

**SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
January 20, 1988  
6:30 p.m.

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

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

Present: Deputy Mayor Walker, Chairman; and Aldermen Cromwell, Downey, Meagher, O'Malley, Dewell, R. Grant, Jeffrey, Leiper, and Hamshaw.

Also Present: Mr. M. Hanusiak and Mr. M. Purcell, Development and Planning Department; City Solicitor, City Manager, City Clerk, and other members of City Staff.

**ADDED ITEMS**

The City Clerk advised of the following added items:

1. Proposed Cancellation of Public Hearings of February 17, 1988  
Re: Land Use Bylaw - Implementation Policy #10  
Case 5221 - Development Agreement - Canadian Cancer Society;
2. Preservation Agreement - Old Fire Station - 1679 Bedford Row.

Proposed Cancellation of Public Hearings of February 17, 1988  
Re: Land Use Bylaw - Implementation Policy #10 & Case 5221 -  
Development Agreement - Canadian Cancer Society

A private and confidential report dated January 14, 1988 was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Meagher  
that the public hearings scheduled for February 17, 1988 regarding  
the Land Use Bylaw - Implementation Policy #10 and Case 5221 -  
Development Agreement, Canadian Cancer Society be cancelled.

Motion passed.

AMENDED

Special Council  
Public Hearing  
January 20, 1988

Alderman Cromwell referred to the one remaining public hearing on 17th February relating to Neighbourhood Commercial Uses and MOVED, seconded by Alderman Meagher that the time of the hearing be changed from 7:30 p.m. to 6:00 p.m.

Motion passed.

Preservation Agreement - Old Fire Station - 1679

The above item was added to the agenda from the Committee of the Whole Council meeting held earlier this date.

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, the draft agreement attached to the December 30, 1987 staff report between the City and the Waterfront Development Corporation respecting the maintenance and preservation of the registered heritage property at 1679 Bedford Row ("Old Fire Station") be approved and the Mayor and City Clerk be authorized to execute same on Council's behalf.

Motion passed.

Street Closure - Portion of Douglas Avenue

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

Mr. Simpson McLeod, Development and Planning Department, with the aid of Plans, outlined the application to consider the closure of a portion of Douglas Avenue, shown as Parcel "B" consisting of 310 sq. ft. on Plan TT-39-29310 as illustrated in the confidential staff report dated November 30, 1987. Mr. McLeod advised that the parcel is surplus to the City's requirements as a result of a new street line to serve the extension of Douglas Avenue.

There were no persons present wishing to address Council.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that this item be forwarded to Council without recommendation.

Motion passed.

Case No. 5492 - Rezoning - 2727 Dutch Village Road, from R-2 (General Residential) to C-2 (General Business) Zone

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

\* AMENDED PAGE \*

Special Council  
Public Hearing  
January 20, 1988

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There were no persons present wishing to address Council.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that this item be forwarded to Council without recommendation.

Motion passed.

Case No. 5492 - Rezoning - 2727 Dutch Village Road, from R-2 (General Residential) to C-2 (General Business) Zone

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

Special Council  
Public Hearing  
January 20, 1988

Mr. M. Hanusiak, Planner II, Development and Planning Department, with the aid of Plans, outlined the application to rezone the property at 2727 Dutch Village Road from R-2 (General Residential) Zone to C-2 (General Business) Zone as illustrated in the staff report dated November 20, 1987.

At this point, Alderman Flynn enters the meeting.

In conclusion, Mr. Hanusiak advised that Staff are recommending approval of the proposed rezoning.

A gentleman from the gallery indicated his support in favour of this application.

There were no further persons present wishing to address Council.

MOVED by Alderman Hamshaw, seconded by Alderman Cromwell that this item be forwarded to Council without recommendation.

Motion passed.

Case No. 5354 - Rezoning - 3538-44 Percy Street and 7156 Andrew Street from R-2P, General Residential Zone, to R-2AM, General Residential Conversion and Townhouse Zone

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

Mr. M. Purcell, Planner, Development and Planning Department, with the aid of Plans, outlined the application to consolidate and rezone three lots on the southwestern corner of the intersection of Andrew and Percy Streets as illustrated in the staff report dated November 27, 1987. Mr. Purcell advised that the application requests that Council consider amending the zoning on this property from R-2P (General Residential) Zone to R-2AM (General Residential Conversion and Townhouse) Zone. He further advised that the purpose of the rezoning is to permit a 14 unit apartment building on this lot. In conclusion, Mr. Purcell advised that Staff are recommending approval of the proposed rezoning.

In response to a question from Alderman Jeffrey, Mr. Purcell advised that Staff have reviewed this proposal considering the number of units and the potential traffic that this use would generate, and it has been determined, as a result, that Andrew Street and Percy Street, as well as all the streets in the surrounding area, are capable of handling the traffic.

Special Council  
Public Hearing  
January 20, 1988

lots as they exist on their own become useless to anyone for any development. He indicated that it is only by a lot consolidation and a rezoning that the land has any practical value. Mr. Paul, in conclusion, urged Council to support this application.

Mr. Ian MacGillivray, 42 Main Avenue, addressed Council pointing out that the Municipal Planning Strategy suggests that the City's intention is to maintain the existing low rise character of the area but to permit limited redevelopment. Mr. MacGillivray expressed concern with respect to the developments which are taking place in Fairview and inquired as to when they were going to end.

In response to a question from Alderman R. Grant, Mr. MacGillivray advised that he is in objection to the proposed applications for apartment buildings in Fairview on an overall basis and not only to this one particular application.

Mr. MacGillivray pointed out again that the Municipal Planning Strategy, as he has interpreted it, is not to inundate Fairview with apartment buildings. He inquired as to where the City will draw the line to keep within the spirit and the stated declaration in the Municipal Planning Strategy that it is the City's intention to maintain the existing low rise character of the area and to permit limited redevelopment.

The City Manager indicated that if Council directs that the land use in the whole area be looked at again and brought back to Council, then that is what Staff will do.

Mrs. Judy Lutley, Percy Street, addressed Council as a homeowner in opposition to the proposed apartment building. She advised that the street in question is a dead end street and that there is a large traffic flow through that area now due to the commercial area on Andrew Street. She expressed concern with respect to visitor parking and with respect to the high vacancy rate in the area now.

With respect to Mrs. Lutley's concern on parking, Mr. Purcell advised that, although the developer has not provided additional parking spaces, he has met the requirements of the land use Bylaw.

Mr. Paul Dube, residing at 32 Main Avenue, addressed Council and expressed concern with respect to the fact that, with the way things are moving now, within another five years homeowners will be non-existent in this particular part of Fairview. He also expressed concern with respect to the traffic problem in this area.

Special Council  
Public Hearing  
January 20, 1988

Mr. W. Fares, project engineer, addressed Council advising that there is a demand in the metro area every year for apartment buildings. He advised that they have worked for three or four months with the Planning Staff regarding this proposal. Mr. Fares indicated that they have concern for the people in the area and suggested that persons who want to move out of the area, want to move out because of what exists there now.

8:05 p.m. Alderman D. Grant enters the meeting.

There were no further persons present wishing to address Council.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that this item be forwarded to Council without recommendation.

Motion passed.

Case No. 5439 - Rezoning - from R-2P to R-2AM - 1 Alma Crescent

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

Mr. Mike Purcell, Planner, Development and Planning Department, with the aid of Plans outlined the application to rezone the property located at Civic No. 1 Alma Crescent (Lot 27) and a rear portion of the property located at Civic No. 3 Alma Crescent (Lot 26B) from R-2P, General Residential Zone, to R-2AM, General Residential Conversion and Townhouse Zone. Mr. Purcell indicated that the purpose of the rezoning is to permit the construction of a 14-unit apartment building. After outlining the application, as illustrated in the staff report dated November 10, 1987, Mr. Purcell addressed questions from members of Council.

In response to a question from Alderman Jeffrey, Mr. Purcell advised that this proposal was assessed by the Transportation Division and they have determined that McFatrige Road and the roads in the area are capable of handling the traffic which will be generated by this proposed development.

Mr. Purcell, in response to a question from Alderman R. Grant, advised that four units would be permitted as of right under the R-2P zone. However, he indicated that the lot is large enough that there is potential for subdivision for possibly two four unit buildings.

Mr. Ralph Alphonse, residing at 8 McFatrige Road, developer, addressed Council and presented his proposal for development on No. 1 Alma Crescent and the request to rezone from R-2P to R-2AM. Mr. Alphonse advised that he attended the public



Special Council  
Public Hearing  
January 20, 1988

Mr. Ralph Alphonse, residing at 8 McFatriidge Road, developer, addressed Council and presented his proposal for development on No. 1 Alma Crescent and the request to rezone from R-2P to R-2AM. Mr. Alphonse advised that he attended the public meetings as a resident and property owner when the Planning Department was reviewing the Fairview area. He indicated that the recommendation of the citizens, at that time, favoured medium density building in the Alma Crescent and McFatriidge Road area providing the buildings were well designed and attractive buildings. Mr. Alphonse went on to advise that their proposal is compatible with the established land use pattern. He further advised that Staff has recommended approval of the application because it meets all the requirements of the land use By-law.

