

**CITY COUNCIL  
M I N U T E S**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
June 29, 1988  
8:00 p.m.

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

The meeting was called to order with Alderman Leiper leading in the recitation of the Lord's Prayer.

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

**Also Present:** Mr. R.J. Matthews, Acting City Manager; Mr. D.F. Murphy, City Solicitor; Mr. E.A. Kerr, City Clerk; and other members of City staff.

**MINUTES**

Minutes of the regular meeting of City Council held on June 16, 1988 and of the special meeting of City Council held on June 22, 1988 were approved on a motion by Alderman Jeffrey, seconded by Alderman Hamshaw.

**APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS**

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

- 20.1 Neighborhood Watch Voice Messaging System;
- 20.2 Appointments;
- 20.3 Economic Increase - Senior Salaries.

MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that the agenda, as amended, be approved.

Motion passed.

His Worship made note of the Tadoo Festival being held at the Metro Centre and occurring in various parts of the City during this week.

His Worship also noted that the official opening of the temporary tourist bureau at the Centennial Pool site took place on

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this date with the Deputy Mayor, Alderman Downey, and Alderman Cromwell, in attendance.

### PRESENTATIONS

#### School Twinning - Hakodate

His Worship advised that a group from the Burton Ettinger School and a group from the John W. MacLeod School were in attendance to make a presentation with respect to their school twinning with Hakodate. Mayor Wallace noted that Mr. E. Venoit, Principal of John W. MacLeod School, and Ken Williams, Principal of Burton Ettinger School, accompanied the groups.

Deputy Mayor Walker, on behalf of His Worship and members of Council, invited the grade six students and their teacher from the John W. McLeod School. Two student representatives from the John W. McLeod School addressed Council and made a presentation.

Alderman Jeffrey introduced the principal of Burton Ettinger School and welcomed the student representatives from that School to come forward and make their presentation.

Alderman Leiper advised that the Halifax-Hakodate Committee had been promoting school twinings for some time. She indicated that the Halifax-Hakodate Committee had drawn up certificates for schools who wish to twin. At this point, Mr. Venoit and Mr. Williams came forward and signed the certificates to be forwarded to the principals in Hakodate for signature as well.

#### R.A. Stapells, Centennial Celebration

Mr. R.A. Stapells, Chairman of the Centennial Celebration Committee, addressed Council and made a presentation with respect to the Centennial Celebration of City Hall on August 18, 1988. Mr. Stapells gave a brief overview of the schedule of events planned for the celebration. Mr. Stapells indicated that the Committee would welcome any input or suggestions from members of Council.

Alderman Flynn complimented Mr. Stapells and his Committee for the work that has been done to date with respect to the City Hall Celebration and MOVED, seconded by Alderman D. Grant that Council support the endeavors of Mr. Stapells and his Committee.

In responding to a question from Alderman R. Grant with respect to an estimate of costs involved, Mr. Stapells advised that he is aware of what the budget is for this event and proposed

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that the costs involved would not exceed \$5000. Mr. Stapells noted that a time capsule is being designed and that it would be the biggest expense.

Deputy Mayor Walker suggested that an invitation be extended to the Mayor of Annapolis Royal, Mayor Lewis, and her Council. Deputy Mayor Walker noted that Annapolis Royal was the first capital of Nova Scotia.

Alderman Leiper suggested that the students who participated in the Model Council 1988 also be extended an invitation to celebrate in this event.

Alderman D. Grant advised that there were a number of artists in the community who indicated that they were willing to design banners for the occasion. She indicated that perhaps there were other ways too that these artists could become involved in the celebration. Alderman D. Grant also put forth the suggestion of having fire works the night of the celebration.

Mayor Wallace mentioned that a group of approximately 12, called the "Impressionist Painters", have been working for the past year on paintings of buildings which are 100 years old in the City. His Worship noted that the painters would be bringing these paintings forward especially for the celebration and that they would be on exhibit in City Hall.

Alderman Jeffrey indicated that the Town of Lunenburg is also celebrating its 100th anniversary this year and suggested that it be extended an invitation to join in the festivities too.

Motion passed.

#### Natal Day Committee

Mr. Doug Mitchell, Chairman of the Natal Day Committee, addressed Council and brought Council up to date on what is being planned for Natal Day. Mr. Mitchell presented to Council, on a video tape, the public service announcement to be made available to local television stations.

With respect to the Spring Garden Road closure, Mr. Mitchell advised that they have considered other sites. Mr. Mitchell pointed out that the funds raised by the Natal Day Committee were raised on the basis that the event would take place on Spring Garden Road and that many of the entertainers booked were done so on that basis too. He indicated, if the Natal Day Committee was forced to change the location, that they could not guarantee the entertainment planned or the funds indicated from the sponsors. Mr. Mitchell advised that the Spring Garden Road site provides a natural ambience that no other site in the City is capable of providing. He further advised that a number of the



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Spring Garden Road Merchants were approached and have given their unanimous financial support to the event.

Alderman R. Grant asked that Council, with the overwhelming response from the Spring Garden Road Business District and the Committee's review of the situation, reconsider the closure of Spring Garden Road.

MOVED by Alderman R. Grant, seconded by Alderman D. Grant that Council approve the closure of Spring Garden Road between 12:00 Noon and 12:00 Midnight on July 30, 1988; including a request to Transit to re-route the buses during that period; and further that the Traffic Engineering Division be requested to come forward with a report outlining the appropriate method to allow for the closure.

Alderman Flynn indicated that he was in full support of the motion and that, when he expressed opposition in the past, it was primarily because of the funding which was over the allotted budget. He also expressed his view with regard to the \$25.00 charge for floats noting that he still had reservation with regard to the charge.

Alderman D. Grant congratulated the assistance and enthusiasm that this Committee had given to the event.

Alderman Downey thanked the Committee for approaching the Spring Garden Road Merchants with respect to the matter.

Motion passed.

At the request of Alderman D. Grant, Council agreed to deal with the following item at this time:

Request for Parachute Jump - Natal Day Committee

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

Motion passed.

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DEFERRED ITEMS

Rezoning from R-2 to C-2A at 6422 Chebucto Road

This matter was deferred from the City Council meeting held on June 16, 1988.

A supplementary staff report dated June 20, 1988 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Flynn that a public hearing be scheduled to consider the rezoning from R-2 to C-2A at 6422 Chebucto Road.

Motion passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, JULY 20, 1988 AT 5:00 P.M.** in the Council Chamber, Halifax City Hall.

Appeal of Minor Variance Approval - 67 Withrod Drive

This matter was deferred from the City Council meeting held on June 16, 1988.

MOVED by Deputy Mayor Walker, seconded by Alderman Meagher that the appeal for a minor variance approval at 67 Withrod Drive be approved and the decision of the Development Officer to refuse the application be overturned.

Motion passed.

Case No. 5571 - Land Use Bylaw - Amendment - Advertisement Costs

Consideration of the above item was temporarily postponed pending the arrival of both Aldermen Cromwell and Dewell.

Case No. 5614 - Proposed Amendment to the Municipal Planning Strategy and the Land Use Bylaw (Mainland Area)

Consideration of the above item was temporarily postponed pending the arrival of both Aldermen Cromwell and Dewell.

Case No. 5596 - Appeal of Minor Variance Refusal 2464-66 Robie St.

A hearing into this matter was held on June 22, 1988.

The City Clerk requested clarification of the recommendation from the June 22, 1988 Special Council meeting with respect to this matter.

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MOVED by Alderman Downey, seconded by Alderman Jeffrey that the decision of the Development Officer be overturned and the appeal for a minor variance at 2464-66 Robie Street be granted.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on June 22, 1988 as follows:

Ashburn Golf Club Proposal - Lease of City-Owned Land

MOVED by Alderman Jeffrey, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, staff be authorized to negotiate with Ashburn Golf Club towards the possible lease of approximately eight (8) acres of City-owned land which abuts the Golf Course.

In response to a concern raised by Alderman Flynn, Alderman Jeffrey advised that it was his understanding that Soccer Nova Scotia would be making a presentation to Council in the future.

Motion passed.

Homes for Special Care

This matter was forwarded to Council without recommendation.

Alderman O'Malley suggested that there was necessity for a full discussion on the Provincial Government's cost sharing to Homes for Special Care and the fact that the City did not receive the anticipated dollars.

MOVED by Alderman O'Malley, seconded by Alderman Meagher that this matter be forwarded to the July 6, 1988 Committee of the Whole Council meeting.

Motion passed.

9:10 p.m. Alderman Cromwell enters the meeting.

Saint Mary's University Huskies Stadium Contract

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

- (1) City Council authorize the Mayor and City Clerk to sign the contract with Saint Mary's University for up to nine hundred (900) hours of facility time at a cost of sixty dollars per hour (\$60.00/hour);
- (2) payment of twenty-seven thousand dollars (\$27,000) be paid on July 1, 1988 and the remaining balance, up to an amount of twenty-seven thousand dollars (\$27,000) be paid on December 1, 1988, with funds being available in Account Number 122606-J0132-ZA327 (Recreation - Sport and Subsidies).

Motion passed.

Parking - Grand Parade (His Worship Mayor Wallace)

A supplementary report dated June 29, 1988 was submitted.

A discussion ensued with respect to parking in the Grand Parade with Alderman O'Malley indicating that he agreed that the Grand Parade should be used for the public and for concerts during the summer months. Alderman O'Malley went on to explain that there are times during the summer months when members of Council attend meetings that run through the noon hour. He explained that it would be difficult to leave a meeting, find a parking space, and return to the meeting to carry on with City business. Alderman O'Malley suggested that it would not be feasible to ban parking in the Grand Parade until such time as alternate provisions for parking were made for the Aldermen and Mayor.

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that the summer parking restrictions in the Grand Parade be reinstated for 24 hours a day from Monday through to Saturday once alternate provision for parking is found for the Aldermen and Mayor.

The discussion continued with Alderman Flynn indicating that he could not support the motion if it included the rental of 13 parking spaces. He indicated that he could, however, support the closure of the Grand Parade. Alderman Flynn suggested that Aldermen could be reimbursed for any expenditure for parking during the summer months through their Council expense account.

A number of Aldermen agreed with the closure of the Grand Parade for 24 hours during the summer months, but emphasized

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that alternate parking spaces for the Mayor and Aldermen would be required.

Alderman O'Malley proposed an amendment not to close the Grand Parade until an alternate arrangement for parking was found for the Mayor and Aldermen.

A discussion also ensued with respect to the need for parking for five days a week or seven days a week, and Alderman O'Malley expressed the view that an alternate parking provision for five days a week would be appropriate.

Alderman Hamshaw suggested clarification was required and MOVED, seconded by Alderman Moagher that the item be deferred to the next regular Committee of the Whole Council meeting pending a report from staff.

Alderman R. Grant indicated that Council allocated \$60,000 for the Grand Parade this year. He went on to advise that, from discussions with staff, it was obvious that the wall that abuts the note needed to be replaced or straightened. Alderman R. Grant suggested that perhaps at least 13 parking spaces could be provided for underneath the Grand Parade, in an horizontal direction, facing the South.

Alderman O'Malley agreed to defer his motion until such time that a solution comes back to Council with respect to an alternate arrangement for parking for Aldermen and the Mayor. He noted that parking in the Grand Parade during the summer months could then be ceased.

Alderman O'Malley, in referring to the motion of deferral, noted that, in the meantime, Aldermen's parking spaces would be open and the Chairman expressed agreement with the suggested, except between the hours of 11:00 a.m. and 2:00 p.m., which is policy during July and August.

Alderman R. Grant requested copies of the agreement with respect to St. Paul's parking.

Motion of deferral passed.

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

10:10 p.m. The meeting resumed with the same members present.

#### City Club and Khyber Building

A confidential information report dated June 28, 1988 was submitted.

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A letter dated June 29, 1988 from the Honourable G. David Nantes, Minister, Department of Small Business Development, was also submitted.

Mayor Wallace emphasized how important the involvement of the Province was in the resolution of this matter. His Worship requested that the motion made by him at the Committee of the Whole Council meeting held June 22, 1988 should be changed to delete the words "MAINSTREET". Mayor Wallace requested that the letter that had been circulated from the Honorable G. David Nantes, be made a part of the motion.

MOVED by Alderman Flynn, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, with the exception of the MAINSTREET PROGRAM:

- (1) Council authorize the purchase of 1580 and 1588 Barrington Street for a negotiated settlement of two million three hundred and fifty thousand dollars (\$2,350,000), subject to the letter of June 29, 1988 from the Honorable G. David Nantes pertaining to the cost sharing agreement; and that
- (2) the lands associated with 3700 Kempt Road be sold for three hundred and fifty thousand dollars (\$350,000).

Alderman Flynn commended the members of City staff who were involved in the final negotiations for saving the heritage buildings on behalf of the citizens of Halifax.

