zoning to "Medium-Density Residential" and R-3 zoning to reflect the existing use.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, FEBRUARY 3, 1988 at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

12:10 a.m. - His Worship Mayor Ron Wallace returns to the meeting with Deputy Mayor Walker resuming his usual seat on Council.

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

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that a public hearing date be scheduled to consider the rezoning of 72-72A Central Avenue from R-2 to R-2P.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, JANUARY 20, 1987 at 7:30 p.m. in the Council Chamber, Halifax City Hall.**

Amendment to Municipal Planning Strategy - Former
Halifax Police Club Property

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, the staff report dated December 2, 1987 on this matter be tabled, and that the matter be referred to staff for a further report.

The motion was put and passed.

MOTIONS

Motion Alderman R. Cromwell Re: Amendment to Ordinance Number 37,
Respecting the Sale and Use of Fire Crackers (FIRST READING)

A Notice of Motion regarding this matter was given by Alderman Cromwell during a regular meeting of Halifax City Council held on Thursday, November 26, 1987.

MOVED by Alderman Cromwell, seconded by Alderman Downey that Ordinance 37, Respecting the Sale and Use of Fire Crackers, be amended as follows in order to clarify when fireworks can be set off in the City, and that this amendment be read a FIRST TIME:

1. Section 4 is repealed and the following substituted therefor:

(4) Where a permit has been issued by the Fire Marshall or a Local Assistant to the Fire Marshall under the authority of the Fireworks Act R.S.N.S. 1967, c. 108, it is lawful to explode or discharge fire crackers pursuant to the provisions of that license.

The motion was put and passed.

MISCELLANEOUS BUSINESS

Sale of 3700 Kempt Road

A confidential staff report, dated December 17, 1987, was submitted.

Alderman Dewell addressed this matter, noting that, in his opinion, the revenue generated by this piece of land as rental property is insignificant compared with that which could accrue to the City through realty and occupancy taxes, provided the improvements to the land are sufficient to raise those taxes to that point.

On that basis, it was moved by Alderman Dewell, seconded by Alderman O'Malley that Council accept the offer by the proposed purchaser to purchase the City's interests in the property located at 3700 Kempt Road, as outlined in the confidential staff report dated December 17, 1987.

His Worship Mayor Wallace, referring to the motion presently on the floor, expressed concern that, owing to the fact that this matter had not yet been debated during a Committee of the Whole Council meeting, Council could be criticized for acting with undue haste. He therefore suggested that the matter be deferred to allow Council an opportunity to review the contents of the December 17 staff report.

MOVED by Alderman Hamshaw, seconded by Alderman D. Grant that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, January 6, 1988.

Alderman O'Malley, in supporting the motion of deferral, requested information prior to the January 6 meeting as to the dates of the appraisals referred to in the December 17 confidential report. In addition, the Alderman asked for staff comment on the projected dollar value of the land in question, should the proposed development take place.

Again in regard to the appraisals, Alderman Flynn asked to be provided with information with regard to the criteria used in determining the pricing so that Council can undertake a fair comparison.

The motion to defer was put and passed.

R-2A and R-2AM Review

This matter was last discussed during a regular meeting of Halifax City Council held on Thursday, September 17, 1987.

A supplementary staff report, dated December 4, 1987, was submitted.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that a public hearing be scheduled to consider the recommendation contained in the Planning Advisory Committee report dated June 19, 1987.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, FEBRUARY 3, 1988 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Proposed Amendments - Business Improvement District Commissions

A staff report, dated November 25, 1987, was submitted.

MOVED by Alderman Downey, seconded by Alderman Cromwell that Council request staff to put forth an amendment for inclusion in the spring legislative package to Section 532(4)(c) of the City Charter respecting Commission appointments to change the wording to read, "Two members at large, each of whom is an individual person with an interest in the area, but who is not a person appointed pursuant to Clause (a) or (b)."

The motion was put and passed.

Case No. 5323 - Rezoning: 38 Vimy Avenue

This matter was last discussed during a regular meeting of Halifax City Council held on Thursday, October 29, 1987 with a public hearing on the rezoning application having been held on September 23, 1987.

MOVED by Alderman Jeffrey, seconded by Alderman Dewell that Council approve the application for the rezoning of Lot "M," Vimy Avenue from R-2P to R-2AM in order to permit the construction of a 12-unit apartment building.

The City Clerk suggested that the matter currently before Council is in actuality a continuation of a Motion of Rescission which was deferred to this meeting from a regular meeting of Council held on October 29, 1987.

It was agreed that the matter be dealt with later in the meeting's agenda to afford the City Solicitor an opportunity to advise on the appropriate manner of proceeding.

QUESTIONS

Question Alderman Jeffrey Re: Metropolitan Transit

Alderman Jeffrey referred to a call recently received from a Metro Transit bus driver who has been assigned the route from Sackville to Halifax.

The Alderman advised that, according to this individual, a considerable number of people are boarding the bus in Sackville and paying \$.70 for the trip into Bedford, when, in actuality, they are continuing on the route to Halifax. Alderman Jeffrey added that the driver in question has estimated that roughly 86 people a day are paying \$1.00 less than appropriate for their transportation into Halifax, and asked for a report from Metropolitan Transit with a recommendation as to how the practice can be stopped.

Question Alderman Dewell Re: Snow Removal

Alderman Dewell made reference to various residential and residential-commercial streets in the City which do not have the convenience of a verge or median on which snow can be placed by City crews as it is removed from the street itself. The Alderman emphasized that in these situations the snow is usually deposited on the sidewalks, causing considerable inconvenience for residents who must then remove it.