Mr. Alphonse indicated that the proposal would improve the area noting that he has lived in and maintained a building 200 feet away from the proposed development with no complaints from his neighbours. He went on to advise that he has personally contacted all of the neighbours near the proposed site and found all of them to be in favour of the project. However, Mr. Alphonse pointed out that two residents had some concern. He indicated that one concern was with respect to balconies at the rear of the proposed building which would face the rear of their property. Mr. Alphonse indicated that he explained to the residents that there is a difference of 40 feet in elevation between Alma Crescent and Main Avenue. He noted that he also explained to the residents that the distance between his foundation and the foundation of their property is approximately 130 feet, and that there are huge trees which separate the two properties and which will remain there.

In response to a question from Alderman Jeffrey, Mr. Alphonse advised that the area lot is 15,821 square feet, the building area is 4515 square feet, and the lot coverage is 28.5 percent.

He also advised, in response to a concern raised by Alderman Jeffrey, that the same amount of units could not be put on a two storey building on this particular lot.

Mr. Alphonse indicated that a second concern was expressed with respect to a high rise apartment building being built noting that he explained to the residents that his proposal is for a three storey building and that, once his building is finished, the peak of it will still be four feet below the foundations of the properties above it.

In response to a question respecting a buffer zone, Mr. Alphonse advised that he does intend to put a fence around the property.

Special Council  
Public Hearing  
January 20, 1988

Mr. Paul Dube, residing at 32 Main Avenue, addressed Council in opposition to the application and expressed the concern that this is the second proposal tonight for an apartment building in this area. He also expressed concern with respect to traffic on McFatridge Road noting that there is a hairpin turn at the end of the Road and no sidewalks. He further pointed out that he was not approached by the developer with respect to this proposal.

Mr. Lai, residing at 9 McFatridge Road, addressed Council advising that he lives approximately less than 300 ft from the property in question noting that he was not notified of this proposal.

Mr. Purcell pointed out on the Plan displayed, the area of notification line that was drawn up and was approved by Council. He pointed out that, under the Planning Act, an area of notification line is not required to be drawn up. He indicated that it is drawn up for the benefit of the residents in the immediate vicinity.

Mr. Lai went on to state that he has concern with McFatridge Road pointing out that his car cannot drive out of its driveway now because of the snow and because there are no sidewalks. He also expressed the concern that there is a Day Care on McFatridge Road. Mr. Lai expressed concern with regard to parking on McFatridge Road indicating that guests visiting the apartment building on that Road now, which is opposite to the Day Care, park along McFatridge Road. Mr. Lai pointed out that he is in favour of developing the City but urged that Council consider the people living within the 1/2 mile radius of the proposed development.

Mr. Ian MacGillivray, residing at 42 Main Avenue, addressed Council pointing out that his backyard is level with the proposed building. He suggested that the proposed building, from the bottom point to the very highest point, is more than 35 feet. He also expressed concern with respect to traffic pointing out that there is only passage lane for one car on McFatridge Road now and suggested that the proposed development would add to the problem and endanger the people living in the community. He further expressed concern with regard to the overflow of parking which exists there now.

Mr. MacGillivray indicated that persons living in the proposed building would have to cross the four lanes on Dutch Village Road and suggested that the installation of lights might be a solution to the problem.

Mr. MacGillivray read a petition with 12 signatures in opposition to the proposed rezoning. Alderman Jeffrey signed the petition and it was then submitted to the City Clerk.



Special Council  
Public Hearing  
January 20, 1988

Mr. MacGillivray read a petition with 12 signatures in opposition to the proposed rezoning. Alderman Jeffrey signed the petition and it was then submitted to the City Clerk.

Alderman D. Grant inquired if McFatriage Road was a standard City street and asked if parking was permitted at the moment on both sides of the street.

Mr. Purcell pointed out that the Engineering Department has looked at this application in terms of the Street system that is there and have determined that this development would not overburden the street.

Alderman D. Grant requested a report with respect to parking, the restrictions on parking, and whether McFatriage Road is a standard City Street.

Mr. W. Fares, project engineer addressed Council and clarified questions with respect to the height of the building. He explained that they took the contour lines available through the City and determined the height at the backyard of 42 Main Avenue to be 140 feet from the contour lines. He noted that the peak elevation of that building is 136 1/2 feet. With respect to 40 Main Avenue, Mr. Fares advised that it is 120 feet away from the building and that the height elevation is 140 feet. He went on to advise that 38 Main Avenue is 150 feet from the building with a height elevation of 137 1/2 feet. Mr. Fares emphasized that their building would not effect the residents on Main Avenue. He further advised that he had meetings with people on Alma Crescent and on McFatriage Road and concern was expressed with respect to his proposal. Mr. Fares clarified that the height of their building is 33 1/2 feet from the ground elevation to the peak.

With respect to a question by Alderman Jeffrey, Mr. Fares advised that the driveway on this property exits onto McFatriage Road and further advised that the residents will be accessing onto McFatriage Road.

Mr. Lai addressed Council once again expressing concern with respect to the suggestion made that McFatriage Road is an average width road. He went on to express concern again with respect to traffic and the absence of sidewalks.

Alderman Jeffrey suggested that there was a petition circulated sometime ago against sidewalks for McFatriage Road.

Mrs. Cathy MacGillivray, 42 Main Avenue, addressed Council commenting on the buffer zone suggesting that their property is 175 feet back. She indicated that the proposed

Special Council  
Public Hearing  
January 20, 1988

building will be 20 feet from their property line. She went on to advise that she spoke to the residents in the neighbourhood and the majority were not in favour of the rezoning.

Mr. Alphonse addressed Council once again advising that people who live in apartments are no different than people who live in houses. He indicated that he has neighbours on McFatridge Road who have commented that they are happier with his building now than when a house existed there. He further indicated that his project will employ people so that they may be able to afford their own apartments.

There were no further persons present wishing to address Council.

The following correspondence was received with respect to this matter:

- a letter dated January 6, 1988 from Ian and Katherine MacGillivray in opposition to the application;

- a petition received January 20, 1988 in opposition to the application;

- a letter dated January 10, 1988 from Ronald H. Weagle and C. Maureen Weagle in opposition to the rezoning;

- a letter received January 20, 1988 from Sydney Maskell in opposition to the rezoning.

MOVED by Alderman Jeffrey, seconded by Alderman Meagher that this item be forwarded to Council without recommendation.

Motion passed.

Case 5370 - Rezoning - 72-72A Central Avenue - from R-2 to R2P

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

Mr. M. Hanusiak, Planner II, Development and Planning Department, with the aid of Plans outlined the application to consider the rezoning of 72-72A Central Avenue from R-2 to R-2P as outlined in the staff report dated November 27, 1987. He noted that this matter had been before Council a number of times. Mr. Hanusiak, in his presentation, explained that the purpose of the application is to legitimize an illegal third unit which exists on the property in question. In conclusion, Mr. Hanusiak advised that Staff are recommending that a new zone permitting a maximum

AMENDED

Special Council  
Public Hearing  
January 20, 1988

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- a letter dated January 10, 1988 from Ronald H. Weagle and C. Maureen Weagle in opposition to the rezoning;

- a letter received January 20, 1988 from Sydney Maskell in opposition to the rezoning.

MOVED by Alderman Jeffrey, seconded by Alderman Meagher that this item be forwarded to Council without recommendation.

Motion passed.

Case 5370 - Rezoning - 72-72A Central Avenue - from R-2 to R2P

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

Mr. M. Hanusiak, Planner II, Development and Planning Department, with the aid of Plans outlined the application to consider the rezoning of 72-72A Central Avenue from R-2 to R-2P as outlined in the staff report dated November 27, 1987. He noted that this matter had been before Council a number of times. Mr. Hanusiak, in his presentation, explained that the purpose of the application is to legitimize an illegal third unit which exists on the property in question. In conclusion, Mr. Hanusiak advised that Staff are recommending that a new zone permitting a maximum of three units not be established for 72-72A Central Avenue on the basis of the incompatibility with the Municipal Plan, the structural problems with respect to parking, and the fact that the unit is already in existence without the appropriate permits.

Special Council  
Public Hearing  
January 20, 1988

of three units not be established for 72-72A Central Avenue on the basis of the incompatibility with the Municipal Plan, the structural problems with respect to parking, and the fact that the unit is already in existence without the appropriate permits.

In response to a question from Alderman Jeffrey, Mr. Hanusiak advised that, to the best that they have been able to determine, the violation of the existing land use Bylaw occurred in 1986.

Mr. Hanusiak, in responding to a question from Alderman R. Grant, advised that, at this point in time, the third unit is illegal and, in that respect, it can't gain a nonconforming status. He went on to advise that at some point a zone, such as the R-2P zone, must be put into place to first allow the use to become legitimate and, after a further rezoning to revert the property back to an R-2 zone, it would gain a non-conforming status.

Mr. R. Lauzon, 69 Central Avenue, addressed Council on behalf of a number of residents in the area in opposition to the application to rezone from R-2 to R-2P. Mr. Lauzon gave a brief background of events leading to this application. He advised that in early 1970, an application was made to renovate the property to two units noting that the first application was objected by the resident at 74 Central Avenue and was refused. Mr. Lauzon went on to advise that the second application was basically approved without the knowledge of too many residents. He indicated that a third unit was built in 1986 and internal renovations were made. Mr. Lauzon suggested that the owners did have a permit to build a veranda/sunroom on the back of the building, but suggested that they did not have approval for the interior renovations. He also expressed the view that the present owners of the property had not been aware of the problems existing. In conclusion, Mr. Lauzon indicated his support in favour of Staff's recommendation.