In response to a concern raised by Alderman Downey, His Worship pointed out that the regeneration of Gottingen Street would not be affected by this purchase.

Alderman D. Grant recognized the efforts of Jo-Anne Cook and her organization in working hard to achieve the saving of these buildings.

Motion passed.

#### Authorization for Settlement of Claim

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Council give approval for the Mayor and City Clerk to sign an automobile Proof of Loss Form in order to obtain recovery of funds in the amount of \$9,087.70 in connection with the loss described in the staff report dated May 17, 1988.

Motion passed.

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Regional Meeting - U.N.S.M. (Alderman Leiper)

MOVED by Alderman Leiper, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, the following be confirmed as voting delegations for the Regional meeting of the Union of Nova Scotia Municipalities (to be held on June 23, 1988), with Alderman Deborah Grant serving as an alternate:

Alderman Moira Leiper  
Deputy Mayor J. Albert Walker  
Alderman Arthur Flynn  
Alderman Graham Downey  
Alderman Alfred Hamshaw

Motion passed.

Mileage Policy

A supplementary staff report dated June 28, 1988 was submitted.

A report respecting the "Use of Private Vehicles on City Business" was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Policy 2100 (regarding the use of private vehicles on City business), as attached to the report from the Transportation Committee dated June 20, 1988, be adopted.

Alderman Jeffrey extended a vote of thanks to the Transportation Committee for their recommended mileage policy.

Motion passed.

45 Withrod Drive

MOVED by Deputy Mayor Walker, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, approval be granted for the City to make application to the Supreme Court under the Building Code Act and the Halifax City Charter for an order that the illegal use at 45 Withrod Drive cease, and the building be reconverted to two units.

Motion passed.



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5757 Inglis Street - Registered Heritage Property

This matter was forwarded to Council without recommendation.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that the addition to the registered heritage property at 5757 Inglis Street, as shown on plans submitted with permit no. 28208 dated April 11, 1988, be approved by City Council, provided that wooden cladding is installed to match the original registered structure, that vertical windows are installed rather than horizontal sliders, and subject to issuance of building permits as necessary.

Motion passed.

Encroachment License - 1263 Queen Street

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council approve an Encroachment License to permit the construction of a fence at Civic Number 1263 Queen Street to project over the street line (as shown on the drawing attached to the May 30, 1988 staff report).

Motion passed.

Revenue and Expenditure Statement

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, the revenue and expenditure statement for the four months ended April 30, 1988, be tabled.

Motion passed.

Business Improvement District Commission Rates

MOVED by Alderman Cromwell, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the City seek an amendment to the City Charter, Section 532, Subsection 5, to include provision for the Ordinances governing the various districts to provide a minimum charge from time to time.

Motion passed.



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Northcliffe Pool Repairs

An information report dated June 27, 1988 was submitted.

MOVED by Alderman Leiper, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council approve the expenditure of \$132,000.00 as a supplementary appropriation in the 1988 Capital Budget of the City in accordance with Section 201 (1) of the City Charter 1963, such funds to be expended for repair/maintenance to the Northcliffe Pool as outlined in the staff report dated June 9, 1988.

Motion passed.

Animal Control - Cats

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, this matter be referred back to the City Solicitor with a request that the Ordinance be amended to deal with all animals and that the Ordinance be renamed the "Animal Control and Protection Ordinance."

Motion passed.

Current Borrowing Resolution

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign the current borrowing resolution attached to the June 2, 1988 staff report in the sum of \$7,000,000 for the period of July 1, 1988, in accordance with Section 213 of the Halifax City Charter.

Motion passed.

Naming of Streets in Bayers Lake Industrial Park

MOVED by Alderman Meagher, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, Road A, as shown on the sketch attached to the June 8, 1988 staff report, be named Crane Lake Drive and that Road B, also as shown on the sketch attached to the June 8, 1988 staff report, be named McQuade Lake Crescent.

Motion passed.

Seaview Avenue - Easement

His Worship Mayor Wallace declared a conflict of interest and retired from the meeting.

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Deputy Mayor Walker assumed the seat of the Chair.

MOVED by Alderman R. Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the City release the easement which exists over Lots S-1 and S-2 to allow the sale of those lots.

In response to a question from Alderman R. Grant in relation to the construction of the walkway in July of 1987, Mr. P. Connell, Director of Engineering and Works, advised that the construction of the walkway is proposed to begin on July 11, 1988. He noted that it would take approximately three weeks to complete the project.

Motion passed.

Proposed License - Regatta View Condominium Corporation

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve the terms of the license attached to the June 10, 1988 staff report, and authorize the Mayor and City Clerk to execute same on behalf of the City.

The motion was put and passed.

Award of Tender #87-192: Police and Fire Shirts

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #87-192 for Police and Fire Shirts, as follows, to Continentale Shirt Inc., 372 St. Catherine W., Suite 410, Montreal, PQ, for the unit prices quoted below:

- 1 (a) 523 Shirts - POLICE blue long sleeve @ \$12.64 per shirt
- (b) Shirts (on an as/when required basis) - FIRE blue long sleeve @ 11.64 per shirt
- (c) 97 Shirts - POLICE white long sleeve @ \$12.64 per shirt
- (d) 93 Shirts - POLICE white short sleeve @ \$11.64 per shirt
  
- 2 (a) 1,255 Shirts - POLICE blue short sleeve @ \$11.64 per shirt
- (b) Shirts (on an as/when required basis) - FIRE blue short sleeve @ 11.64 per shirt

The motion was put and passed.

Award of Tender #87-193 - Police and Fire Clothing

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that, as recommended by Finance and Executive Committee, Tender #87-193 for Police and Fire Clothing, as follows, be awarded to Town Tailor and Martin & Levesque (1983) Inc., 1656 Granville Street, Halifax, Nova Scotia, for the unit prices quoted below:

- 1(a) 261 pair long summer pants (POLICE) @ \$38.90 per pair
- (b) 250 pair long winter pants (POLICE) @ \$41.90 per pair
  
- 4(a) long summer pants (on an when/as required basis) (FIRE) @ 33.75 per pair
- 4(b) long winter pants (on an when/as required basis) (FIRE) @ 36.75 per pair

The motion was put and passed.

Expropriation of Right-of-Way: Acorn Road

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the 10 foot wide right-of-way between Lots 10 and 18, as shown on a plan of subdivision of land of Kathleen Rainforth, dated August 10, 1946 and signed by G. M. Hilchie P.L.S., be expropriated from owners unknown; and further, that Recreation, Parks and Grounds, and the Engineering Department consider developing the area as a parking area to allow access for canoes etc. to Williams Lake.

The motion was put and passed.

Award of Tender Number 88-106: Master Logger - Communication System (Halifax Fire Department)

MOVED by Alderman Flynn, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Tender 88-106 for Master Logger - Voice Communication System (Halifax Fire Department) be awarded to Dictaphone Canada Ltd. for a bid price of \$38,250.00 (funds are available from Account Number 126110.B0320).

The motion was put and passed.

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Super Mail Boxes

Reiterating his comments made during the June 22 meeting of the Finance and Executive Committee, Alderman Jeffrey noted that the super mail box installed on City property in front of the new homes on Keystone Court (a continuation of Sunnybrae Avenue) detracts from the neighbourhood, and questioned why mail is not being delivered to these residences as is the case on neighboring streets.

It was subsequently moved by Alderman Jeffrey, seconded by Alderman Deborah Grant that a letter be forwarded by Council to the postal authority in Ottawa, requesting that the super mail box in the vicinity of Keystone Court be removed.

The Acting City Manager referred to a previous resolution in which Council went on record as being opposed to the installation of super mail boxes in the City, and advised that, under the circumstances, he would have the situation on Keystone Court investigated.

The motion was put and passed.

Herring Cove Road B.I.D.C.

MOVED by Alderman Richard Grant, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, that City Council direct staff to discuss and investigate the possibility of establishing a Herring Cove Road Business Improvement District Commission; and further, that, should this occur, staff prepare the appropriate legislation in this regard.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works, from its meeting held on Wednesday, June 22, 1988, as follows:

Traffic at Chebucto Road and Harvard Street

A staff report, dated June 27, 1988, was received from Mr. B. N. Kennedy, Traffic Authority.

Alderman Meagher reiterated his comments made during the June 22 meeting of the Committee on Works regarding the necessity

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for an overhead crosswalk sign at the intersection of Chebucto Road and Harvard Street.

The Alderman strongly recommended that a sign of this nature be installed prior to the reopening of school in September and requested a report from staff (prior to the July 6 meeting of Committee of the Whole Council, if possible) as to where funding for this project can be obtained.

10:25 p.m. - His Worship Mayor Wallace returns to the Chair, with Deputy Mayor Walker resuming his usual seat on Council.

**REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS**

Amendment to Ordinance Number 126, the Train Whistles Ordinance - SECOND READING

This matter was given First Reading during a regular meeting of Halifax City Council held on May 12, 1988, and was further considered during a meeting of the Finance and Executive Committee on Wednesday, June 22, 1988.

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Walker that SECOND READING be given to the following amendments to Ordinance 126, the Train Whistles Ordinance:

Ordinance 126, the Train Whistles Ordinance, as enacted by Halifax City Council on the 27th day of August, 1970 and approved by the Railway Transport Committee of the Canadian Transport Commission on the 17th day of January 1972, is amended as follows:

1. Section 1 of said Ordinance 126 is amended by deleting the reference to the following crossings:

Kempton Road	Mile 1.25 Willow Park Branch - Bedford Subdivision
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Young Street	Mile 1.99 Willow Park Branch - Bedford Subdivision
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Almon Street            Mile 2.24  
                             Willow Park Branch -  
                             Bedford Subdivision

Upper Water Street    Mile 3.05  
                             Deep Water Branch -  
                             Bedford Subdivision

Lower Water Street    Mile 3.35  
                             Deep Water Branch -  
                             Bedford Subdivision

and by adding the following crossings:

Palmer Hill Road        Mile 1.69  
                             Chester Subdivision

Chain Lake Drive        Mile 3.40  
                             Chester Subdivision

Responding to a question from Alderman Jeffrey, the City Solicitor advised that he would review previous amendments of this nature and advise the Alderman of an estimated timeframe for the changes to be implemented.

The motion was put and passed.

Amendments to Ordinance Number 103, Section 49 (Rules of Order Ordinance) - SECOND READING

This matter was given First Reading during a regular meeting of Halifax City Council held on Thursday, May 26, and had been referred from a meeting of the Finance and Executive Committee held on Wednesday, June 22, 1988.

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that the following amendments to Section 49 of Ordinance 103, the Rules of Order Ordinance, be given SECOND READING:

- (1) For the purpose of eliciting or providing information in respect of any matter relating to the business of the City, any member may, at the time appointed by the order of business, make any inquiry or comment to the Mayor, City Manager, City staff, or a member of any board or Committee, if requested for clarity, and no debate shall be permitted on the answer thereto, or any comment, except an explanation of the question if it has been misunderstood, and submit it in writing to the City Clerk for distribution.

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- (2) If any member of the Council puts any inquiry to the Mayor, City Manager, City staff or to a member of any board or committee, as provided in subsection (1) of this Section, such member of the Council may also request that the answer to such question shall be in writing and tabled at a subsequent, but not necessarily the next, meeting of Council.

Alderman Flynn expressed concern regarding the implications of this amendment as it concerns requests to staff members from City Council, and suggested that the matter be referred back to the Committee of the Whole Council for further discussion.

It was subsequently moved by Alderman Flynn, seconded by Alderman Leiper that the matter be deferred to the July 6 meeting of Committee of the Whole Council for further discussion.

The motion to defer was put and passed with Alderman Richard Grant voting in opposition.

Amendment to Ordinance Number 149, the Petty Trades Ordinance  
FOR CONSIDERATION AND REPORT

This matter was given First Reading at the City Council meeting held on June 16, 1988 and was further discussed during a meeting of the Finance and Executive Committee held on Wednesday, June 22.

MOVED by Alderman O'Malley, seconded by Alderman Leiper that SECOND READING be given to the following amendment to Ordinance Number 149, the Petty Trades Ordinance:

Ordinance 149, the Petty Trades Ordinance, as enacted by Halifax City Council on the 29th day of July, 1971 and approved by the Minister of Municipal Affairs on the 17th day of September, 1971 and as amended is further amended as follows:

1. Subsection (2) of Section 9 of said Ordinance 149 is amended by adding immediately following the word "Ordinance" in the first line thereof the following words "and any person employed by the persons licensed".

Motion passed.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee, from its meeting held on Wednesday, June 22, 1988, as follows:

Amusement Arcades

MOVED by Alderman Cromwell, seconded by Alderman Leiper that, as recommended by the City Planning Committee, this matter be referred to the Planning Advisory Committee for review and report.