Alderman Dewell asked for information from the Engineering and Works Department (prior to 1988 budget

deliberations) as to the costs involved in having City crews remove the snow from those streets which lack such a median.

Question Alderman O'Malley Re: GO-Time

Alderman O'Malley noted that in September he had asked for a composite report from the Auditor General and the Director of Finance regarding the true picture of GO-Time and the costs to the City of Halifax of implementing this project.

The Alderman advised that the report has not as yet been received and indicated that he would prefer to have this information prior to the commencement of the 1988 budget discussions.

Question Alderman Leiper Re: Social Planning Conference

Alderman Leiper noted that early in November Council had approved the organization of a conference by the City's Social Planning Department, and asked for a progress report on this matter to be submitted early in the new year.

Question Alderman Leiper Re: Bayview Road

Alderman Leiper advised that Bayview Road had been dug up by the Halifax Water Commission on three separate occasions during the last week, and requested information as to why this had taken place.

MISCELLANEOUS BUSINESS (CONT'D)

Case No. 5323 - Rezoning: 38 Vimy Avenue

This matter had been discussed at an earlier point in the meeting's agenda and was deferred, pending advice from the City Solicitor.

Mr. Murphy advised that on October 1 a motion was made by Alderman Leiper (which was subsequently approved by Council) that no action be taken on the project proposed for Lot "M," Vimy Avenue until a report was received concerning traffic considerations in the area (i.e., that the matter be deferred). He added that a question had consequently been raised as to whether that constituted a proper motion in view of the fact that a specific period of time had not been stipulated. Mr. Murphy advised that his ruling had been that the motion was indeed appropriate since, despite the absence of a fixed deferral date, Council was free to re-address the matter whenever it wished. On October 29, he stated, Alderman Jeffrey moved a Motion of Rescission of that October 1 resolution which was never really dealt with, owing to the Alderman's subsequent absence from regular Council meetings.

At Mr. Murphy's request, it was agreed that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, January 14, 1988, in order to afford the City Solicitor an opportunity to determine whether Alderman Jeffrey's motion on this matter presented earlier in the December 17 Council meeting is appropriate at this point in time.

NOTICES OF MOTION

Notice of Motion Alderman Jeffrey Re: Motion to Rescind -
Council's Resolution of December 17, 1987: Widening of Dutch
Village Road, Titus Street and Alma Crescent

Alderman Jeffrey gave notice that at the next regular meeting of City Council scheduled for Thursday, January 14, 1988 he intends to introduce a Motion of Rescission with respect to the resolution approved by Council on December 17, 1987 regarding the widening of Dutch Village Road, Titus Street, and Alma Crescent.

Notice of Motion Alderman Deborah Grant Re:
Design Advisory Committee

Alderman Deborah Grant gave Notice of Motion that at the next regular meeting of Halifax City Council scheduled for Thursday, January 14, 1988 she intends to introduce a motion to the effect that the Design Advisory Committee become an advisory committee to City Council.

Notice of Motion Alderman Cromwell Re: Amendments to
Ordinance 182, Respecting the Barrington Street Business
Improvement District Commission

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council scheduled for Thursday, January 14, 1988 he intends to move First Reading of amendments to Ordinance 182, Respecting the Barrington Street Business Improvement District Commission, the purpose of which will be to change the name of the Commission from the "Barrington Street Business Improvement District Commission" to the "Downtown Halifax Business Improvement District Commission."

Notice of Motion Alderman Meagher Re: Amendment to Ordinance
180, the Streets Ordinance

Alderman Meagher gave Notice of Motion that at the next regular meeting of Halifax City Council he intends to introduce an amendment to Ordinance 180, the Streets Ordinance, the purpose of which is to place a responsibility on the condominium corporation to clear the sidewalks in front of buildings which have been registered as condominiums under the Condominium Property Act.

ADDED ITEMS

Administrative Order #16: Private Sewer Blocked
By Roots of City Trees

A staff report, dated December 16, 1987, was submitted.

MOVED by Alderman Flynn, seconded by Deputy Mayor Walker
that Council give First Reading to the amendments to
Administrative Order #16, Respecting Private Sewer Blocked by
Roots of City Trees, as follows:

In any case in which it cannot be definitely
determined whether the roots causing the problem
are those of a City-owned tree, the Director
may contribute to such portion of the cost of
correction of the problem as is fair in the
circumstances.

The motion was put and passed.

Report - Tax Concessions and Grants Committee

A report, dated December 17, 1987, from Alderman N.
Meagher, Chairman of the Tax Concessions and Grants Committee was
submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley
that, as recommended by the Tax Concessions and Grants Committee,
a widow's exemption of \$240.00 be approved; and further, that the
Committee's recommendation regarding a grant to the Buskers
Festival be deferred to the next regular meeting of Committee of
the Whole Council (scheduled for January 6, 1988) for further
discussion.

The motion was put and passed.

Non-Union Salaries

MOVED by Deputy Mayor Walker, seconded by Alderman Flynn
that the non-union levels from 16 to 23 and the salary ranges for
1987, as contained in a document dated December 17, 1987, be
approved by City Council, and that individual salary increases be
no less than 2.4 percent.

The motion was put and passed.

There being no further business to be discussed, the
meeting was adjourned at 12:55 p.m.

Council
December 17, 1987

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR J. ALBERT WALKER
CHAIRMEN

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E. A. KERR
CITY CLERK

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