There were no further persons present wishing to address Council.

A letter was received from Lillian Downey dated January 7, 1988 in opposition to the application.

MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that this matter be forwarded to Council without recommendation.

Motion passed.

9:30 p.m. The meeting adjourned.

AMENDED

Special Council  
Public Hearing  
January 20, 1988

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There were no further persons present wishing to address Council.

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MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that this matter be forwarded to Council without recommendation.

Motion passed.

9:30 p.m. The meeting adjourned.

Special Council  
Public Hearing  
January 20, 1988

HEADLINES

Proposed Cancellation of Public Hearings of February 17, 1988 .....	46
Preservation Agreement - Old Fire Station 1679 Bedford Row .....	47
Street Closure - Portion of Douglas Avenue .....	47
Case No. 5492 - Rezoning - 2727 Dutch Village Rd. from R-2 (General Residential) to C-2 (General Business) Zone .....	47
Case No. 5354 - Rezoning - 3538-44 Percy Street and 7156 Andrew Street from R-2P to R-2AM .....	48
Case No. 5439 - Rezoning - from R-2P to R-2AM - 1 Alma Crescent .....	50
Case 5370 - Rezoning - 72-72A Central Avenue from R-2 to R2P ..	54

DEPUTY MAYOR WALKER  
CHAIRMAN

/mmd



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

Council Chamber  
City Hall  
Halifax, Nova Scotia  
January 28, 1988  
8:00 p.m.

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

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

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

His Worship introduced the Reverend George France advising that Reverend France supervised the Missions to Seaman. His Worship indicated that Reverend France would be leading Council in the Lord's Prayer this evening and invited Reverend France to address Council briefly.

Reverend France addressed Council indicating that it was an honour and a privilege to be present at Council this evening. Reverend France went on to note that he has been a resident of Halifax off and on for a number of years; however, it had never been an ambition of his to attend Council until meeting some of the City's Aldermen and the people who make the City work. Reverend France indicated that tonight he was realizing an acquired dream and expressed his appreciation to Council for aiding him in this.

After a few brief words of prayer, Reverend France led Council in the recitation of the Lord's Prayer.

**MINUTES**

Minutes of the January 14, 1988 regular meeting of City Council and of the January 20, 1988 special meeting of City Council were approved on a Motion by Alderman Hamshaw, seconded by Alderman Leiper.

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

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

- 5.7 Heritage Hearing - 1333-35 Barrington Street
- 20.1 1988 Proposed Operating and Capital Budgets

Council  
January 28, 1988

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

20.2 Seeing Eye Dog License

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

10.7 Sale of 3700 Kempt Road

DEFERRED ITEMS

Case No. 5439 - Rezoning from R-2P to R-2AM - 1 Alma Crescent

A public hearing into the above matter was held on January 20, 1988. A supplementary staff report dated January 26 1988 was submitted.

Alderman Jeffrey addressed the matter noting that recently a number of applications have come before Council for 14 to 16 unit apartment buildings in the area he represents. Alderman Jeffrey went on to note that residents in the Fairview area were becoming upset with the number of apartment buildings which are becoming a reality in the area. Alderman Jeffrey indicated that based on the fact that this particular application met all the requirements of the bylaw and there was no Minor Variance involved, he would be putting forward a motion to approve the rezoning. Alderman Jeffrey noted, however, that included in the motion he would like to ensure that certain concerns of expressed by area residents, in terms of the construction of the development, are addressed in the contract.

Alderman Jeffrey then listed the concerns he wished included in the contract, as follows:

- That the height of the building be no greater than the 33 1/2 feet indicated;
- That the developer erect a six foot fence to the rear of the property to act as a buffer between this property and the adjoining properties;
- That the green area agreed to by the developer be fully landscaped;
- That the building consist of 14 units in a U-shape

Alderman Jeffrey further noted that it was his understanding that there was a well located on the property from which the area residents occasionally enjoyed well water. Alderman Jeffrey indicated that the developer has indicated that he will construct a concrete foundation on this well and permit

Council  
January 28, 1988

area residents to use the well. Alderman Jeffrey indicated that he would not require that this be addressed in the contract; however, he did expect the developer to uphold his commitment.

His Worship indicated that this was an application for rezoning rather than a contract development and asked the City Solicitor if there would be any difficulty including these conditions in the approval.

The City Solicitor indicated that he was not aware that a contract was to be entered into in relation to this rezoning. The City Solicitor suggested that the matter should be deferred to allow staff an opportunity to discuss the matters raised by the Alderman. The City Solicitor went on to indicate that staff could then report to Council whether or not the developer agreed or disagreed with the conditions as set out by the Alderman. The City Solicitor noted that approval of the rezoning at this time would allow the developer to go ahead with the development as-of-right with no obligation to live up to the conditions outlined by the Alderman.

MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that, in light of the City Solicitor's advise, this matter be deferred to the next meeting of the Committee of the Whole Council pending receipt of a staff report regarding whether or not the developer would agree to undertake to fulfill the conditions as outlined by Alderman Jeffrey.

The motion to defer was put and passed.

Alderman Jeffrey further addressed the matter referring once again to the number of applications for rezoning to allow for the development of 12 to 16 unit apartment buildings and to concerns he had in relation to the possible overtaxing of the municipal services in the Fairview area and MOVED, seconded by Alderman R. Grant that the Planning Advisory Committee be requested to review the areas affected and advise on whether such rezoning should still be considered or whether a zoning change should take place to reduce the development potential under the R-2AM Zone.

Alderman Jeffrey further indicated that it was his understanding that he could not include within the motion instructions that no further applications to rezone to R-2AM come before Council until such time as this matter has been reviewed by the Planning Advisory Committee; however, he would like to make this request and indicate that staff, understanding the problem, should do everything they can to accommodate the area residents.

Alderman R. Grant addressed the matter indicating that he felt the Planning Advisory Committee should review the R-2AM zone throughout the City and indicated that he would like the

Council  
January 28, 1988

motion to include all R-2AM areas of the city, to which Alderman Jeffrey agreed.

The motion to refer was put and passed.

Street Closure - Portion of Douglas Avenue

A public hearing into the above matter was held on January 20, 1988.

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that the portion of Douglas Avenue shown as Parcel "B" on Plan TT-39-29310 dated October 20, 1987, be closed as a street and sold to F.S. Industries Ltd. for the sum of \$1,641.00, following approval of the Minister of Municipal Affairs and subject to retention of the sewer easement as identified in the November 30, 1987 staff report.

Motion passed.

Case No. 5492 - Rezoning 2727 Dutch Village Road from R-2 to C-2

A public hearing into the above matter was held on January 20, 1988.

MOVED by Alderman Walker, seconded by Alderman Hamshaw that City Council approve the rezoning of 2727 Dutch Village Road from R-2 (General Residential) Zone to C-2 (General Business) Zone.

Alderman Flynn addressed the matter indicating that he had only been present for a portion of the hearing and rather than compromise the vote he would refrain from voting on the matter.

The City Clerk advised that Alderman D. Grant was not present at the hearing.

The motion was put and passed with Aldermen D. Grant and Flynn abstaining.

Case No. 5354 - Rezoning 3538-44 Percy Street and 7156 Andrew Street from R-2P to R-2AM

A public hearing into the above matter was held on January 20, 1988.

MOVED by Alderman Jeffrey, seconded by Alderman R. Grant that City Council approve the request to rezone Lot P, known as Civic Nos. 3538-44 Percy Street and 7156 Andrew Street, as shown on Plan No. P200/16234 from R-2P to R-2AM.

Council  
January 28, 1988

Alderman Jeffrey reiterated his comments made in relation to agenda item 5.1 and indicated that he hoped that PAC would undertake the review of the R-2AM zone in the near future.

The City Clerk advised that Alderman D. Grant was not present at the Public Hearing.

The motion was put and passed with Alderman D. Grant abstaining.

Case No. 5370 - Rezoning - 72-72A Central Avenue from R-2 to R-2P

A public hearing into the above matter was held on January 20, 1988.

Alderman Jeffrey addressed the matter noting that he has met with staff on a number of occasions regarding this particular property. Alderman Jeffrey went on to indicate that staff has advised that there is no particular zone which would be feasible to place on the property to allow a three unit building. Alderman Jeffrey indicated that the property either has to be a two unit or a four unit and noted that if the property is rezoned from R-2 to R-2P, the owner of the property could erect a four unit building as of right.

MOVED by Alderman Jeffrey, seconded by Alderman Downey that the application to rezone 72-72A Central Avenue from R-2 to R-2P be refused.

Motion passed.

Case No. 5376 - Development Agreement - 2093 Creighton Street

A public hearing into the above matter was held on January 6, 1988. The matter was subsequently deferred to this meeting from the January 14, 1988 meeting of City Council.

His Worship briefly described the item and noted that there was a supplementary staff report dated January 11, 1988.

Alderman Downey addressed the matter indicating that he was had not yet received the supplementary staff report and MOVED, seconded by Alderman R. Grant that this matter be deferred to the next meeting of the Committee of the Whole Council.

Alderman Downey asked whether or not another public hearing would be required should staff and the developer look at the possibility of lesser uses than that which was considered at the public hearing.