The motion was put and passed.

Case No. 5436 - Proposed Grace Maternity Hospital

MOVED by Alderman Cromwell, seconded by Alderman Deborah Grant that, as recommended by the City Planning Committee, City Council:

- a) grant the request of the Governing Council of the Salvation Army, Canada East, to convey a portion of Lot S-2 (Lot S-1B) and a portion of Lot M-1 (Parcel-B) directly to the Izaak Walton Killam Hospital for Children at the same time as the balance of the City lands are being conveyed to the Governing Council;
- b) apply the City's Right of First Refusal to re-purchase Lots S-1, M-1 and K-2 to the lands being conveyed to both the Council of the Salvation Army, Canada East, and the Izaak Walton Killam Hospital for Children, if the building on the lands ceases to function for hospital purposes;
- c) authorize the execution of an easement document to release the existing sewer easement on the west side of the Izaak Walton Killam Hospital for Children and to create a new easement when the new sewer from the Civic Hospital and the storm sewer are built further west under the site of the Services Link Building;
- d) approve the release of all existing obsolete easements on the property of the City of Halifax and of the Izaak Walton Killam Hospital for Children, with the exception of the easement noted in Part (c) above.

Alderman Richard Grant expressed concern regarding the implications for the City posed by Item (b), emphasizing that, in his opinion, the lots should more appropriately be leased on a



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long-term basis to the Salvation Army and the IWK Hospital for Children.

After some discussion, the motion was put and passed.

10:30 p.m. - Alderman Dewell enters the meeting.

6292-94 Yukon Street - Issuance of Permits

This matter was forwarded to Council without recommendation.

Alderman Meagher reiterated his remarks concerning the development presently underway at 6292-94 Yukon Street, emphasizing that, in his opinion, a project of this nature is an example of poor planning which does little to protect the existing character of the surrounding neighborhood. He reiterated his concerns regarding the availability of parking on the site, and again asked that the Fire Department inspect the property to ascertain its accessibility by emergency vehicles.

The Acting City Manager advised that a report from the Halifax Fire Department had been submitted and would be distributed to the Alderman as quickly as possible.

Alderman Meagher went on to note that, in his view, the residential neighbourhoods of Peninsula Halifax must be protected from future developments of this nature, emphasizing that, in the weeks to come, he is proposing to bring forward various amendments to the Land Use Bylaw which will ensure such protection.

It was subsequently moved by Alderman Meagher, seconded by Alderman Dewell that staff be requested to comment on the following amendments prior to the next regular meeting of Halifax City Council scheduled for July 14, 1988:

- (a) that the definition of a "front yard," as defined in the City of Halifax Land Use Bylaw, be redefined so that properties on the Peninsula shall have a "front yard" that is parallel with the street line and a "setback" that is consistent with other properties along the street; and that
- (b) approvals for lot consolidations and subdivisions for the Peninsula (which are presently and exclusively the jurisdiction of the Development Officer via the Nova Scotia Planning Act) revert back to the original process of coming before Council prior to approval.

The motion was put and passed.

DEFERRED ITEMS

Consideration of the following items had been temporarily postponed earlier in the meeting, pending the arrivals of both Alderman Cromwell and Alderman Dewell.

Case No. 5571 - Land Use Bylaw Amendment:  
Advertising Costs

A public hearing regarding this matter was held on Wednesday, June 22, 1988.

MOVED by Alderman Leiper, seconded by Deputy Mayor Walker that Section 12 of the Peninsula portion and Section 19A of the Mainland portion of the Land Use Bylaw be amended as set out in Appendix "B" of the staff report, dated April 14, 1988; and further, that Ordinance 163 be repealed upon coming into effect of the amendments to Sections 12 and 19A.

The City Clerk advised that Aldermen Meagher, O'Malley and Flynn had been absent from the June 22 public hearing.

The motion was put and passed with Aldermen Meagher, O'Malley and Flynn abstaining.

Case No. 5614 - Proposed Amendment to the Municipal Planning Strategy and Land Use Bylaw (Mainland Area)

A public hearing regarding this matter was held on Wednesday, June 22, 1988.

MOVED by Alderman Hamshaw, seconded by Alderman Dewell that the Municipal Development Plan and Land Use Bylaw (Mainland Area) amendments be adopted as follows:

- 1) that lands at the northwest corner of Lacewood and Dunbrack Streets be designated "Commercial" from "Residential Environments" on Map 9, and rezoned to C-2 (General Business) and Schedule "L" from Schedule "K;"
- 2) that lands at the southwest corner of Lacewood and Dunbrack Streets (Clayton Park Shopping Centre) be designated "Commercial" from "Residential Environments" on Map 9, and zoned to Schedule "L" with the C-2 (General Business) zoning remaining unchanged;
- 3) that lands in the vicinity of Willett Street and Harlington Crescent be designated "Residential Environments" from

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"Commercial" on Map 9, with the zoning to remain as R-4 (all of these changes being shown on Map 1 of the staff report dated April 26, 1988);

- 4) that the Land Use Bylaw (Mainland Area) be amended by changing the reference in Section 69(E) to Policies 2.7 and 3.6 as Policies 3.7 and 4.6 respectively.

Alderman Deborah Grant indicated that she would not be supporting Alderman Hamshaw's motion as, in her opinion, the approval process for these amendments had been conducted contrary to the City's normal procedure for such changes, referring, in particular, to the fact that a public meeting had not been held by the Planning Advisory Committee.

With reference to Alderman D. Grant's comments, Alderman Leiper referred to objections raised by a Mr. William Stone (45 Swan Crescent) during the June 22 public hearing regarding the Plan amendment procedure. The Alderman asked that the City Solicitor address these concerns in a report (to be copied to Mr. Stone), clarifying the legality of Council's approach to this matter.

The City Clerk advised that Aldermen Meagher, O'Malley and Flynn were not in attendance during the June 22 public hearing.

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

#### MOTIONS

Motion Alderman Richard Grant Re: Amendment to Ordinance  
Number 103, Public Hearing Procedures - FIRST READING

This matter had been deferred from the June 16 meeting of City Council (Notice of Motion had been given by Alderman Richard Grant during a regular meeting of Halifax City Council held on May 12, 1988).

Advising that, owing to other commitments, he had as yet been unable to meeting with members of the City Solicitor's Department, it was moved by Alderman Richard Grant, seconded by Deputy Mayor Walker that this matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, July 14, 1988.

The motion to defer was put and passed.

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Motion Alderman Dewell Re: Amendment to Ordinance  
Number 116, the Taxi Ordinance (Re: Tuition Fees)  
- FIRST READING

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A Notice of Motion regarding this matter was introduced by Alderman Dewell during a regular meeting of Halifax City Council held on June 16, 1988.

A report, dated June 3, 1988, was submitted from Alderman R. Dewell, Chairman, Halifax Taxi Commission.

MOVED by Alderman Dewell, seconded by Alderman Jeffrey that City Council approve FIRST READING of the amendments to Ordinance 116, the Taxi Ordinance (as contained in the report from the Chairman of the Taxi Commission, dated June 3, 1988), and that the amendments be referred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, July 6, 1988) for consideration and report.

The motion was put and passed.

Motion Alderman Meagher Re: Amendment to the Parking Meters  
and Parking of Motor Vehicles Bylaw (Early Payment Discount)  
- FIRST READING

---

A Notice of Motion regarding this matter was introduced by Alderman Meagher during a regular meeting of Halifax City Council held on June 16, 1988.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that City Council approve FIRST READING of the following amendment to the Bylaw Respecting Parking Meters for the Regulation of Parking of Vehicles Left Standing in the City of Halifax:

Section 16 of the said Bylaw is amended by deleting the symbol and figures "\$5.00" from the sixth line thereof, and by substituting therefor the symbol and figures "\$7.50."

and further, that the amendment be referred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, July 6, 1988) for consideration and report.

The motion was put and passed.

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MISCELLANEOUS BUSINESS

1988/89 Insurance Renewal - Effective Date June 30, 1988

A staff report, dated June 24, 1988, was submitted, together with a supplementary report, dated June 29.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that authority be granted to place 1988/89 insurance requirements with Royal Insurance Company, in accordance with recommendations outlined in a letter from Simpson Hurst (dated June 24, 1988) attached to the staff report of June 24, 1988.

The motion was put and passed.

Request for Parachute Jump - Natal Day Committee

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

QUESTIONS

Question Alderman Jeffrey Re: Sewer Line - Convoy Avenue

Alderman Jeffrey noted that several weeks ago he had brought before Council a problem concerning the installation of replacement sewer lines at 91 Convoy Avenue, and emphasized that he had not received a staff report on this matter.

The Acting City Manager indicated that the report had been forwarded to members of Council earlier in the day.

Question Alderman Jeffrey Re: Auditor General's Report

Alderman Jeffrey also indicated that he had previously asked for a report from the Auditor General regarding "travelling expenses," adding that he had not yet received that information.

Question Alderman Jeffrey Re: Hakodate Twinning

Referring to his comments made during the June 22 meeting of the Finance and Executive Committee, Alderman Jeffrey advised that he had not yet received the requested report from the Hakodate Committee.

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Question Alderman Jeffrey Re: Building Permit - Titus Street

Referring to various complaints he has recently received regarding a project on Titus Street, Alderman Jeffrey requested that he be provided with the specifics of the building permit issued in this regard.

Question Alderman Jeffrey Re: Storm Sewer Installation

With regard to the storm sewer installation project presently underway in his area, Alderman Jeffrey brought to Council's attention that it would appear that pre-blast surveys have not been done on all properties, particularly those in close proximity to the blasting site. He noted, for instance, that while his own house had been inspected, those of two of his neighbors living even closer to the Willett Street construction site had not.

In bringing this to Council's attention, Alderman Jeffrey emphasized that, should any damage occur as a result of blasting, payment to the contractor should be held back until all damage claims have been honored.

Question Alderman Flynn Re: Mobile Canteens

Alderman Flynn referred to the Charter amendments recently approved by the Province, and asked for information as to when the City can commence to execute its authority with regard to the parking and removal of mobile canteens from its streets. In raising this matter, the Alderman commented that, in his opinion, the area adjacent to the Halifax Regional Library on Spring Garden Road should be addressed as quickly as possible in order to eliminate the constant jockeying for position now occurring.

The City Solicitor advised that staff is currently undertaking a survey with regard to appropriate locations for these vendors.

Alderman Flynn also asked for information as to whether the City will be able to tender these parking spaces immediately, or, alternatively, will it be required to wait until the next licensing period commencing in April of 1989.

Mr. Murphy indicated that he would research this matter, and provide the Alderman with a response prior to the July 6 meeting of Committee of the Whole Council.

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Question Alderman Flynn Re: Recreation Committee

Alderman Flynn made reference to a motion made by the Recreation Committee (during its meeting on June 15) regarding the St. Mary's Family Recreation Centre, and asked for information as to whether Council is required to comment on that motion at this time.

His Worship Mayor Wallace advised that the Chairman of the Recreation Committee had subsequently been advised that staff have undertaken negotiations with the Archdiocese regarding this matter, and therefore suggested that, at present, no further action by Council is necessary.

Question Alderman O'Malley Re: St. Mary's Family Recreation Centre

Responding to a question from Alderman O'Malley, His Worship Mayor Wallace advised that a consultant is presently developing a report to City Council which will contain recommendations regarding the boat house property.

Question Alderman O'Malley Re: Police Response - Charlie Zone

Alderman O'Malley made reference to his long-standing concern that the manpower resources of Charlie Zone, because of the downtown commitments, are supplemented by removing police strength from the residential areas of the City.

In reiterating that concern, the Alderman made reference to a recent incident in which a resident of Convoy Estates noticed a suspicious vehicle entering a nearby parking garage. Despite the fact that a total of three calls were made to the Police Department over a 45-minute period, Alderman O'Malley emphasized that the request for assistance was not answered, and consequently a burglary of a vehicle occurred.

The Alderman asked that he be provided with a written response as to why these calls were not responded to, adding that he could provide the Chief of Police with the names and addresses of the witnesses upon request.

He further noted that he had had a similar complaint regarding an accident which recently occurred at the corner of Agricola and Charles Street, emphasizing that the response time in this instance was in the vicinity of 45 minutes.

Question Alderman O'Malley Re: Bloomfield School

Alderman O'Malley referred to the recent decision by the Halifax District School Board to return two of the three buildings comprising the Bloomfield School complex to the City of Halifax, noting that these units will now be considered for the seniors program.

The Alderman advised that, over the last several years, he had incorporated monies in the Capital Budget program for renovations to Devonshire Centre, and asked the City Manager to review those funds to determine if a portion could be reallocated to the Bloomfield building (for the purposes of developing the interior of that structure).