His Worship indicated that a second public hearing would not be required in this case.

Council  
January 28, 1988

The motion to defer was put and passed.

Heritage Hearing - 1333-35 Barrington Street

This matter was added to the agenda at the request of the City Clerk. At the November 26, 1987 meeting of City Council a decision regarding this matter was deferred pending a reply from the owner of the property agreeing with to the heritage registration.

A staff report dated January 27, 1988 with attached correspondence dated January 27, 1988 from Mr. Robert Darville, representative for P. Barns Investment Limited owner of the property, requesting that their building be registered as a heritage building, was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that Civic No. 1333-35 Barrington Street be designated as a Registered Heritage Property.

Motion passed.

PETITIONS AND DELEGATIONS

Petition Alderman Downey re: Request for Crosswalk - Residents of Seaview Co-op

Alderman Downey submitted a petition on behalf of 105 residents of the Seaview Co-op requesting that a crosswalk be installed across Barrington Street to the bus stop. Alderman Downey requested that the petition be referred to the Traffic Authority for a report back to Council.

Petition Alderman Flynn re: Bus Stop on Desmond Avenue

Alderman Flynn submitted a petition on behalf of the Bayers Road United Church in relation to the relocation of the bus stops on Desmond Avenue. Alderman Flynn requested that this matter be referred to the Transit Division of the Metropolitan Authority.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on January 20, 1988, as follows:



Council  
January 28, 1988

Gordon B. Isnor Bus Service and Alternative Transit Service to  
Manors and Metro Transit Routes

Following is the recommendation of the Finance and Executive Committee meeting:

"That Council allocate \$245,862 for the continuation of the bus service to Springvale, Wedgewood, Purcell's Cove and to the seniors manors and further that Council give further consideration to the recommendations made by staff with respect to alternative transit service for seniors, as contained in the staff report dated November 31, 1987 and as listed below:-

- (1) Gordon B. Isnor and Joseph Howe Manors continue to receive transportation service, but at a reduced service frequency;
- (2) this special transportation service be made available to the other manors;
- (3) Council request the Halifax Housing Authority to operate and manage a manor transportation program as set forth in Alternative 4 of the November 31, 1987 staff report;
- (4) Council also participate in cost-sharing arrangements which would provide for the budget requirements of this program;
- (5) the Metro Transit Commission be retained as the transport agent by the program operator utilizing M. T. C. chartering services.

Deputy Mayor Walker addressed the matter indicating that he would be moving the recommendation of the Committee of the Whole Council that the routes scheduled for service reduction or elimination be continued. The Deputy Mayor indicated that he felt that the provision of any less service would be unfair and would place those persons affected in a position of inequality. He further suggested that any reduction in service would affect persons working odd hours and seniors, and went on to suggest that low ridership during evening hours was reflected over all routes in the City.

MOVED by Deputy Mayor Walker, seconded by Alderman Downey that Council allocate \$245,862 for the continuation of the bus service to Springvale, Wedgewood, Purcell's Cove and to the seniors manors for the remainder of 1988 and that the study of Metro Transit for the whole city be presented to City Council as soon as possible and that in the future no further changes be recommended by the Metropolitan Authority before they have fully advised the area concerned and the City Council.

Council  
January 28, 1988

Alderman Downey indicated that he would be supporting the motion but, he did not wish to have any reference to the discontinuance or reduction of service on the manor routes included in the motion as is the case with the Committee of the Whole recommendation.

Alderman Flynn addressed the matter indicating that he would like a request to go forward to Metropolitan Authority that Council be advised by letter of any proposed route changes prior to the changes being made and prior to any public announcements regarding these changes.

Alderman Jeffrey addressed the matter asking that Metropolitan Authority provide Council with information regarding the completion date of the proposed route review.

Alderman D. Grant addressed the matter noting that she had been quite concerned with the way in which the announcement regarding the route changes had appeared in the paper. Alderman D. Grant noted that as a result she and the other City of Halifax representatives on Metropolitan Authority had requested that Halifax City Council be provided with a copy of the policy in relation to the review of routes. Alderman D. Grant also indicated that a request had been made that Council and the public be kept fully informed prior to any changes in routes.

Alderman O'Malley addressed the matter referring to his request for information at Wednesday's meeting. Alderman O'Malley indicated that he had requested a complete financial breakdown of the entire cost of operating each transit route, the amount of revenue generated from each route annually and the amount of revenue generated by each participating municipality annually. Alderman O'Malley further expressed concern regarding the fact that Council has not yet addressed the Goal and Objectives of Metro Transit.

His Worship indicated that this information was readily available and would be distributed to Council.

The motion was put and passed.

#### Coalition Against Apartheid

A report from D. F. Murphy, City Solicitor, dated January 26, 1988 was submitted.

MOVED by Alderman D. Grant, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council give consideration to the following recommendations (as put forward by the Coalition Against Apartheid in its submission dated November 20, 1987):

Council  
January 28, 1988

- (1) approval of an appropriate bylaw whereby the City of Halifax will not invest or deposit its own public funds or trust funds under its care in financial institutions which do business with South Africa, or its agencies, and will divest itself of any such investments;
- (2) approval of an appropriate bylaw whereby the City of Halifax will cease the purchase of any goods known to originate from South Africa;
- (3) ensure that Council is not knowingly represented at any function attended by representatives of the South African government, the Bantustans, or their trade missions, and refuse to receive any official visitors representing the government of South Africa;
- (4) recommend that the School Board consider implementing an educational program in the schools dealing with the struggle of the South Africa people against apartheid and for justice and equality;
- (5) circulate its position and actions on apartheid to other municipalities in Nova Scotia, urging other municipal bodies to take similar action;
- (6) express support for the efforts by the Prime Minister of Canada for increased international economic and political pressure on the South African Government with a view to the abolition of the system of apartheid; and
- (7) call upon the South Africa government to lift the state of emergency and to release Nelson Mandela and all other political prisoners and detainees.

Alderman D. Grant briefly addressed the matter indicating that Council, in approving this recommendation, was supporting the efforts of a higher level of government. Alderman D. Grant, referring to her belief in the equality of all people, noted that Council was in effect lending support to the principle that South Africa belonged to all South Africans whether white or black.

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

Endorsement of Resolution from the Canadian Association of  
of Housing

MOVED by Alderman Leiper, seconded by Alderman D. Grant  
that, as recommended by the Finance and Executive Committee,  
the resolutions received from the Canadian Association of Housing,

Council  
January 28, 1988

as follows, be forwarded to the Housing Committee of the FCM for comment and recommendation.

1. RRAP Funding for Municipally-Owned Properties

WHEREAS any property owned by a municipality or a municipal non-profit corporation is currently ineligible for RRAP; and

WHEREAS some municipalities have purchased or plan to purchase existing rental residential properties with their own revenues to be used for modest-income households;

THEREFORE BE IT RESOLVED that CAHRO request CMHC to allow RRAP funding to be used for the rehabilitation of municipal properties acquired without subsidies from the federal or provincial social housing programs.

2. Core Need Income Thresholds

WHEREAS the new social housing programs require that a minimum percentage of units be delivered to households in core need; and

WHEREAS it is therefore crucial for non-profit housing producers in planning and managing their projects to know what the current core need income thresholds are;

THEREFORE BE IT RESOLVED that CAHRO call upon CMHC to finalize and release to the public core need income thresholds for a given year by November 1 of the preceding year.

3. Entrepreneurial Limited Dividend Program

GIVEN that the mandate of the Entrepreneurial Limited Dividend Program was to assist in financing the construction, purchase, or improvement of projects providing affordable and adequate rental housing to low-income families, individuals and seniors; and

GIVEN that it appears that CMHC is failing to enforce the programs maximum income cut-offs and, as a result, units may not be going to those households for which they were intended;

THEREFORE BE IT RESOLVED that CAHRO call upon CMHC to undertake an evaluation of the Entrepreneurial Limited Dividend Program in order to assess the degree to which units are being provided to households with incomes in the desired range and to investigate ways to continue the use of this housing stock by low and moderate income households.

4. Charitable Status

WHEREAS non-profit housing corporations operating apartment buildings for senior citizens perform a valuable function in Canadian communities and allow seniors to live independently and affordably until a more advanced age, thereby offering relief of the aged and general benefit to society; and

WHEREAS buildings constructed under the non-profit housing programs have limited capital budgets and can benefit from any cost savings that can be achieved, including provincial sales tax refunds available to registered charities; and

WHEREAS various such non-profit housing corporations have been refused registration because they may house some tenants who are not considered appropriate objects of charity, namely those aged 60 to 64 who are not "aged" according to the policies of Revenue Canada, Charities Division, and who are also not "poor and needy," being market-rent or moderate-income tenants; and

WHEREAS persons aged 60 to 64 are widely considered by various federal government or other standards, including CMHC criteria, the OAS Spouse's Allowance, the Canada Pension Plan option, at the age 60, the availability of senior citizen cards and discounts, and the frequency of retirement at 60;

THEREFORE BE IT RESOLVED that CAHRO urges the federal government to take measures to ensure that organizations serving those aged 60 to 64 who are not otherwise objects of charity will not thereby be ineligible for registration as a charity; whether such measures be modifications of the definition of "aged" by Revenue Canada, Charities Division, or whether they be other measures that may serve the purpose.

5. Access to Housing Programs for Rural and Remote Communities

WHEREAS the Atlantic Women and Housing Conference identified the lack of housing options in rural communities to be a major contribution factor to a worsening economic and social situation of women; and

WHEREAS the lack of information and funding to these communities has greatly contributed to this lack of options;

THEREFORE BE IT RESOLVED that CAHRO recognize the needs of women in rural communities, promote better access to information in these communities, encourage the consideration of such women's needs in program design and delivery, and advocate that both inter- and intra-provincial allocations

Council  
January 28, 1988

be adjusted to ensure that alternatives exist in all rural communities to meet the needs of women.

Motion passed.

Street Vendors

This matter was forwarded to Council without recommendation pending receipt of a report from staff responding to the comments made at the Finance and Executive Committee.

A report from D. F. Murphy, City Solicitor dated January 26, 1988 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Downey  
that:

1. Council approve in principle the amendments to Ordinance 180 attached as Appendix "A" to the December 3, 1987 report from the Streets Committee;
2. Direct staff to arrange for the introduction in the Spring sitting of the Legislative Assembly the amendments to the City Charter attached as Schedule "C" to the December 3, 1987 report from the Streets Committee;
3. Direct staff to identify and make recommendations to City Council of specific sites where street vending will be permitted; and
4. After the approval of the amendments to the City Charter, staff arrange for the introduction of the amendments to Ordinance 180 for First Reading.

Motion passed.

Sale of 3700 Kempt Road

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

Amendments to Ordinance Number 121 - Retail Store Hours

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

- (1) The amendment to Ordinance 121, respecting Retail Store Hours attached as Schedule "A" to the November 10, 1987 staff report, be approved in principle and that staff be directed to arrange for their introduction for First Reading; and



Council  
January 28, 1988

(2) Staff be directed to introduce legislation before the spring sitting of the Nova Scotia Legislature to amend the City Charter to permit City Council to regulate store hours on the basis of the location of stores as outlined in the November 10, 1987 report.

Alderman Jeffrey addressed the matter indicating that it was not his intention that the regulation of stores on the basis of location be open-ended. Alderman Jeffrey further noted that the proposed legislation, if approved, would enable the City to allow a store to stay open should it be located appropriately.

Alderman Meagher addressed the matter indicating that he already had a great deal of difficulty with one convenience store in his Ward. Referring to the convenience store located at the corner of Chebucto Road and Windsor Street and the concerns of area residents in relation to this store, Alderman Meagher suggested that the 1:00 a.m. closing should be moved back to 12:00 midnight. Alderman Meagher went on to note that this particular convenience store remained open 24 hours at the present time. Alderman Meagher went on to note that should this legislation be approved, he would like to ensure that only those stores located in commercial areas, which neither back nor front on to residential areas, are permitted to remain open all night. Alderman Meagher referred once more to the problems of traffic and noise experienced all night long by residents in the area of the Chebucto/Windsor convenience store.

The City Solicitor indicated that the Alderman should identify exactly which convenience store he referring to noting that it was possible that this store was in contravention of the City's store closing hour laws.

Motion passed.

Commission on City Government Recommendations

MOVED by Alderman R. Grant, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the Council's decisions regarding Recommendations #31, #47 and #48 of the Commission on City Government be reaffirmed; and further that Recommendation #44 be deferred (all as indicated below):

**Recommendation #31:** THAT Council meet in informal information sessions with the City Manager, senior administrative officials and the leaders of the several City unions at least twice a year to become better informed of the concerns of the City's unionized employees.

**Recommendation #47:** THAT Council review each board on at least an annual basis.

Council  
January 28, 1988

**Recommendation #48:** THAT at least once in every six years each City board be subject to a thorough evaluation in respect to its objectives, functions, and organizational status as a board.

**Recommendation #44:** THAT Council establish its policies in matters delegated boards only after consultation with or on receipt of recommendations from such boards.

Alderman R. Grant indicated that Recommendation #44 was being deferred in order that an opportunity may be had to determine exactly what this recommendation means and if it is valid.

Motion passed.

Application - the Nova Scotian Hotel re: Permission to Fly  
City of Halifax Flag

MOVED by Alderman Hamshaw, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, City Council grant permission to the Nova Scotian Hotel to fly the City of Halifax Flag and that the report dated February 15, 1985 from the City Solicitor be recirculated to members of Council before the next Committee of the Whole Council meeting.

Alderman R. Grant asked if the February 15, 1985 report from the City Solicitor was to be placed on the agenda of the Committee of the Whole, to which His Worship replied that it was to be placed on the agenda of the Committee of the Whole for discussion.

Alderman Flynn referred to the request from the Nova Scotian Hotel to be provided with information as to where they can obtain City flags, and asked if Council had approved of any company manufacturing the flag or is this something that Council must consider to ensure they are done in accordance with the standards of the City.

His Worship noted that there was an approved manufacturer of the flag at the present time and that discussion with regard to all these aspects may be held at the Committee of the Whole meeting.

Motion passed.

Encroachment License 1558 Argyle Street

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the Subway Restaurant be granted an Encroachment License for the purpose of erecting a canopy at Civic No. 1558 Argyle Street.

Motion passed.

Council  
January 28, 1988

Non-Cost Shared Expenditures in 1988 - Homes for Special Care Rates

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, representatives of City Council again meet with representatives of the Province in an attempt to negotiate a more rational approach for nursing care.

Alderman O'Malley indicated that in moving the motion he wished to stress that no indication be given that the City will be reducing its funding to current residents in Homes for Special Care sponsored by the City of Halifax.

Deputy Mayor Walker referred to the Private and Confidential report dated January 11, 1988 received from the City Solicitor and asked whether or not the City had representation at the hearings at which the per diem rate is decided.

Responding to the question Mr. H. Crowell, Director of Social Planning, indicated that one representative was chosen by the municipalities of Dartmouth, Halifax and the County to represent all three municipalities on the Committee. Mr. Crowell further noted that one person from each of the municipalities also sits in to observe the hearings.

Alderman Leiper addressed the matter advising that a meeting was to be held on Wednesday with the Minister to debate this matter. Alderman Leiper indicated that, in light of the resolution, Halifax should have some representation at this meeting to put forward our concerns at what is happening with funding for Homes for Special Care.

A further discussion and questioning of staff ensued with Alderman Flynn asking if included in the motion was a direction to the Mayor or a Committee of Council to meet with the Premier or the Minister with regard to this situation.

His Worship indicated that the City has already met with the Premier and arranged the meetings that will be necessary to discuss this matter. His Worship went on to note that a meeting of staff would be held shortly, following which a second meeting will be held with the Premier.

Alderman O'Malley addressed the matter indicated that he was fully cognizant of the situation and was realistic that the problem would not go away, in fact, it will only intensify regardless of what representations are made to the Province. Alderman O'Malley indicated that, given the reported financial situation of the Province, he did not believe that there would be any significant changes or support in this area. Alderman

Council  
January 28, 1988

O'Malley expressed concern over what action the City will be able to take should the proposed meetings not relieve the situation. Alderman O'Malley indicated that this problem needed more than bandaid treatment. Alderman O'Malley noted that population statistics indicate that the problem will worsen over the next decade and noted that Council should be looking for some long term solution such as has been suggested by the Task Force on Aging.

The motion was put and passed.

Continuing Expenditures in 1988 - Social Planning Sundries

MOVED by Alderman Downey, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, permission be granted to expend funds in January and February 1988, or until the 1988 budget is approved, to agencies normally receiving funding on a monthly basis through Social Planning Sundries Account H0210, H0220 and NO's (as listed in the January 8, 1988 staff report)

Motion passed.

CNR Lands - Richmond Yards

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, staff be authorized to negotiate with Canadian National, including the commission of appraisals, to determine value for the acquisition of lands north of the DND bridge, bounded by HDIL and DND, and the Fairview Container Terminal, with the results to be returned for Council's consideration.

Motion passed.

Acquisition - 11 Quarry Road

MOVED by Alderman Walker, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the land designated as WM3 on Plan No. P200/16117 be acquired from Mr. William McFatrige for \$5,965 as settlement in full and further that funds are available in Account No. CK109 (Sundry Land Acquisitions).

Motion passed.

Report Advisory Committee on Concerns of Aging

Alderman D. Grant briefly addressed the matter and MOVED, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council direct staff to include provision for an amendment to the levels of household income and tax reduction, as detailed in the January 20, 1988 staff report,

Council  
January 28, 1988

in the proposed 1988 budget to be tabled shortly by staff, at which time these matters can be examined in the overall context of the budget and an appropriate resolution, passed under Section 227(1) of the Halifax City Charter, setting the levels for 1988, be considered.

Alderman Meagher indicated that he felt this was a step forward and suggested that this might aid in alleviating part of the problem being experienced with the Homes for Special Care.

Motion passed.

Purdy's Wharf Development Limited

*See Dec 3/88 Special Council  
S.K.*

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, the City acquire Crown Grant No. 19279 from Ports Canada for the negotiated sum of up to \$242,000 plus the cost of the appraisals, with the land value escalated 10% to the time of the sale for immediate sale to Purdy's Wharf Development Ltd., with the funds from the purchase by the Developer to be held in escrow until receipt of Letters Patent from the Federal Government.

Motion passed.