Alderman Deborah Grant Re: Letter to Halifax Grain Elevators

Alderman Deborah Grant referred to a letter written several weeks ago on her recommendation by His Worship Mayor Wallace to the Halifax Grain Elevators, and the Federal and Provincial Departments of the Environment concerning the possibility of including a City staff member on an ongoing committee established to investigate the problems of grain unloading in the South End area.

While acknowledging the subsequent receipt of certain information, the Alderman emphasized that no response had yet been forwarded regarding the requested appointment of a staff member, and therefore requested that a second letter be sent by Mayor Wallace in this regard.

Mayor Wallace indicated that his office would follow up on the matter.

Question Alderman Richard Grant Re: Computer Advisory Committee

Alderman Richard Grant referred to the establishment of a "computer advisory Committee" approved by Council some months ago. He emphasized that it had initially been suggested that this committee receive input from computer experts outside the City's administration, noting that he himself had submitted suggestions in this regard to the Director of Finance.

Alderman Grant noted that to his knowledge this committee had not been activated and asked for information as to its status.



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Question Alderman Richard Grant Re: Fronting and Flanking Streets

Alderman Richard Grant referred to a report received by him from the City Solicitor regarding fronting and flanking streets, and requested that this information be circulated to all members of Council and, as well, to Mr. Brewer who had previously appeared before Council in opposition to the application regarding 67 Withrod Drive.

Question Alderman Richard Grant Re: Soccer Fields

Alderman Grant referred to a request made by him during the June 22 meeting of the Committee on Works, regarding a report on the cleaning up of the soccer fields, emphasizing that he would appreciate receiving this information prior to the July 6 meeting.

With regard to the lands adjoining the Ashburn Golf Course, Alderman Grant referred to his previous request that Soccer Nova Scotia be contacted for their comments regarding the suitability of this site for soccer facilities.

Question Alderman Richard Grant Re: Tourism Halifax

Alderman Richard Grant made reference to the fact that it had been his understanding and that of the Natal Day Committee that Tourism Halifax had agreed to assist in and provide promotion for the Halifax Natal Day celebrations.

In this context, he asked for information as to why his Committee had been restricted in its use of that Department's photocopying equipment, and why staff of Tourism Halifax are not responding to requests for information from the public regarding Natal Day events.

Question Alderman Richard Grant Re: Duplex Lot Requirements

Referring to a situation similar to the application at 67 Withrod Drive recently considered by City Council, Alderman Richard Grant asked for information from the Legal Department as to the necessity for duplex units (sold as individual structures) to front on a road.

The City Solicitor noted that he would have to review the circumstances of the site before he could advise the Alderman on this matter.

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Question Deputy Mayor Walker Re: Emergency Telephone Calls

Deputy Mayor Walker referred to a recent incident in which a resident of Herring Cove Road telephoned the City's Fire Department to report an accident. When the individual attempted to make another call immediately thereafter, he found his telephone still linked to HFD.

Emphasizing that this situation could prove potentially dangerous, the Deputy Mayor asked if a method could be found to lessen the linkage time for such calls.

Question Alderman Downey Re: Repairs - Chebucto Landing

Alderman Downey expressed concern regarding the necessity for surface repairs in the area in front of Fishermen's Market at the foot of George Street, asking that the pot holes and other deficiencies be rectified as quickly as possible.

Question Alderman O'Malley Re: Appointment of Auditor General

Responding to a question from Alderman O'Malley, His Worship Mayor Wallace advised that a meeting of the Audit Committee will be held within the next several weeks to schedule interviews with applicants for the position of Auditor General. He added that it is anticipated that a recommendation regarding this appointment will be forthcoming by the end of July or early August.

Question Alderman O'Malley Re: Condition of Sods

Alderman O'Malley referred to previous concerns raised by Alderman Meagher concerning the condition of replacement sods used by City contractors during sidewalk renewals.

In his remarks, the Alderman emphasized that he has received numerous complaints regarding the quality of these sods, noting that many residents feel they are either sub-standard or contain a bacteria which contaminates existing sods.

Alderman O'Malley requested that staff review these complaints, and asked that they particularly investigate the condition of the replacement sods installed adjacent to 5834 Macara Street.

Question Alderman Leiper Re: BFI Strike

Alderman Leiper expressed concern that the long-standing dispute between BFI workers and their management is still

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underway, suggesting that, by its failure to encourage a quick settlement, the City of Halifax appears to have little regard for the workers under contract to it.

Alderman Leiper therefore strongly recommended that His Worship the Mayor, on Council's behalf, contact BFI to ascertain whether there is anything the City can do to effect a settlement of this strike as quickly as possible.

Question Alderman Meagher Re: Outfall - Historic Properties

Alderman Meagher referred to the situation surrounding the sewer outfall in the vicinity of Historic Properties, and requested information from the Engineering and Works Department as to when corrective measures can be taken in this regard. Alderman Meagher urged that, owing to the onset of the summer weather and the tourist season, this project be commenced as quickly as possible.

Question Alderman Meagher Re: Sod Replacement

Concurring with remarks made earlier by Alderman O'Malley, Alderman Meagher strongly recommended that the matter of defective replacement sods be investigated by the Engineering and Works Department, and that funds be set aside in the City's budget for the replacement of any sods found to be sub-standard.

Question Alderman Richard Grant Re: Letter of Appreciation

Alderman Richard Grant requested, and it was so agreed, that a letter of appreciation be forwarded by His Worship the Mayor, on behalf of the members of Halifax City Council, to Fireman John Cole for his efforts (and of those who assisted him) in raising more than \$10,000 for muscular dystrophy research over the June 25 weekend.

ADDED ITEMS

Neighborhood Watch Voice Messaging System

A report, dated June 28, 1988, was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Downey that authority be granted to accept this offering from Digital Equipment Canada (as outlined in the June 28, 1988 report), and for staff to formalize this arrangement by written agreement; and

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further, that this donation of equipment to the Halifax Police Department be acknowledged with expressed gratitude.

The motion was put and passed.

Appointment

A report, dated June 29, 1988, was submitted from His Worship Mayor Wallace.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that Mr. Donald G. LeBlanc be appointed to the Halifax-Dartmouth Port Development Commission (term to expire June 29, 1989).

The motion was put and passed.

Economic Increase - Senior Salaries

MOVED by Alderman Flynn, seconded by Deputy Mayor Walker that the economic increase for senior employees of the City of Halifax be that of non-union staff (i.e., 3.5 percent) for the year 1988.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at 11:30 p.m.

HIS WORSHIP MAYOR RON WALLACE  
AND  
DEPUTY MAYOR J. ALBERT WALKER  
CHAIRMEN

EDWARD A. KERR  
CITY CLERK

mmd\*K

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**SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
July 6, 1988  
7:30 p.m.

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

After the meeting was called to order, members of Council joined in reciting the Lord's Prayer.

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

**Also Present:** Mr. R.J. Matthews, Acting City Manager; Ms. M.E. Donovan, Representing the City Solicitor; Mr. E.A. Kerr, City Clerk; Mr. C. Reddy, Mr. M. Hanusiak, and Mr. G. Porter, all of the Development and Planning Department; and other members of City staff.

**ADDED ITEMS**

The City Clerk advised of the following items added to the agenda from the Committee of the Whole Council meeting held earlier this date:

1. Award of Tender - #88-40 - Sidewalk Renewals;
2. Award of Tender - #88-14 - New Sidewalks;
3. Rezoning from P Zone to U-2 Zone at 156 Bedford Highway;
4. Zoning Map Correction (Proposed Amendment) Fairview Secondary Planning Strategy.

**Award of Tender - #88-40 - Sidewalk Renewals**

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

1. Tender #88-40 be awarded as follows and with a total combined project cost of \$199,000:

- Item 1, as follows, to Armdale Construction for a bid price of \$41,202.50:

- (a) Victoria Road - S/S - Bland to Lucknow
- (b) Green Street - N/S - Barrington to 65 m west
- (c) Clyde Street - S/S - Birmingham to Dresden

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- Item 2, Brunswick Street - W/S - Rainnie Drive to Sackville to King Concrete for a bid price of \$82,279.00

- Item 3, South Bland Street - E/S - Inglis to Atlantic to Armdale Construction for a bid price of \$41,570.00

2. Funding Authorized from Account Numbers: CB319, CB285, CB263, CB259, CC020.

Motion passed.

Award of Tender - #88-14 - New Sidewalks

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

1. Tender #88-14, as follows, be awarded to Armdale Construction Ltd. for a total bid price of \$58,020.00 and a total project cost of \$69,000;

- 1) Salter Street (N) Water Street to End
- 2) Windsor Street (E) Existing to Lady Hammond Road

2. Funding Authorized from Account Numbers: CA024 and CA025;

3. Funding Transfers be approved as follows:

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
CB400 to CA024		\$13,000.00
CB400 to CA025		\$12,000.00

Motion passed.

Rezoning from P Zone to U-2 Zone at 156 Bedford Highway

MOVED by Alderman Hamshaw, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone Lot W at 156 Bedford Highway from P (Park and Institutional) Zone to U-2 (High Density University) Zone, as shown on Plans No. P200/16495-99 of Case No. 5541.

Motion passed.

The City Clerk advised that the date for the public hearing would be scheduled for **Wednesday, August 17, 1988** in the Council Chamber, City Hall, beginning at **7:30 p.m.**

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Zoning Map Correction (Proposed Amendment) Fairview Secondary  
Planning Strategy

MOVED by Alderman Jeffrey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a date be set for a public hearing to consider amending the Land Use Bylaw (zoning map) to change the label "R-2P" to "R-2" in the Peninsula section of the Fairview Secondary Planning Strategy area, as shown on Map P200/16669 attached to the June 29, 1988 staff report and further that only those property owners within the Peninsula R-2P Zones be notified of the proposed change.

Motion passed.

The City Clerk advised that the date for the public hearing would be scheduled for Wednesday, August 17, 1988 in the Council Chamber, City Hall, beginning at 7:30 p.m.

Case No. 5610 - Appeal of a Minor Variance at 1526 Lilac Street

The City Clerk advised that the appellant, Mr. J. Miller, was not prepared to address Council at this time and asked that the appeal be deferred to the Special City Council meeting of Wednesday, July 20, 1988, to which Council agreed.

Before continuing with the remainder of the agenda, the Chairman recognized the following who were present in the gallery: The Honourable Joel Matheson, Minister of Sport and Fitness; the former Mayor, Walter Fitzgerald; and the former Deputy Mayor, Mr. Wilfred Moore.

Case No. 5558 - Development Agreement - Modification, 1313 Dresden Row

A public hearing into the above matter took place at this time.

Mr. G. Porter, Planner, Development and Planning Department, outlined the application requesting modification pursuant to Section 15 of the Land Use Bylaw to permit construction of a single family dwelling at 1313 Dresden Row. During his presentation, Mr. Porter made reference to the staff report dated June 1, 1988.

Mr. Porter presented a drawing of the proposed building which he noted had just been received on this date. Mr. Porter pointed out that staff had expressed reservation with respect to the amount of lot coverage and the lack of a rear yard. Referring to the applicant's latest proposal, Mr. Porter noted that the building had been redesigned. He further noted that staff had not really had an opportunity to review the latest proposal to make sure that it met all the concerns of staff. However, Mr. Porter

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suggested that the amended plan did appear to meet the requirements of staff.

Mr. Paul LaRose, residing at 5621 Morris Street, addressed Council and advised that his house abuts the proposed house. He advised that he was immediately to the south of the project. Because his lot was subdivided many years ago, Mr. LaRose noted that it was only 45 feet deep which he indicated results in having only a 12 foot rear yard that is used as a driveway. Mr. LaRose went on to advise that, three or four years ago, Council approved a motion for a variance to allow him to construct a sun deck above his driveway which he noted has given him a modest, but suitable outdoor area. Mr. LaRose advised that there was a three foot space between his deck and the existing building on the property in question. Mr. LaRose expressed the concern that the applicant proposes to build right up to the south property line. He further commented that the three foot space and the building which now exists, would be entirely eliminated if the application was approved.

Mr. LaRose went on to express concern with respect to the proposed height of the structure. He suggested that the proposed structure would be so high that it would create an effect on his property of being in a tunnel. Mr. LaRose requested that Council insist that there be a three foot space between the building and the lot line that now exists, and that he be given relief from the proposed height of the development i.e. an angled roof.

In closing, Mr. La Rose advised that he was not against improvements to properties. He further advised that he and his next door neighbors and other long term residents of the neighbourhood take constant care of the street and the neighbourhood and, therefore, he suggested that they should be given encouragement to remain down town residents.