Encroachment License - Civic No. 5677 Brenton Place

MOVED by Alderman Downey, seconded by Alderman R. Grant that, as recommended by the Finance and Executive Committee, Council approve an Encroachment License to permit the building at Civic #5667 Brenton Place to project over the street line, as shown on the Survey Certificate attached to the January 13, 1988 staff report.

Motion passed.

Request for Grant - Halifax School's Honour Choir

Following is the recommendation of the Finance and Executive Committee meeting:

"That this matter be referred to the Tax and Grants Committee."

Alderman Meagher addressed the matter noting that the Tax and Grants Committee has already met with regard to this matter; however, they have not yet arrived at a figure. Alderman Meagher requested that this matter be deferred to the next meeting of the Committee of the Whole Council pending the Tax and Grants Committee arriving at a figure, to which Council agreed.

Council  
January 28, 1988

Remuneration Non-City Committees, Boards and Commissions  
- His Worship Mayor Wallace

This matter was forwarded to Council without recommendation with the intent being that a staff report would be available at that time.

His Worship suggested that this matter be deferred as Alderman Cromwell was not present at this meeting.

Alderman R. Grant addressed the matter indicating that he did not see any reason why the matter should be deferred. Alderman R. Grant went on to note that he felt an injustice had been done to those members of Council serving on Non-City Boards and Commission in that they had not received the remuneration available. Alderman R. Grant indicated that he felt it was simply a matter of approving a resolution that in future remuneration for membership on non-city Boards, Commissions and Committee be paid to the Aldermen.

His Worship noted that a report had been requested which had not yet been received. His Worship suggested that Council should await full information before deciding on this matter.

MOVED by Alderman R. Grant, seconded by Alderman Dewell that this matter be deferred to the next meeting of the Committee of the Whole Council pending receipt of a report in this regard.

The motion to defer was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, January 20, 1988 as follows:

Local Improvement Rates - 1988

MOVED by Alderman Dewell, seconded by Alderman Meagher that, as recommended by the Committee on Works, the 1988 Local Improvement Rates (as shown in Appendix "A" of the January 11, 1988 staff report) be approved, and that the present policy with respect to sidewalk and paving renewals be continued.

Responding to a question from Alderman Flynn, the Chairman clarified that, in approving this motion, Council would be continuing its practice of exempting sidewalk and paving renewals from such charges.

The motion was put and passed.



Council  
January 28, 1988

Petition: Renewal of Sidewalk (Claymore Avenue)

MOVED by Alderman Richard Grant, seconded by Deputy Mayor Walker that, as recommended by the Committee on Works, City Council deny the petition requesting the renewal or repair of the sidewalk located on the north side of Claymore Avenue, but that the project be considered during the 1988 Capital Budget deliberations.

In making this motion, Alderman Richard Grant referred to his comments made previously during the January 20 meeting of the Committee on Works, and asked that articles taken from the publication entitled Civic Public Works regarding municipal liability in such circumstances be distributed to members of Council as a basis for future discussion.

The motion was put and passed.

Tender #87-45: Bridgeview Playground (Tennis Court and Basketball Court Renewal)

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Committee on Works, Council approve an over-expenditure of \$25,000.00, and that the funds be transferred to Account Number FA025 from Account Number FA011.

The motion was put and passed.

Stormwater Management Study, Phase II -- Preparation of Storm Drainage Master Plans (Mainland South Area)

MOVED by Alderman Richard Grant, seconded by Deputy Mayor Walker that, as recommended by the Committee on Works:

1. Council approve the appointment of Porter Dillon Limited for the preparation of Storm Drainage Master Plans for the Mainland South Area;
2. the compensation to the consulting firm be made in accordance with guidelines as recommended by the Association of Professional Engineers of Nova Scotia, but not to exceed \$125,000.00; and
3. the payment to the consultant be made from funds available in Account No. DA053.

In making this motion, Alderman Grant strongly recommended that, in the initial stages of the project, the consultants be requested to consult with the Aldermen for the area in question (namely, Deputy Mayor Walker, Alderman Jeffrey, and Alderman Richard Grant) regarding their specific concerns.

The motion was put and passed.

Council  
January 28, 1988

Snow Clearing Committee - Establishment of Snow Committee

This matter was forwarded to Council without recommendation, having been last discussed in detail at a regular meeting of City Council held on January 14, 1988.

Alderman O'Malley made reference to a meeting of City Council held on May 28, 1987 at which time an Information Report regarding the snow clearance program for 1986 had been submitted. Quoting from the Minutes of that meeting, the Alderman noted the following: "Alderman Flynn made reference to the Information Report received by Council, and suggested that Council meet with staff to discuss the report respecting snow removal. It was moved by Alderman Flynn, seconded by Alderman Cromwell that the Mayor choose a committee of two or three aldermen to meet with City staff to discuss the information report regarding snow removal."

In his subsequent remarks, Alderman O'Malley emphasized that, based on those Minutes, it was his understanding that a committee had been established solely to discuss the implications of the Information Report relating to the 1986 snow removal operation, adding that, to his knowledge, the committee had never reported back to Council with regard to its deliberations with staff.

His Worship Mayor Wallace advised that the committee had met several times with staff, and that a report on the outcome of these discussions would be brought forward.

With Alderman O'Malley's concurrence, it was agreed that this matter would be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, February 3, 1988.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendment to Ordinance #37, Respecting the Sale and Use of Fire Crackers (SECOND READING)

This matter was given First Reading during a regular meeting of Halifax City Council held on December 17, 1987 and was further considered at a meeting of the Finance and Executive Committee held on January 20, 1988.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Ordinance #37, Respecting the Sale and Use of Fire Crackers, be amended in order to clarify when fireworks can be set off in the City (as follows) be given SECOND READING:

Council  
January 28, 1988

1. Section 4 is repealed, and the following substituted therefor:
  - (4) Where a permit has been issued by the Fire Marshall or a Local Assistant to the Fire Marshall under the authority of the Fireworks Act R.S.N.S. 1967, c. 108, it is lawful to explode or discharge fire crackers pursuant to the provisions of that license.

The motion was put and passed.

Amendment to Ordinance #182 (Barrington Street Business Improvement District Commission) - SECOND READING

This matter was given First Reading during a regular meeting of Halifax City Council held on January 14, 1988 and was further discussed at a meeting of the Finance and Executive Committee held on January 20, 1988.

MOVED by Alderman Downey, seconded by Alderman Deborah Grant that, as recommended by the Finance and Executive Committee, the amendments to Ordinance #182 (Barrington Street Business Improvement District Commission), as attached as Appendix "A" to the December 8, 1987 confidential report from the City Solicitor, (and as follows) be given SECOND READING:

1. The title to Ordinance #182, the Barrington Street Business Improvement District Commission Ordinance, is amended by deleting the words "Barrington Street" therefrom, and by substituting therefor the words "Downtown Halifax;"
2. Section 1 of said Ordinance #182 is amended by deleting the words "Barrington Street" from the second line thereof, and by substituting therefor the words "Downtown Halifax;"
3. Clause (d) of Section 2 of said Ordinance #182 is amended by deleting the words "Barrington Street" from the first line thereof, and by substituting therefor the words "Downtown Halifax;"
4. Section 3 of said Ordinance #182 is amended by deleting the words "Barrington Street" from the first line thereof, and by substituting therefor the words "Downtown Halifax."

The motion was put and passed.

Council  
January 28, 1988

Amendment to Ordinance #180, the Streets Ordinance  
(SECOND READING)

This matter was given First Reading during a regular meeting of Halifax City Council held on January 14, 1988 and was further discussed during a meeting of the Finance and Executive Committee held on January 20, 1988.

MOVED by Alderman Meagher, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the amendment to Ordinance #180, the Streets Ordinance (as follows), be given SECOND READING:

BE IT ENACTED that Ordinance 180, the Street Ordinance, be amended as follows:

1. Subsection (1) of Section 2 of said Ordinance 180 be amended by adding immediately after the word "street" in the last line thereof a comma, and the words "and where the premises or lot has been registered as a condominium under the Condominium Property Act

includes the condominium corporation which manages the premises or lot."

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, January 20, 1988, as follows:

Planning Advisory Committee Report: Mainland South Secondary Planning Strategy - Policies Relating to Public Participation (TO BE TABLED)

MOVED by Alderman Richard Grant, seconded by Alderman Leiper that, as recommended by the City Planning Committee, the Planning Advisory Committee Report regarding the Mainland South Planning Strategy (Policies Relating to Public Participation) be tabled.

In making this motion, Alderman Grant expressed his appreciation to the PAC for addressing his concerns, noting, in particular, that the Committee has indicated their willingness to take a more active role in obtaining public input.

The motion was put and passed.

Council  
January 28, 1988

MOTIONS

Motion Alderman Meagher: Amendments to Ordinance Number 54  
(FIRST READING)

Alderman Meagher gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance Number 54, The Going-Out-of-Business Sales Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 54, the Going-Out-of-Business Sales Ordinance (attached to the January 4, 1988 staff report as Appendix "A" and as follows) be given FIRST READING and referred to the Committee of the Whole Council for consideration and report:

1. Section 4 of said Ordinance 54 is amended by deleting the words, numbers and symbols "Three Hundred and Five Dollars (\$305.00)" from the first line thereof, and by substituting therefor the words, numbers and symbols "Three Hundred and Fifteen Dollars (\$315.00)."

The motion was put and passed.

Motion Alderman Cromwell: Amendments to Ordinance Number 19  
(FIRST READING)

Alderman Cromwell gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance Number 19, the Bill Posters Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 19, the Bill Posters Ordinance (attached to the January 4, 1988 staff report as Appendix "A" and as follows) be given FIRST READING and referred to the Committee of the Whole Council for consideration and report:

1. Section 5 of said Ordinance 19 is amended

Council  
January 28, 1988

by deleting the words, numbers and symbols "One Hundred Dollars (\$100.00)" from the second line thereof and by substituting therefor the words, numbers and symbols "One Hundred and Five Dollars (\$105.00)."

The motion was put and passed.

Motion Alderman Richard Grant: Amendments to Ordinance Number 132  
(FIRST READING)

Alderman Richard Grant gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance Number 132, the Plumbing Ordinance, the purpose of which is to increase the cost of the issuance and renewal of Plumbing Contractors' licenses.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 132, the Plumbing Ordinance (attached as Appendix "A" to the January 4, 1988 staff report and as follows) be given **FIRST READING** and referred to the Committee of the Whole Council for consideration and report:

1. Section 1.6.3. of said Ordinance 132 is amended by deleting the words, numbers, and symbols of "Two hundred and five dollars (\$205.00)" from the second line thereof, and by substituting therefor the words, numbers and symbols "two hundred and ten dollars (\$210.00)" and by deleting the words, numbers and symbols "seventy-five dollars (\$75.00)" from the fourth line thereof and by substituting therefor the words, numbers and symbols "one hundred dollars (\$100.00)."

The motion was put and passed.

Motion Deputy Mayor Walker: Amendments to Ordinance Number 138  
(FIRST READING)

Deputy Mayor Walker gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance Number 138, the Tax Certificate Ordinance, the purpose of which is to increase the cost to be charged for a tax certificate from \$20.00 to \$30.00.



Council  
January 28, 1988

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 138, the Tax Certificate Ordinance (attached as Appendix "A" to the January 4, 1988 staff report and as follows) be given **FIRST READING** and referred to the Committee of the Whole Council for consideration and report:

1. Subsection (1) of Section 2 of said Ordinance 138 is amended by deleting the words, numbers and symbols "twenty dollars (\$20.00)" from the first line thereof, and by substituting therefor the words, numbers and symbols "thirty dollars (\$30.00)."

The motion was put and passed.

Motion Alderman Jeffrey: Amendments to Ordinance Number 146  
(FIRST READING)

Alderman Jeffrey gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance Number 146, the Auctioneer's Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 146, the Auctioneer's Ordinance (attached as Appendix "A" to the January 4, 1988 staff report and as follows) be given **FIRST READING** and referred to the Committee of the Whole Council for consideration and report:

- (1) Clause (a) of Subsection (4) of Section 3 of said Ordinance 146 is amended by deleting the numbers and symbols "\$230.00" from the first line thereof, and by substituting therefor the numbers and symbols "\$235.00."
- (2) Clause (b) of said Subsection (4) is amended by deleting the numbers and symbols "\$510.00" from the first line thereof, and by substituting therefor the numbers and symbols "\$530.00."

The motion was put and passed.

Council  
January 28, 1988

Motion Alderman Leiper: Amendments to Ordinance Number 149  
(FIRST READING)

Alderman Leiper gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of her intention to move First Reading of amendments to Ordinance Number 149, the Petty Trades Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 149, the Petty Trades Ordinance (attached as Appendix "A" to the January 4, 1988 staff report) be given FIRST READING and be referred to the Committee of the Whole Council for consideration and report.

The motion was put and passed.

Motion Alderman Flynn: Amendments to Ordinance Number 151  
(FIRST READING)

Alderman Flynn gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance Number 151, the Automatic Machines Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 151, the Automatic Machines Ordinance (attached as Appendix "A" to the January 4, 1988 staff report and as follows) be given FIRST READING and be referred to the Committee of the Whole Council for consideration and report:

(1) Clause (i) of Subsection (1) of Section 9 of said Ordinance 151 is amended by deleting the numbers and symbols "\$125.00" from the first line thereof and by substituting therefor the numbers and symbols "\$130.00."

(2) Clause (ii) of said Subsection (1) is amended by deleting the numbers and symbols "\$125.00" from the first line thereof and by substituting therefor the numbers and symbols "\$130.00."

The motion was put and passed.

Council  
January 28, 1988

Motion Alderman Dewell: Amendments to Ordinance 130  
(FIRST READING)

Alderman Dewell gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance 130, the Electrical Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 130, the Electrical Ordinance (attached as Appendix "A" to the January 4, 1988 staff report and as follows) be given FIRST READING and referred to the Committee of the Whole Council for consideration and report:

1. Section 1.6.3 of said Ordinance 130 is amended by deleting the words, numbers and symbols "two hundred and five dollars (\$205.00)" from the second line thereof and by substituting therefor the words, numbers and symbols "two hundred and ten dollars (\$210.00)" and by deleting the words, numbers and symbols "seventy-five dollars (\$75.00)" from the fourth line thereof and by substituting therefor the words, numbers and symbols "one hundred dollars (\$100.00)."

The motion was put and passed.

Motion Alderman Downey: Amendments to Ordinance Number 43  
(FIRST READING)

Alderman Downey gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of his intention to move First Reading of amendments to Ordinance Number 43, the Pawnbrokers Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 43, the Pawnbrokers Ordinance (attached as Appendix "A" to the January 4, 1988 staff report and as follows) be given FIRST READING, and referred to the Committee of the Whole Council for consideration and report:

1. Clause (a) of Section 14A of said Ordinance

Council  
January 28, 1988

19 is amended by deleting the words, numbers and symbols "Three Hundred and Five Dollars (\$305.00)" from the second line thereof, and by substituting therefor the words, numbers and symbols "Three Hundred and Fifteen Dollars (\$315.00)."

The motion was put and passed .

Motion Alderman Deborah Grant: Amendments to Ordinance  
Number 17 (FIRST READING)

Alderman Deborah Grant gave Notice of Motion at a regular meeting of City Council held on January 14, 1988 of her intention to move First Reading of amendments to Ordinance Number 17, the Junk Dealers Ordinance, the purpose of which is to increase the cost of licenses issued under that Ordinance.

A report, dated January 4, 1988, was submitted from D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that the amendments to Ordinance Number 17, the Junk Dealers Ordinance (attached as Appendix "A" to the January 4, 1988 staff report and as follows) be given FIRST READING, and referred to the Committee of the Whole Council for consideration and report:

1. Section 2 of said Ordinance 17 is amended by deleting the words, numbers and symbols "Three Hundred and Five Dollars (\$305.00)" from the second line thereof and by substituting therefor the words, numbers and symbols "Three Hundred and Fifteen Dollars (\$315)."

The motion was put and passed.

MISCELLANEOUS BUSINESS

Award of Tender #87-139: Overhead Door Modifications  
- University Avenue Fire Station

A staff report, dated January 14, 1988, was submitted.

MOVED by Alderman Hamshaw, seconded by Alderman Deborah Grant that Tender #87-139 (relating to the University Avenue Fire Station - Overhead Door Modifications), including materials and services, be awarded to CMR Contracting for a bid price of \$11,572.21 and a total project cost of \$13,886.00 (funds to be taken from Account Number BA006). Motion passed.

Council  
January 28, 1988

QUESTIONS

Question Alderman Richard Grant Re: Amber Flashing  
Lights at Crosswalks

Alderman Richard Grant made reference to his previous comments on the subject of using flashing amber lights at crosswalks, noting that the City of Dartmouth (having installed two on a trial basis) is now in the process of erecting several more, all in the vicinity of City schools.

Based on Dartmouth's apparent success with these lights, the Alderman requested that staff take a serious look at the feasibility of their implementation in the City of Halifax.

Question Alderman Richard Grant Re: Snow Removal From  
Sidewalks

Alderman Richard Grant made reference to questions posed by him regarding sidewalk snow removal (in conjunction with various sections of Ordinance 180) at a recent meeting of Committee of the Whole Council, and requested information as to when he would be receiving a staff response to those questions. He indicated that he would very much appreciate having staff's comments by the meeting of Committee of the Whole Council scheduled for February 17, 1988.

Question Alderman Meagher Re: Peninsula North Secondary  
Planning Strategy

Alderman Meagher called members' attention to the fact that, at a Special Meeting of Committee of the Whole Council called for Wednesday, January 27, to review the proposed Peninsula North Secondary Planning Strategy, a quorum had not been available and the meeting had therefore to be cancelled.

The Alderman indicated that he would be asking that another meeting on this matter be scheduled within the next 10 days, and emphasized that he would very much appreciate having a full attendance by Council members.

Question Alderman Deborah Grant Re: Tax Exemptions  
For Senior Citizens

Alderman Deborah Grant requested a report from staff with respect to how the City publicizes its intent regarding tax exemptions for seniors and widows.

QUESTIONS

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Council  
January 28, 1988

Question Alderman Deborah Grant Re: Employee  
Volunteerism

Alderman Deborah Grant asked for information from staff as to whether the City has a policy regarding the support of City employees for volunteerism.

Question Alderman Leiper Re: Mileage Reimbursement  
Policy

Alderman Leiper referred to recent information received by several members of Council regarding the mileage reimbursement policy, and expressed concern that it has now been over five years since this policy has been reviewed. In this context, the Alderman requested information from staff as to whether the Transportation Policy Committee is still in existence and the date of its last meeting.