Mr. David Gunn, residing at 5619 Morris Street, addressed Council and advised that the proposed building will form the boundary at two sides of his property and enclose a back garden of approximately 25 feet by 26 feet. He noted that the north and west boundaries of his garden consist of a former convenient store. Mr. Gunn went on to note that this building is 12 feet high and, because of that height, it had allowed them to enjoy the sun in their garden until late afternoon. Mr. Gunn emphasized that this piece of property was a very important part of their lives. He suggested that any change in the height of any building that is put on that spot, occupied at present by the store, would have a very severe impact on the enjoyment of his property.

Mr. Gunn pointed out that his comments were predicated on the first proposal and that this was the first time that he had seen the second proposal.

Mr. Gunn went on to express concern with respect to the property value of his home. He further suggested that the

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proposed building would result in a great many more people moving into the area which, he advised, would subsequently cause a loss of privacy. Mr. Gunn also indicated that he was concerned about the impact of the proposed house construction on his property.

Mr. Gunn noted that his other comments really related to the first design that was proposed to Council.

Alderman O'Malley pointed out that it was evident that those who were addressing this development, had not viewed the project under consideration prior to this evening or seen the total geometric configuration of the building. Alderman O'Malley questioned whether or not that was a legal procedure, and indicated that he would suspect that there was a potential illegality in what had been advertised as a public hearing and what was actually being considered at this time.

Ms. Donovan, representing the City Solicitor, advised that there was an obvious unfairness to presenting a second proposal at the last moment without the opportunity for public review.

Mr. Wilfred P. Moore, Solicitor for the Applicant, addressed Council and advised that they changed their initial proposal in an attempt to conform with the wishes of staff and concerns that were expressed to them.

After consultation with his client, Mr. Moore advised that they wished to have the revised proposal considered and this hearing adjourned to the earliest date possible.

MOVED by Alderman O'Malley, seconded by Alderman Downey that this hearing be adjourned to a later date to be identified at this time contingent upon that being acceptable under the terms of reference of the NS Planning Act.

The Acting City Manager clarified that the motion would indicate that this hearing be continued at another time rather than holding a second hearing.

Ms. Donovan suggested that the matter be reviewed and the appropriate course of action decided upon within the next few days. She further suggested that a tentative date for the adjourned hearing be scheduled at this time and, if difficulty arises after staff review, the matter be forwarded to the City Council meeting to be held on July 14, 1988 and an appropriate course of action be decided upon at that time.

Motion passed.

The City Clerk advised that the adjourned hearing would be tentatively scheduled for July 20, 1988 at 5:00 p.m.

A brief dated July 6, 1988 from Mr. Wilfred P. Moore, Q.C., Chandler Moore, was submitted.

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A letter dated July 6, 1988 from Charles A. Armour was also submitted.

Case No. 5568 - Rezone from R-2 to C-2A - 6393 Young Street

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

Mr. C. Reddy, Planner I, Development and Planning, with the aid of plans outlined the application requesting to rezone 6393 Young Street at the corner of Oxford Street from R-2 to C-2A, as contained in the staff report of May 10, 1988.

Mr. Ronald MacNeil, residing on Oxford Street, addressed Council and expressed concern with respect to the traffic situation in that area. He advised that there was no parking at the corner where the change is proposed, and that there has been a high incidence of accidents along that corner.

Mr. Harry Williamson, on behalf of his parents who reside at 3077 Oxford Street, addressed Council and advised that his parents were against the rezoning of the property at 6393 Young Street.

Mr. Graham Hicks, residing at 5335 Young Street, addressed Council and suggested that anything larger than a duplex, for example, would not be acceptable on the property in question. He went on to express concern with respect to the traffic problem in the area and that the proposed application would add to that problem. Mr. Hicks further suggested that the property in question was not suitable for anything but residential usage. Mr. Hicks suggested that approval of the application would be the first step toward further development on the east side of Young Street.

Mr. Walter Fitzgerald, residing at 6236 Shirley Street, addressed Council as President of the Homeowners Association and with a personal interest. Mr. Fitzgerald advised that he was against the rezoning and that his Association was as well. Mr. Fitzgerald advised that the residents in the area feel that their way of life was threatened in this particular case, and suggested that rezoning should benefit the whole community. He noted that the majority of people do not wish to be next to a commercial development and expressed concern with regard to this creeping commercialism.



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Mr. Rodney Caley, residing at 6571 Young Street, addressed Council and advised that he had inquired about traffic statistics in the Young Street area and, was advised by City staff, that the latest available were for April 1987. Mr. Caley submitted that traffic had increased since that time in this area and that it was a problem. Mr. Caley referred to the staff report of May 10, 1988 where it states that Policy 3.1.2 suggests that minor commercial areas should be located along principal streets. He advised that the report later states that Oxford Street was not a principal street. Therefore, Mr. Caley suggested that this fact goes against Policy 3.1.2. Mr. Caley submitted that approval of this application would add to a creeping commercialism of this area and indicated that he was strongly against this proposal.

Mr. B. Dockrill, owner of B.D. Holdings Limited, the applicant addressed Council and advised that he purchased the property in question based on what he thought could be achieved on the site. He went on to advise that he approached City staff with regard to the usage of the property, and was advised that it could be rezoned to minor commercial subject to the process. Mr. Dockrill noted that he designed a building for the site that he thought was in keeping with the residential component of the area, with the setback requirements to eliminate sun from being taken away from other properties, and with parking for 10 cars to supply the buildings use. Mr. Dockrill indicated that he was amazed to receive such opposition to his proposal. He noted that he had received only one call from a resident who was initially against his proposal, but who indicated later that he was in support of it after reviewing it.

Mr. Michael McGrath, residing at 6349 Young Street, addressed Council and indicated his opposition to the rezoning application. Mr. McGrath advised that it was his understanding from speaking with City staff, that over 95 percent of the residents in the area were against this rezoning. Mr. McGrath suggested that, where so many people are against this type of development, the Municipal Planning Strategy should be reviewed again. He noted that the residents were against further commercial development on Oxford Street. In closing, Mr. McGrath urged Council not to approve this application because they wish to continue to live on Young Street.

The Chairman asked the City Clerk if there were any written submissions received with regard to this rezoning application.

The City Clerk advised that only one written submission was received.

Mr. Reddy advised that a number of petitions had been received by the Development and Planning Department and it was agreed that those petitions would be forwarded to the City Clerk to be entered as part of the record.

Mrs. Thelma Billard, residing at 6387 Young Street, addressed Council and referred to a petition signed by 95 people that had

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been submitted. Mrs. Billard indicated that she was strongly opposed to the proposed rezoning.

There were no further persons present wishing to address Council.

Alderman Dewell presented a video tape of the property in question. He noted that the property was situated on a narrow 44 foot frontage lot on Young Street. During the short video presentation, Alderman Dewell advised that the property in question was surrounded by attractive single family homes. Alderman Dewell went on to advise that the homeowners were justifiably concerned about the erosion of the residential component of their community. He pointed out that there is already a fair degree of commercial activity, well serving the area, in the nearby neighbourhood. Referring to the monitor, Alderman Dewell further noted that there was a considerable amount of traffic volume in this area.

Alderman Dewell explained that the overall objective of the Municipal Development Plan for the City of Halifax and for on-going planning, states "the enhancement of the physical social and economic well being of the citizenry of Halifax to the preservation, creation, and maintenance of a liveable City developed at a scale and density which preserves and enhances the quality of life." Referring to the monitor displaying pictures and quality of the homes in the area, Alderman Dewell submitted that the quality of the life of the residents in the area, nearby the proposed development, would not be preserved or enhanced. He further indicated that the quality of life they have worked for and come to enjoy, would probably be greatly diminished.

Alderman Dewell noted that the application was for a rezoning and not a contract development which would permit a specific building. He suggested that, if the property was rezoned as requested, a structure would be allowed on it that could conceivably cover 100 percent of the lot and a number of other uses that go along with the C-2A zone i.e. retail outlets, barber shops, banks, etc. that may not be appropriate for the area at this time.

Alderman Dewell noted that Council had, in the past, experienced difficulties in the area of rezoning a property based on a structure. He advised that this was why he did not want this consideration introduced as part of this hearing. Alderman Dewell went on to indicate that the reason for rezoning a property was not to encourage the maximum return on the land nor the heaviest use, but rather the most appropriate use for that property. Alderman Dewell indicated that it was his contention that the most appropriate use was not that which was proposed, but rather that which was allowed under the current R-2 designation.

Alderman Dewell also suggested, if Council rezoned this property, it would be encouraging increased traffic at Young and



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Oxford Streets contrary to its long range plans. Alderman Dewell suggested that the only time Council should consider to rezone this property commercial, is if the land is properly assembled and the whole area is considered for rezoning. He further noted that Council could, with the future land use map, time the execution of the policies within the plan. Alderman Dewell advised that, as indicated by the neighbors and the community, this was not the proper time for the rezoning of the property. For these reasons and other reasons that may be found in the Regional Development Plan and the Municipal Planning Strategy, Alderman Dewell asked for Council's support in turning down the application for rezoning.

MOVED by Alderman Dewell, seconded by Alderman O'Malley that the application by B. D. Holdings Limited to rezone the property at 6393 Young Street from R-2 (General Residential) Zone to C-2A (Minor Commercial) Zone be denied.

Motion passed.

The following correspondence was received subsequent to the advertisement of this application:

- A letter dated June 18, 1988 from Mr. and Mrs. Charles Hall.

The following correspondence was received prior to the advertisement of this application:

- A letter dated March 14, 1988 from T.R. and F.M. Brown;
- A letter dated March 14, 1988 from Thelma and Llewelyn Billard;
- A letter dated March 16, 1988 from Roy A. and Alice Williamson;
- A letter dated March 16, 1988 from Douglas L. Billard;
- A letter dated March 17, 1988 from Mrs. Thomson;
- A letter dated March 21, 1988 from Mr. Michael R. McGrath;
- A letter dated March 22, 1988 from Hal Dobbelsteyn;
- A petition containing approximately 95 names opposed to the rezoning;
- A petition containing approximately 8 names in support of the rezoning.

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Case No. 5058 - Contract Development - Ravine Park - Residential  
and Shopping Centre Proposal

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

Mr. M. Hanusiak, Planner II with the Development and Planning Department, with the aid of plans, outlined the application for a contract development to permit a mixed residential/commercial development adjacent to the northeast corner of the intersection of the Bicentennial Highway and Kearney Lake Road (as contained in the staff report of June 20, 1988).

In response to a question from Alderman Jeffrey, Mr. Hanusiak advised that the development would have an impact on traffic on the Kearney Lake Road, but one that could be managed by the installation of traffic lights. He advised that the driveways had been reviewed and approved by the City's traffic authority.

Responding to a further question from Alderman Jeffrey, Mr. Hanusiak advised that the clientele of the shopping centre would dictate where the traffic would be generated from. Mr. Hanusiak suggested that the project would not increase the traffic in the Lacewood Drive, Glenforest Drive, Main Avenue and Dutch Village Road areas. However, Mr. Hanusiak emphasized that his only concern would be if traffic from the peninsula decided to go out to this development. He advised that, of course, then the traffic would increase in those areas noted.

Alderman Jeffrey questioned whether or not there were any plans in the near future to revamp the Fairview overpass. He went on to express the concern that the development would impact on that overpass.

Mr. Hanusiak advised that he was not aware of any plans to revamp the Fairview overpass, but indicated that he would look into this matter and report back to the Alderman.

Following up on Alderman Jeffrey's concern, Alderman O'Malley suggested that perhaps the establishment would diminish the traffic flow between Halifax City and the area concerned. He noted that residents of that area would no longer be compelled to go to Bedford or Halifax City to shop as a result of the new development.

Mr. Hanusiak reiterated the fact that it would be the tendency for a client to go to the nearest store and, therefore, he suggested that through traffic would be diminished towards the peninsula.

Mr. John Rocca, representing the applicant, Rocca Group Enterprises Ltd., addressed Council and advised that the following persons were in attendance and available to address any questions related to the proposed project: Mr. Bill Lydon, architect for the project; Mr. Peter Klynstra, architect; and Mrs. Colleen

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Mercer-Clark, who worked on the environmental aspects of this project.

Mr. Rocca commented that his group felt it was important from the start of this project, five years in the planning, to involve the Community in its planning. He noted that they wanted to ensure that the Community's concerns were addressed and also that the project, that was ultimately approved, reflected the Community's viewpoints. Mr. Rocca advised that the input from the Ward 12 Community Association resulted in the following major accomplishments: a much improved project, a greater protection and enhancement for the Hemlock Ravine, and an increased amount of passive and active recreational facilities.

Mr. James Gregg, President of the Ward 12 Community Association, addressed Council and advised that, for approximately the last two years, the Ward 12 Community Association had worked very hard viewing this project. Mr. Gregg made reference to a letter submitted dated June 27, 1988 from the Association stating its position. Mr. Gregg advised that the Association's involvement with the Rocca Group had been a positive one. He noted that Mr. Rocca had cooperated throughout the whole process and responded with sensitivity to the concerns expressed.