Question Deputy Mayor Walker Re: Lighting in the  
Grand Parade

Deputy Mayor Walker expressed his concern that the majority of the Grand Parade area is not well lit, noting that, in his opinion, the present situation does nothing to enhance the City Hall building itself as a focus of the downtown area. He also suggested that, because of the absence of adequate lighting, vandalism and littering is encouraged. Under these circumstances, the Deputy Mayor requested that staff submit their recommendations regarding a more appropriate form of lighting for the Grand Parade.

Question Alderman O'Malley Re: Endorsement of Metropolitan  
Authority Goals and Objectives

Alderman O'Malley made reference to a document submitted by the Metropolitan Authority concerning its goals and objectives, as well as to a staff report written in response to that document. The Alderman noted that many of staff's comments were "semi-critical" in nature, and, in his opinion, rather astute. He added, however, that those comments had never been addressed by the Authority.

In making these comments, Alderman O'Malley indicated that, in his view, it was important that City Council enter into a debate concerning the Authority's goals and aspirations so that a official position could be reached which would be of some assistance in the future (e.g., when the results of the route rationalization process are made available).

Council  
January 28, 1988

Concurring with the Alderman's suggestion, His Worship Mayor Wallace indicated that this matter would be placed on the agenda of a forthcoming meeting of Committee of the Whole Council for review and debate.

#### NOTICES OF MOTION

##### Notice of Motion Alderman O'Malley Re: Amendment to Ordinance Number 110, the Halifax Deed Transfer Tax Ordinance

Alderman O'Malley gave Notice of Motion that, at the next regular meeting of City Council to be held on February 11, 1988, he intends to introduce for First Reading an amendment to Ordinance Number 110, the Halifax Deed Transfer Tax Ordinance, the purpose of which is to change the rate at which deed transfer tax is assessed from 1 percent of the sale price of a property to 1 1/4 percent of the sale price.

##### Notice of Motion Alderman Jeffrey Re: Ordinance Number 183, the Wastewater Discharge Ordinance

Alderman Jeffrey gave Notice of Motion that, at the next regular meeting of City Council to be held on February 11, 1988, he intends to introduce for First Reading a new Ordinance 183, the Wastewater Discharge Ordinance, the purpose of which is to regulate the discharge of toxic and other hazardous wastes into public sewers.

#### ADDED ITEMS

##### 1988 Proposed Operating and Capital Budgets

This matter was added to the agenda at the request of the City Clerk.

A staff report, dated January 22, 1988, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman O'Malley that Council formally authorize the official tabling of the Proposed Operating and Capital Budgets for 1988 on or before February 29, 1988.

The motion was put and passed.

##### Seeing-Eye Dogs - Dog Licenses

This item was added to the agenda at the request of Alderman Richard Grant who expressed concern regarding those

Council  
January 28, 1988

individuals dependent on the services of a seeing-eye dog and who, being on fixed incomes, find it difficult to afford the City's licensing fees for such animals.

Under the circumstances, it was moved by Alderman Richard Grant, seconded by Deputy Mayor Walker that Council instruct staff to consider exempting the licensing fee for registered seeing-eye dogs.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at 9:50 p.m.

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

E. A. KERR  
CITY CLERK

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HEADLINES FOR CITY COUNCIL MINUTES  
of 01/28/88

MINUTES

	.....	57
APPROVAL OF ORDER OF BUSINESS		
	.....	57
DEFERRED ITEMS		
Case No. 5439 - Rezoning from R-2P to R-2AM: 1 Alma Crescent	.....	58
Street Closure - Portion of Douglas Avenue	.....	60
Case No. 5354 - Rezoning: 3538-44 Percy Street and 7156 Andrew Street from R-2P to R-2AM	.....	60
Case No. 5492 - Rezoning: 2727 Dutch Village Road from R-2 to C-2	.....	60
Case No. 5376 - Development Agreement: 2093 Creighton Street	.....	61
Case No. 5370 - Rezoning: 72-72A Central Avenue from R-2 to R-2P	.....	61
Heritage Hearing - 1333-35 Barrington Street	.....	62
PETITIONS AND DELEGATIONS		
Petition Alderman Flynn Re: Bus Stop on Desmond Avenue	.....	62
Petition Alderman Downey Re: Request for Crosswalk - Residents of Seaview Co-Op	.....	62
REPORT - FINANCE AND EXEC COMM		
Gordon B. Isnor Bus Service/Alternative Transit Service to Manors, and Metro Transit Routes	.....	63
Coalition Against Apartheid	.....	64
Endorsement of Resolution from the Canadian Association of Housing	.....	65
Sale of 3700 Kempt Road	.....	68
Amendments to Ordinance Number 121 - Retail Store Hours	.....	68
Street Vendors	.....	68
Commission on City Government Recommendations	.....	69
Application - The Nova Scotian Hotel Re: Permission to Fly City of Halifax Flag	.....	70
Encroachment License - 1558 Argyle Street	.....	70
Non-Cost-Shared Expenditures in 1988 - Homes for Special Care Rates	.....	71
Continuing Expenditures in 1988 - Social Planning	.....	72
Sundries	.....	72
CNR Lands - Richmond Yards	.....	72

HEADLINES FOR CITY COUNCIL MINUTES  
of 01/28/88

Acquisition - 11 Quarry Road	
Report - Advisory Committee on Concerns of Aging	.... 72
Purdy's Wharf Development Limited	.... 72
Encroachment License - Civic No. 5677	.... 73
Brenton Place	.... 73
Request for Grant - Halifax School's Honor Choir	.... 73
Remuneration - Non-City Committees, Boards and Commissions:	.... 74
His Worship Mayor Wallace	.... 74
REPORT - COMMITTEE ON WORKS	
Local Improvement Rates - 1988	.... 74
Petition: Renewal of Sidewalk (Claymore Avenue)	.... 75
Tender #87-45: Bridgeview Playground (Tennis Court and Basketball Court Renewal)	.... 75
Stormwater Management Study, Phase II -- Preparation of Storm Drainage Master Plans (Mainland South Area)	.... 75
Snow Clearing Committee -- Establishment of Snow Committee	.... 76
REP.- COMM. OF WHOLE COUNCIL	
Amendment to Ordinance #37, Respecting the Sale and Use of Fire Crackers - SECOND READING	.... 76
Amendment to Ordinance #182 (Barrington Street Business Improvement District Commission) - SECOND READING	.... 77
Amendment to Ordinance #180, the Streets Ordinance - SECOND READING	.... 78
REPORT - CITY PLANNING COMM.	
PAC Report - Mainland South Secondary Planning Strategy (Public Participation Policies) - TO BE TABLED	.... 78
MOTIONS	
Motion Alderman Meagher: Amendments to Ordinance #54 (FIRST READING)	.... 79
Motion Alderman Cromwell: Amendments to Ordinance #19 (FIRST READING)	.... 79
Motion Deputy Mayor Walker: Amendments to Ordinance #138 (FIRST READING)	.... 80
Motion Alderman Richard Grant: Amendments to #132 (FIRST READING)	.... 80
Motion Alderman Jeffrey: Amendments to Ordinance #146 (FIRST READING)	.... 81
Motion Alderman Flynn: Amendments to Ordinance #151 (FIRST READING)	.... 82
Motion Alderman Leiper: Amendments to Ordinance #149 (FIRST READING)	.... 82
Motion Alderman Downey: Amendments to Ordinance #43 (FIRST READING)	.... 83
Motion Alderman Dewell: Amendments to Ordinance #130 (FIRST READING)	.... 83

HEADLINES FOR CITY COUNCIL MINUTES  
of 01/28/88

Motion Alderman Deborah Grant: Amendments to Ordinance #17 (FIRST READING)	.... 84
<b>MISCELLANEOUS BUSINESS</b>	
Award of Tender #87-139: Overhead Door Modifications - University Avenue Fire Station	.... 84
<b>QUESTIONS</b>	
Question Alderman Meagher Re: Peninsula North Secondary Planning Strategy	.... 85
Question Alderman Richard Grant Re: Amber Flashing Lights at Crosswalks	.... 85
Question Alderman Deborah Grant Re: Tax Exemptions for Senior Citizens	.... 85
Question Alderman Richard Grant Re: Snow Removal From Sidewalks	.... 85
Question Alderman Deborah Grant Re: Employee Volunteerism	.... 86
Question Alderman O'Malley Re: Endorsement of Metropolitan Authority Goals and Objectives	.... 86
Question Alderman Leiper Re: Mileage Reimbursement Policy	.... 86
Question Deputy Mayor Walker Re: Lighting in the Grand Parade	.... 86
Question Alderman O'Malley Re: Endorsement of Metropolitan Authority Goals and Objectives	.... 86
<b>NOTICE OF MOTIONS</b>	
Notice of Motion Alderman O'Malley Re: Amendment to Ordinance #110, the Halifax Deed Transfer Tax Ordinance	.... 87
Notice of Motion Alderman Jeffrey Re: Ordinance #183, the Wastewater Discharge Ordinance	.... 87
<b>ADDED ITEMS</b>	
1988 Proposed Operating and Capital Budgets	.... 87
Seeing-Eye Dogs - Dog Licenses	.... 87