Ms. Ann McMillan, Marlwood Drive, Wedgewood Park, addressed Council and thanked Mr. Rocca and his Association for his sympathetic approach and sensitivities in relation to their concerns during the past year. Ms. McMillan noted that the proposed development would be enjoyed by the Community as a result of their coordination together.

Ms. McMillan went on to ask that Council give future consideration to active recreational facilities for the Southeast Corner of the Kearney Lake Road and the Bicentennial Highway. She advised that the original land contract included 8 acres of land that were itemized and zoned as major community open space. Ms. McMillan advised that the matter was raised at the first public hearing in relation to this proposal. She went on to note that the Ward 12 Community Association does not consider this matter as a concern of Mr. Rocca's, but suggested that it was a concern between the community and Council and requested that her presentation with respect to active recreation space be recorded in these minutes.

Ms. McMillan referred to the letter dated June 27, 1988 from the Ward 12 Community Association and asked that the following paragraph be entered into the minutes for future discussion:

"That adequate ACTIVE recreational facilities for both the present and future community requirements be developed in conjunction and within the time frame of the completion of the Rocca Development. This recreational area to be situated on the Southeast Corner of Kearney Lake Rd. and the Bi-centennial Highway."

Ms. McMillan went on to advise that the matter of adequate active recreational facilities had become a major issue in their Community. She referred to a meeting held three weeks ago with City Planning staff with regard to Schedule Q. Ms. McMillan advised that there were over 150 people at that meeting and that 60 percent of the meeting focused on the topic of active recreation space.

Ms. McMillan further quoted the following from the June 27, 1988 letter from the Ward 12 Community Association and asked that it be entered into the record too:

"This commitment is requested due to the following findings of City Staff as presented in "Park Proposal & Zone Amendments ---- Kearney Lake Rd., Wedgewood Park Area ---- Staff Report ----- Mar 9/88"

- a. This subject area is the strongest growth area in the City.
- b. Studies of the recreational needs of the Mainland North including the Grosvenor Wentworth Study, 1975, and the Mainland Common Report, 1985, have pointed out the need for additional recreational facilities for ACTIVE USE.
- c. The analysis supports the development of an additional six to eight acre site in this area for ACTIVE USE facilities.
- d. Residents of this area have consistently shown strong interest in getting local facilities developed in this area. The area of the proposed Rocca development was considered in 1984 but not pursued.  
"THE SOUTHEAST CORNER OF THE KEARNEY LAKE RD. IS THE ONLY AVAILABLE LAND REMAINING WHICH MEETS THE CRITERIA FOR A NEIGHBOURHOOD PARK.---CITIZENS OBSERVATION."
- e. Only a small percentage of Mainland North parkland is suitable for active use and in fact it has the greatest deficit of active recreational facilities per capita.
- f. Tremount Plateau which is presently being developed is considered to be too far from the areas near the Kearney Lake Rd. and East of Dunbrack St.
- g. THE SOUTHEAST CORNER OF KEARNEY LAKE RD. AND THE BICENTENNIAL HIGHWAY WOULD SUFFICE AS THE LOCATION FOR THE PROVISION OF AN ACTIVE RECREATIONAL FACILITY FOR THE COMMUNITIES OF ROCKINGHAM NORTH, CRESTHAVEN AND WEDGEWOOD AS WELL AS OTHER NEW DEVELOPMENTS TO THE WEST OF DUNBRACK STREET."

Ms. McMillan noted that there have been three meetings between the Ward 12 Community Association and Mr. N. Murray since this letter was written in relation to recreational principles. As a result of those meetings, Ms. McMillan advised that they have discovered that the land referred to in the June 27, 1988 letter

does meet those principals. She further noted that it has also been determined that, from review of the capital budget for recreational development, \$244,000 was allocated for that particular area of their Ward. Ms. McMillan advised that the only remaining site, that would meet the principals of active recreation, was the site at the southeast corner of the Kearney Lake Road and the Bi-centennial Highway. Therefore, Ms. McMillan, on behalf of the Ward 12 Community Association, requested that City Council consider obtaining that site for active recreational space for their community.

Mr. David Coates, Julie's Walk, addressed Council and questioned why another shopping centre was needed. He noted that they were assured about 18 months ago that the development would not exceed 135,000 sq. ft. Mr. Coates expressed the concern that the figure had increased to 190,000 sq. ft. Mr. Coates expressed the concern that the whole area was not being looked at and suggested, until there was a detailed plan for all four corners, one terrible mess would exist. Mr. Coates urged that all four corners be reviewed and that the original 135,000 sq. ft. for the development be considered.

Mr. Hanusiak clarified that the 135,000 sq. ft. referred to, was talked about in relationship to the plan amendment back a year and a half ago. At that time, Mr. Hanusiak advised that the development did not include the lands belonging to Sobey's Limited consisting of a 45,000 sq. ft. food store.

There were no further persons present wishing to address Council.

MOVED by Alderman Hamshaw, seconded by Alderman Dewell that:

1. Pursuant to Section 69 of the Land Use Bylaw (Mainland), City Council approve the entering into of a development agreement between the City and RGL Developments Ltd. and Canadian Shopping Centres Limited for the construction of a commercial shopping centre on lands located to the immediate northeast of the intersection of Kearney Lake Road and the Bicentennial Highway.
2. The development described in Item 1, of the staff report dated June 20, 1988, be built in substantial conformity with Plans No. P200/16602, 16658, 16692, 16694 and 16695 as filed with the City under Case No. 5085, and shall be completed within 3 years from the signing of the development agreement.
3. Pursuant to Section 68 of the Land Use Bylaw (Mainland), City Council give Stage I approval to RGL Developments Ltd. for the construction of three apartment buildings and twelve townhouse dwelling units, on lands located immediately west of Castle Hill Drive.

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4. The development described in Item 3 of the June 20, 1988 staff report shall be constructed in substantial conformity with Plans No. P200/16602, 16658, 16692, 16693 and 16695 of Case No. 5085, and shall be completed within 5 years of the signing of the development agreement.
5. The said development agreements be signed within 120 days, or any extension thereof granted by City 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.
6. A quick study be undertaken for active recreational space in the immediate area and preferably at the site designated.

Motion passed.

Case No. 5610 - Appeal of Minor Variance at 1526 Lilac Street

This matter was dealt with earlier in the meeting.

9:40 p.m. There being no further business the meeting adjourned.

DEPUTY MAYOR J. ALBERT WALKER  
CHAIRMAN

mmd

HEADLINES FOR CITY COUNCIL MINUTES  
of 06/07/88

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**CITY COUNCIL  
M I N U T E S**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
July 14, 1988  
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 in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Mr. B.G. Smith, Acting City Manager; Mr. D.F. Murphy, City Solicitor; Mr. E.A. Kerr, City Clerk; and other members of City staff.

His Worship Mayor Wallace, on behalf of Council, wished Alderman Hamshaw, presently convalescing in the Halifax Infirmary, a speedy recovery.

His Worship also expressed his appreciation to Deputy Mayor Walker for carrying on the duties of Mayor while he was away and doing so in a very competent manner. He further extended best wishes to Deputy Mayor Walker's wife who is in hospital.

**MINUTES**

Minutes of the regular meeting of City Council held on June 29, 1988 and of the special meeting of City Council held on July 6, 1988 were approved on a motion by Alderman Cromwell, seconded by Alderman Downey.

**APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS**

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

- 20.1 Award of Tender #88-42 - Sidewalk Renewals;
- 20.2 Award of Tender #88-12 - New Sidewalk;
- 20.3 Police Club Property - South Street - Proposed Amendment to MPS;
- 20.4 City Club and Khyber Building;



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20.5 Hakodate Committee.

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

Motion passed.

#### PRESENTATION

##### Heritage Trust of Nova Scotia

Mrs. Elizabeth Pacey, President of Heritage Trust, addressed Council and noted that a number of the members of the Executive of the Heritage Trust were present in the gallery.

Mrs. Pacey advised that the Heritage Trust of Nova Scotia was very delighted with the initiative taken by this City Council and the Mayor in saving the Old City Club and Church of England Institute buildings from demolition. She noted that the two buildings were very significant both architecturally and historically to the City of Halifax. On behalf of the Heritage Trust of Nova Scotia, Mrs. Pacey presented a print of the two buildings, by a young Nova Scotian artist, to the Mayor and each member of Council in appreciation.

His Worship thanked Elizabeth Pacey on behalf of all members of Council for her presentation.

Alderman D. Grant also extended thanks to the Heritage Trust of Nova Scotia and congratulated Jo-Anne Cook at C.P.A.C. for working so hard to make Council aware of the importance of the heritage of these two buildings.

#### PETITIONS AND DELEGATIONS

##### Petition - Alderman Dewell - Exclusive Bus Lane

Alderman Dewell, on behalf of the taxi drivers for the City of Halifax, submitted a petition signed by 198 persons from Yellow Cab Limited and Armdale Taxi in relation to the use of exclusive bus lanes by taxis.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on July 6, 1988 as follows:

Transit Cost-Sharing By Assessment

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, further discussion of transit cost-sharing by assessment be deferred, pending the completion of the route rationalization process.

Motion passed.

Halifax Police Commission

An information report dated July 12, 1988 was submitted.

Alderman O'Malley referred to the last Committee of the Whole Council meeting at which time he reported a couple of incidents, in addition to many earlier incidents, that led him to believe that Council should take a very early look at the re-delineation of the police zoning structure. He advised that the report received from the Chief of Police indicates that the two incidents referred to were problems related to personnel. Alderman O'Malley pointed out that he had no difficulties with staff or personnel of the Police Department and noted that, it was his opinion, that it was a very competent police force.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, the Halifax Board of Police Commissioners and the Halifax Police Department be requested to re-examine the police zoning system with a view to creating a "downtown/business" zone with a designated force (e.g., create a fourth "Delta" zone).

Motion passed.

Encroachment License - 5286-88 South Street

MOVED by Alderman D. Grant, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, an Encroachment License be approved for the proposed front storm porches at Civic Numbers 5268-88 South Street.

Motion passed.

Halifax Hall

This matter was forwarded to Council without recommendation pending receipt of further information as to how the concept of the teas, previously held in Halifax Hall during the summer months, began and why the decision was made to terminate them.

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Alderman Cromwell advised that Mr. Bill McCurdy, Director of the City's Downtown B.I.D.C., attended the last Committee of the Whole Council meeting and indicated, at that meeting, that the B.I.D.C. was prepared to fund some of the afternoon teas in Halifax Hall during the months of July and August in order to ensure that the teas were held every day (Monday-Friday).

His Worship advised that the schedule of teas for Halifax Hall was continually being filled in. His Worship suggested that "The Tea with the Mayor Program" should not be relegated to an outside group. Mayor Wallace went on to explain that Tourism Halifax approaches the tour bus agencies, long in advance of the summer season, promoting the teas.

A discussion ensued and Alderman O'Malley suggested that it was his understanding, from the Committee of the Whole Council meeting discussion, that it was Mr. McCurdy's concern that the Tourism bulletin for the City of Halifax advertises a daily tea (Monday-Friday). Alderman O'Malley advised that he had interpreted Mr. McCurdy's concern as being the fact that the teas were not held on a daily basis and, therefore, the public was being misled.

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that this matter be referred to the Halifax Hall Committee.

Alderman Leiper urged all members of Council to participate in hosting the afternoon teas.

Alderman R. Grant suggested that the Hall Committee meet prior to the next Committee of the Whole Council meeting to formulate a recommendation on this matter to be presented at the July 22, 1988 Committee of the Whole Council meeting. He further suggested that the B.I.D.C. be invited to attend this meeting of the Hall Committee when the matter of the "teas" would be discussed.

Alderman O'Malley agreed to incorporate Alderman R. Grant's suggestion in his motion.

After further discussion, the motion was put and passed as amended.

Monitoring Committees - Home Care Program

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the Finance and Executive Committee, the City's Advisory Committee on the Concerns of Aging be asked to constitute the "Consumers Committee," responsible for ensuring that the consumer is receiving the quality of care outlined in the

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Home Care Program; and further, that the "Providers Committee" be composed of representatives of all the provider groups working with the City in the provision of its Home Care services.

Motion passed.

#### Tourism Halifax

This matter was forwarded to Council with the request that a report be submitted concerning the present role of Tourism Halifax.

A report dated July 13, 1988 to Alderman O'Malley from Adrienne MacKinnon, Tourism Halifax, was submitted. The report indicated that the Acting Director of Tourism was unable to retrieve a current report that would verify Tourism's mandate, and suggested that this report be delayed until Mr. Roger's return on July 18, 1988.

Alderman O'Malley advised that he was of the view that the mandate had been created in approximately 1983, and that it would be a servicing mandate and not a marketing mandate. Alderman O'Malley noted that he had asked, at that time, that the minutes of the meetings that referred to the Tourism Halifax mandate, of that date, be prepared and circulated this evening. Alderman O'Malley emphasized that he was disappointed that those minutes had not been circulated. He went on to express the concern that Tourism Halifax was not doing the things that it was mandated to do and advised that he had received a number of letters of complaint from citizens of the City regarding this matter.

Alderman O'Malley requested a report concerning the mandate of Tourism Halifax to be submitted prior to or at the Committee of the Whole Council meeting scheduled for July 20, 1988. He additionally requested the minutes of the meetings that relate to Tourism Halifax's mandate.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that this matter be deferred to the Committee of the Whole Council meeting scheduled for July 20, 1988, and that the Director of Tourism bring forth a report at that time on the mandate of Tourism Halifax, and also that minutes pertaining to this matter also be provided at that time.

Motion passed.

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Lease - Adsum House (2421 Brunswick Street)

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council authorize a five (5) year extension of the lease for Adsum House (2421 Brunswick Street) under the same terms and conditions.

Motion passed.

Land Exchange - Ravine Park Residential and Shopping Complex

MOVED by Deputy Mayor Walker, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, the City sell Parcels 12-A and E-1 (10.785 acres) to Rocca Enterprises Ltd. for the sum of \$414,000 and accept a deed for Parcel G-3 (15.785 acres) at the same price of \$414,000 to be consolidated with Hemlock Ravine and used for passive recreation purposes.

Motion passed.

Acquisition of Parcel TP-1, Forrest Hill Drive

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Parcel TP-1, civic nos. 6 and 10 Forrest Hill Drive, be acquired from Templeton Place Limited for \$10,948.75 (funds available in Account No. CK019, Sundry Land Acquisition).

Motion passed.

Parking - Grand Parade

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, members of Council be asked to refrain from parking in the Grand Parade whenever possible between the hours of 12:00 Noon - 2:00 p.m. during the months of July and August.

Alderman R. Grant questioned whether the resolution that was previously passed by Council, with respect to signage, would still be carried out.

The Chairman advised that the motion referred to by Alderman R. Grant would still have effect.

Referring to the recommendation from the Committee of the Whole Council meeting, Alderman D. Grant indicated her disappointment with it, and suggested that it would be much more

appropriate if members of Council refrained from parking in the Grand Parade entirely for the summer months. She further suggested that Council refrain from parking in the Grand Parade throughout the whole year, so that it could be used as a green space for all the citizens of Halifax and for tourists.

Motion passed with Alderman D. Grant voting in opposition.

Additional Costs - New Computer Centre

MOVED by Alderman R. Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve an additional \$74,280.00 to the computer implementation funds (to be provided from the Equipment Replacement Account).

Alderman R. Grant advised that Council had approved the establishment of a Computer Advisory Committee and noted that it had not been developed. Alderman R. Grant urged that this Committee, as recommended by Council, be established.

Motion passed.

Recommendations: Tax Concessions and Grants Committee

An income statement Buskers '88 as of July 14, 1988 was submitted.

Alderman Meagher noted that concern had been raised at the last Committee of the Whole Council meeting held on July 6, 1988 with respect to the Buskers Festival. He noted that a financial statement was requested at that time for 1987 before Council would release the additional \$6375, and that it was agreed that the additional \$6375 would be released upon receipt of a 1988 financial statement.

MOVED by Alderman Meagher, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, City Council approve the recommendations put forward by the Tax Concessions and Grants Committee in its report dated July 6, 1988, with the exception of the Buskers Festival, as follows:

CULTURAL

Art Gallery of Nova Scotia . . . . .	\$50,000.00
(Third year of 5-year agreement)	
Art Allocation Committee . . . . .	650.00 *

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Artist in Residence Program . . . . .	2,000.00 **
Chebucto Orchestral Society . . . . .	215.00
Gilbert and Sullivan Society . . . . .	638.00
Great Canadian Theatre Festival . . . . .	4,250.00
Halifax Ballet Theatre . . . . .	850.00
Halifax Dance Association . . . . .	850.00
Halifax Schools Honor Choir . . . . .	850.00 *
Maritime Conservatory of Music . . . . .	\$ 4,250.00
(Capital Grant assistance with Centenary fund-raising for new equipment)	
Maritime Musicfest '88 . . . . .	425.00

- \* Previously approved by Council.
- \*\* Provided sufficient funding from other sources is forthcoming.

Neptune Theatre	
1. Previously approved by Council . . . . .	10,000.00
2. Additional . . . . .	15,550.00 *
New Art Space . . . . .	128.00
Nova Scotia Drama League . . . . .	2,850.00
Nova Scotia Kiwanis Music Festival . . . . .	1,700.00
Nova Scotia Youth Orchestra . . . . .	638.00
Scotia Festival of Music . . . . .	850.00
Society for Art Presentation . . . . .	850.00
Symphony Nova Scotia . . . . .	12,750.00
Theatre Arts Guild . . . . .	1,360.00
Waterfront Art Association . . . . .	(Recommendation Pending)

- \* An additional \$5,000 will be recommended by the Committee in 1989 if a Summer Season is scheduled for that year.

MISCELLANEOUS

Canadian Hostelling Association . . . . .	1,190.00
City Centre Ministry (Elder Hostel Program) . . . . .	240.00
Club 55 . . . . .	1,985.00 **
Dal Legal Aid . . . . .	2,720.00
Ecology Action Centre . . . . .	1,020.00
Gottingen Street Merchants Association . . . . .	850.00
Grace Maternity Hospital . . . . .	90,000.00
(Second year of 10-year agreement)	
Halifax Block Parent Association . . . . .	2,338.00

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Kline Heights Management . . . . .	765.00
North British Society . . . . . (Metropolitan Scottish Festival/Highland Games)	1,020.00
Nova Scotia Persons With Aids (PWA) Coalition . . . . .	(Recommendation Pending)
"The Recorder: An Independent Voice for Seniors" . . . . .	425.00

\*\* \$200 of this amount was previously  
paid to support Canada Day activities.

RECREATION

Captain William Spry Centre/ Spryfield Lions Club (Pool) . . . . .	\$ 40,863.00 *
Centennial Arena Commission . . . . .	51,000.00
Halifax Junior Bengal Lancers . . . . .	2,550.00
Halifax Skating Club . . . . . (To assist with the World Figure Skating Championships to be held in Halifax in 1992)	5,950.00
Halifax Super Tiger Cats . . . . .	425.00
Halifax Tumblebugs . . . . .	1,530.00
Halifax Winter Carnival . . . . .	1,500.00 **
Inner-City Youth Club . . . . .	1,000.00
Maskwa Aquatic Club . . . . .	4,000.00
Nova Scotia Amateur Kick Boxing Association . .	500.00
Nova Scotia Track and Field Association . . . .	250.00
Spryfield Lions Club (Rink) . . . . .	13,600.00
Y.W.C.A. . . . .	6,800.00

\* Further discussions regarding swimming  
activities in the community to be held  
with staff.

\*\* Previously approved by Council.

SOCIAL SERVICES

Bryony House . . . . .	3,230.00
Canadian National Instit. for the Blind . . . .	2,295.00
Canadian Paraplegic Association . . . . .	2,295.00
Canadian Red Cross . . . . .	28,900.00
Children's Aid Society . . . . .	4,500.00
Coalition Supportive Service . . . . .	2,172.00
Coverdale Foundation . . . . .	1,275.00



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Family Service Association . . . . .	2,300.00
Golden Age Society . . . . .	3,500.00
Halifax Regional Welfare Rights . . . . .	230.00
Halifax Seniors Council . . . . .	510.00
Help Line . . . . .	2,295.00
Home of the Guardian Angel . . . . .	5,525.00
Mental Health Halifax . . . . .	3,400.00
Metro Food Bank Society . . . . .	2,000.00
Metro Group Homes Association . . . . .	2,225.00 *
Metro Volunteer Resource Centre . . . . .	4,250.00
MicMac Native Friendship Society (Pow-Wow) . . . . .	2,975.00
North End Community Clinic	
1. Operating Expenses . . . . .	2,125.00
2. Capital . . . . .	4,250.00
Peer Partnership Program . . . . .	616.00
Project New Start . . . . .	450.00
St. John Ambulance . . . . .	1,488.00
St. Leonard's Society . . . . .	1,700.00
Service for Sexual Assault Victims . . . . .	4,000.00
Society for the Rehabilitation of Alcoholics . . . . .	1,063.00 *
Spencer House (Operating Expenses) . . . . .	6,375.00
Victorian Order of Nurses . . . . .	4,080.00
Ward 5 Community Centre . . . . .	4,675.00
Ward 9 Friendship Group . . . . .	600.00
Youth Alternative Society . . . . .	2,125.00
T O T A L . . . . . \$459,099.00	

\* The Committee recommends that, in future years, the taxes on these properties should be built into the per diem rates.

And further that the following organizations not be recommended for grants at this time:

- African Worlds Programme
- Association for Women's Residential Facilities (Adsum House) \*
- Canadian Association for Community Living \*
- Canadian Undergraduate Physics Conference

\* Funded through the City of Halifax Social Planning Department.

- Comite du Festival Acadien \*\*
- Dal Mali Seminar Participant
- Family Service of Support \*

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Friends of the Public Gardens  
Halifax Camerata Singers  
Halifax County Literacy Council \*  
Halifax-Dartmouth and County  
Regional Science Fair  
Halifax Grain Elevators  
Halifax Police Association  
Pipes and Drums Band \*\*\*  
Halifax School for the Blind  
Conference/Reunion \*\*\*\*  
Henson College  
Judokwai Association  
Media Arts Foundation  
National Youth Orchestra  
North End Parent Centre Association \*\*\*\*\*  
Nova Scotia Firefighters' School  
Nova Scotia Karate Association  
Nova Scotia Friends of Schizophronics \*\*\*\*\*  
Nova Scotia Provincial Honors Band  
Pitaro, Lawrence (Concert Artist)  
Summer Arts Festival

- \* Funded through the City of Halifax Social Planning Department.
- \*\* Application for funding should be made to Tourism Halifax.
- \*\*\* \$7,500 budgeted in "General Government" Account.
- \*\*\*\* City is requested to host a wine/cheese gathering.
- \*\*\*\*\* To be discussed with the Social Planning Dept.
- \*\*\*\*\* Ineligible (health-related).

Motion passed.

Alderman O'Malley expressed concern with respect to the funding of the Busker program. He pointed out that he had requested a financial statement of the Buskers Festival operation for 1987 i.e. total revenues, total disbursements, etc. He further noted that he had requested a projected budget for the forthcoming year i.e. total expected revenues, total expected disbursements, etc. Alderman O'Malley indicated that he had read in the newspaper that this information was provided to the City of Halifax approximately one year ago. Alderman O'Malley noted that the report received on this date was only an income statement for 1988, and advised that it did not identify where the money to the Buskers Festival was intended to be spent.

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Alderman O'Malley went on to express the concern about the fact that local talent was being eliminated from this years presentation of the Busker Program. In discussions with a number of local buskers over the past week, Alderman O'Malley advised that he had learned that last year there were 12 local buskers participating in this program and that all were eliminated for this year except for one. Alderman O'Malley also advised that he had learned that there will be four kiosks located throughout the City in which t-shirts, etc., will be sold, and that revenue gathered from those kiosks would go to the owner of the logo associated with the t-shirts. Alderman O'Malley expressed the concern that Council was considering spending taxpayers dollars prior to receiving verification of a need and how the money was to be spent. Alderman O'Malley indicated that, until an indication of where the finances were going, who was gaining the revenues, and whether any personal profits were being made of this by individual organizers, and until there is local input into the program, he would vote against extending any further funding to that Program.

Mr. Smith clarified that the statement for 1987 had been received, but had not been audited and that he did not regard it as a "financial statement". Mr. Smith further advised that a budget had also been received detailing the proposed expenditures for 1988. Mr. Smith advised that those documents would be made available at the Committee of the Whole Council meeting to be held on July 20, 1988.

Mr. Smith suggested that most of the organizations that come before the Tax Concessions and Grants Committee, are non-profit organizations. He suggested that this particular organization was intended, in some degree, to be a profit making organization and that was probably why Council was having difficulty with it.

Alderman O'Malley expressed the concern that dollars were being allocated, through the Tax Concessions and Grants Committee, to profit making organizations. Alderman O'Malley requested a report showing an indication of the profit expected, along with the full financial statement.

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that the matter of the Buskers be deferred to the next Committee of Whole Council pending receipt of the documents requested.

Motion of deferral passed with Alderman Cromwell voting in opposition.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on July 6, 1988, as follows:

Local Improvement Project - Wren Street

MOVED by Alderman Leiper, seconded by Deputy Mayor Walker that, as recommended by the Committee on Works, the installation of pavement, concrete curb and gutter on Wren Street between Starling Street and Forest Hill Drive not be recommended at this time.

Motion passed.

Award of Consultant Services - Renewal: Sackville Street Combined Sewer

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the Committee on Works, Council approve the following:

- a) The appointment of UMA Engineering Ltd. for the preparation of engineering design, tender engineering drawings and specifications;
- b) The compensation to the consulting firm be made in accordance with guidelines as recommended by APENS estimated \$35,000.00; and
- c) The payment to the consultant be made from funds available in Account #DA058.

In response to a question from Alderman R. Grant, Mr. P.S. Connell, Director of Engineering and Works, addressed Council and advised that the combined sewer would be a twin system consisting of two pipes.

Motion passed.

Design and Construction Agreement: Interchange to Bayers Lake Industrial Park

MOVED by Alderman Leiper, seconded by Alderman D. Grant that, as recommended by the Committee on Works, the Mayor and City Clerk be authorized to sign this agreement on behalf of the City of Halifax with funding for this project having been approved in the 1988 Capital Budget under Account Nos. 20900 and 22006, and that the connection to Lacewood Drive not be carried out until the subject is returned to City Council.

Alderman Leiper advised that the original motion on this matter stipulated that the connection to Lacewood not be made

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without being returned to Council, and requested that this be ensured.

Motion passed as amended.

Overhead Traffic Sign: Harvard Street and Chebucto Road

A supplementary report dated July 11, 1988 was submitted.

This matter was forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that Council approve the installation of an overhead illuminated crosswalk sign at Chebucto Road and Harvard Street at a cost of \$3,500, and funding be authorized under Section 201(1) of the City Charter.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendments to Ordinance Number 151, the Automatic Machines Ordinance - SECOND READING

This matter was last discussed at the July 6, 1988 Finance and Executive Committee meeting at which time a recommendation for Second Reading was approved.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that the amendments proposed to Ordinance 151, the Automatic Machines Ordinance (and attached as Appendix "A" to the staff report dated May 26, 1988), as amended, be given Second Reading:

Section 6 of said Ordinance 151 is repealed, and the following substituted therefor:

6. The owner or occupier of any premises on which an automatic machine is located shall cause a valid and subsisting license issued under this Ordinance in respect of the premises to be permanently and conspicuously posted in the premises so as to be in public view at all times during any period for which any automatic machines authorized for use by the license are offered for use by the public.

Motion passed.

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without being returned to Council, and requested that this be ensured.

Motion passed as amended.

Overhead Traffic Sign: Harvard Street and Chebucto Road

A supplementary report dated July 11, 1988 was submitted.

This matter was forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Cromwell that Council approve the installation of an overhead illuminated crosswalk sign at Chebucto Road and Harvard Street at a cost of \$3,500, and funding be authorized under Section 201(1) of the City Charter.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendments to Ordinance Number 151, the Automatic Machines Ordinance - SECOND READING

This matter was last discussed at the July 6, 1988 Finance and Executive Committee meeting at which time a recommendation for Second Reading was approved.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that the amendments proposed to Ordinance 151, the Automatic Machines Ordinance (and attached as Appendix "A" to the staff report dated May 26, 1988), as amended, be given Second Reading:

Section 6 of said Ordinance 151 is repealed, and the following substituted therefor:

6. The owner or occupier of any premises on which an automatic machine is located shall cause a valid and subsisting license issued under this Ordinance in respect of the premises to be permanently and conspicuously posted in the premises so as to be in public view at all times during any period for which any automatic machines authorized for use by the license are offered for use by the public.

Motion passed.

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Amendment to Ordinance Number 116, the Taxi Ordinance - SECOND  
READING

This matter was last discussed at the July 6, 1988 Finance and Executive Committee at which time a recommendation for Second Reading was approved.

MOVED by Alderman Dewell, seconded by Alderman Jeffrey that the amendments to Ordinance 116, the Taxi Ordinance (as contained in the report from the Chairman of the Taxi Commission, dated June 3, 1988) be given SECOND READING.

Motion passed.

Amendment to Parking Meters and Parking of Motor Vehicles re:  
an Early Payment Discount - SECOND READING

This matter was given First Reading during a regular meeting of Halifax City Council held on Wednesday, June 29, 1988.

MOVED by Alderman Dewell, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the following amendment to the Bylaw Respecting Parking Meters for the Regulation of Parking of Vehicles Left Standing in the City of Halifax be given SECOND READING:

Section 16 of the said Bylaw is amended by deleting the symbol and figures "\$5.00" from the sixth line thereof, and by substituting therefor the symbol and figures "\$7.50."

The motion was put and passed.

Report - Halifax Taxi Commission - Use by Taxis of Exclusive Bus  
Lanes

A report dated June 22, 1988 was submitted.

MOVED by Alderman Dewell, seconded by Alderman O'Malley that this matter be deferred to the next Committee of the Whole Council meeting to be held on July 20, 1988, for discussion.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on July 6, 1988, as follows:



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Belmont-on-the-Arm

A supplementary staff report dated July 7, 1988 was submitted.

Following is the recommendation of the City Planning Committee:

"That Council authorize staff to negotiate with the appropriate parties for the acquisition of Parcel B, (Ridgewood Drive right-of-way) and prepare detailed plans for an emergency access connector between Belmont on the Arm and Ridgewood Drive, with the balance of the land to be landscaped for passive use."

Alderman D. Grant addressed the matter and, recognizing Alderman Jeffrey's and Alderman O'Malley's concerns expressed at last week's City Planning Committee, indicated that she would be including within her motion a direction to staff to come forward with a report detailing both an emergency access and a permanent roadway between Belmont on the Arm and Ridgewood Drive. Alderman D. Grant indicated that she did not believe Council should expend the additional \$50,000 to create the permanent roadway, however, she would request that staff address both alternatives. Alderman D. Grant noted that Council could decide upon the most appropriate expenditure after reviewing the report outlining the two alternatives.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that Council authorize staff to negotiate with the appropriate parties for the acquisition of Parcel B, (Ridgewood Drive right-of-way) and prepare detailed plans for both Alternative A (a permanent roadway) and Alternative B (an emergency access connector between Belmont on the Arm and Ridgewood Drive, with the balance of the land to be landscaped for passive use).

Alderman Jeffrey addressed the matter indicating that he felt he could support this motion. Alderman Jeffrey went on to note that technically staff felt that Alternative A was the most feasible alternative. Alderman Jeffrey noted that Alternative A would completely resolve the situation while the problems being experienced by the abutters would continue if Alternative B was the chosen solution to the problem.

Alderman Meagher addressed the matter noting that he had difficulty with this entire situation. Alderman Meagher indicated that he was not anxious to spend \$150,000 when a simple sign would correct the situation. Alderman Meagher indicated he would wait to see exactly what staff would recommend.



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Belmont-on-the-Arm

A supplementary staff report dated July 7, 1988 was submitted.

Following is the recommendation of the City Planning Committee:

"That Council authorize staff to negotiate with the appropriate parties for the acquisition of Parcel B, (Ridgewood Drive right-of-way) and prepare detailed plans for an emergency access connector between Belmont on the Arm and Ridgewood Drive, with the balance of the land to be landscaped for passive use."

Alderman D. Grant addressed the matter and, recognizing Alderman Jeffrey's and Alderman O'Malley's concerns expressed at last week's City Planning Committee, indicated that she would be including within her motion a direction to staff to come forward with a report detailing both an emergency access and a permanent roadway between Belmont on the Arm and Ridgewood Drive. Alderman D. Grant indicated that she did not believe Council should expend the additional \$50,000 to create the permanent roadway, however, she would request that staff address both alternatives. Alderman D. Grant noted that Council could decide upon the most appropriate expenditure after reviewing the report outlining the two alternatives.

MOVED by Alderman D. Grant, seconded by Alderman Cromwell that Council authorize staff to negotiate with the appropriate parties for the acquisition of Parcel B, (Ridgewood Drive right-of-way) and prepare detailed plans for both Alternative A (a permanent roadway) and Alternative B (an emergency access connector between Belmont on the Arm and Ridgewood Drive, with the balance of the land to be landscaped for passive use).

Alderman Jeffrey addressed the matter indicating that he felt he could support this motion. Alderman Jeffrey went on to note that technically staff felt that Alternative A was the most feasible alternative. Alderman Jeffrey noted that Alternative A would completely resolve the situation while the problems being experienced by the abutters would continue if Alternative B was the chosen solution to the problem.

Alderman Meagher addressed the matter noting that he had difficulty with this entire situation. Alderman Meagher indicated that he was not anxious to spend \$150,000 when a simple sign would correct the situation. Alderman Meagher indicated he would wait to see exactly what staff would recommend.

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A further short discussion ensued with Alderman Jeffrey indicating that, in light of the problems being experienced by the abutters, he would like this report to come back to Council as soon as possible.

Motion passed.

PAC Report and Staff Report - Implementation Policy 10 Development Proposal - Canadian Cancer Society - 5220-30 South Street

This matter was forwarded to Council without recommendation pending receipt of a staff report providing Council with a framed correction to Implementation Policy 10. A supplementary staff report dated July 7, 1988 was submitted.

MOVED by Alderman D. Grant, seconded by Alderman R. Cromwell that, as recommended by the City Planning Committee, Council delete the existing Implementation Policy 10 and replace this Policy with the staff recommendation contained within the February 18, 1988 report, with the proviso that the new Policy only apply to the properties on the south side of South Street between Robie Street and Tower Road with the appropriate Plan and Bylaw amendments being attached as Appendix 1 to the June 28, 1988 Planning Advisory Committee and further that a date be set for a public hearing to consider these amendments.

Alderman O'Malley addressed the matter indicating his understanding of the motion was that a date be set for a public hearing to consider this matter. Alderman O'Malley indicated that he would support the motion to send it to a public hearing as he would like to hear the response from the public regarding adoption of a Planning Strategy for a two block area in the City. Alderman O'Malley went on to note, however, that he felt the general consensus at Committee of the Whole last week was that staff be requested to come back with a program of implementation of Policy 10 in such a fashion that it would not appear Council was spot zoning for a specific project. Alderman O'Malley expressed concern that such spot zoning would become the rule rather than the exception.

Alderman O'Malley indicated that although he understood the urgency of the need of the Canadian Cancer Society, he was uncomfortable with this action in a legal sense. Alderman O'Malley suggested that Council was rushing this matter and requested a legal opinion as to the wisdom of moving in this direction.

The City Solicitor addressed the matter and suggested that there may be some wisdom in proceeding with the public hearing and noted that he would prepare a report responding to the Alderman's comments prior to the public hearing.

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Alderman O'Malley indicated that he would like a more indepth study of this matter from the Legal and Planning Departments. Alderman O'Malley noted that Appendix II of the supplementary staff report outlined possible areas of implementation for Policy 10. Alderman O'Malley noted that the motion disregarded these possible areas and presumably the advertisement would indicate that Policy 10 would only refer to a specified two block area of the City. Alderman O'Malley asked if, under these circumstances, Council would be free to discuss implementation in other areas of the City at the public hearing. Alderman O'Malley indicated that he would be willing to support the motion, but noted that he would like a report from the Legal and Planning Departments regarding the implications of taking the action set forth in the motion.

Alderman Meagher addressed the matter expressing grave concern with regard to Implementation Policy 10 and asking if, when this matter is advertised, an option could be placed in the advertisement providing for a contract on the property.

Mr. W. B. Campbell, Development and Planning Department, addressed the matter noting that Appendix II of the staff report outlined those areas for which Implementation Policy 10 would not apply. Mr. Campbell went on to note, in response to Alderman Meagher's comments regarding the possibility of a contract for the site, that the Planning Advisory Committee had not really considered this option. Mr. Campbell indicated that this might require the matter going back to the Planning Advisory Committee to consider a plan amendment for that specific site.

Mr. Campbell went on to note that staff was concerned that the action of the motion would prevent Council from changing or expanding Implementation Policy 10 should they wish to do so. Mr. Campbell indicated that it would be preferable to advertise the matter based on the staff recommendation and then, if necessary or desirable, reduce the area to which Implementation Policy 10 would apply.

The City Solicitor, responding to Mr. Campbell comments, suggested that due to the number and complexity of the questions being raised, this matter should be deferred to next Wednesday's meeting of Council.

Responding to a question from Alderman O'Malley, Mr. Campbell noted that staff was of the opinion that Implementation Policy 10 should apply generally across the City or not at all. Mr. Campbell indicated that staff did not feel, in terms of policy formulation, that it was proper to have Implementation Policy 10 apply only to one small area of the City.

Alderman D. Grant addressed the matter briefly outlining the circumstances through which this recommendation came to