

**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
City Hall
Halifax, N.S.
August 17, 1988
7:30 p.m.

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

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

Present: Deputy Mayor Walker, Chairman; and Aldermen Cromwell, Downey, Dewell, Jeffrey, Leiper, and Hamshaw.

Also Present: Mr. G. Porter, Planner; Mr. E.B. Algee, Development Officer; Mr. W.B. Campbell, Senior Planner; Ms. K. Swim, Acting City Clerk; Mr. B. Allen, Representing the City Solicitor; and other members of City Staff.

Appeal of Minor Variance Approval: Case No. 5440 - 5280-5282 South Street

The Acting City Clerk advised that staff have requested that the above item be postponed pending receipt of a new application, to which Council agreed.

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

The Acting City Clerk advised that staff have asked, at the request of the appellant, that the above item be postponed, to which Council agreed.

Appeal of Minor Variance Refusal: Case No. 5606 - 5518 Duffus Str.

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

Mr. G. Porter, Planner with the Development and Planning Department, addressed Council and with the aid of sketches outlined the refusal of an application, as illustrated in the staff report dated July 12, 1988, for a minor variance of the lot frontage, lot area, and side yard requirements to allow conversion of one unit of a four-unit building to two units at 5518 Duffus Street.

Public Hearing
August 17, 1988

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

In response to a question from Alderman Jeffrey, the Acting City Clerk advised that correspondence had been received from Nicola Hubbard and Brett Mudford stating their objections to approval of this variance. The Acting City Clerk also advised that a petition had been received consisting of approximately 33 names in support of the minor variance at 5518 Duffus Street. It was noted that the petition was attached to the staff report of July 12, 1988.

MOVED by Alderman Jeffrey, seconded by Alderman Cromwell that the appeal be granted and the decision of the Development Officer overturned.

Motion passed.

Appeal of Minor Variance Refusal: Case No. 5688 - 6476 London Str.

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

Mr. G. Porter, Planner with the Development and Planning Department, with the aid of sketches outlined the refusal of an application, as illustrated in the staff report dated July 14, 1988, for a minor variance of the west side yard requirement for the single family dwelling at 6476 London Street to allow a two storey, 12.5 ft. by 22.5 ft. rear addition. Mr. Porter presented slides of the property in question illustrating the present situation.

Mr. Clarence McInnis, residing at 6568 Edinburgh Street, addressed Council on behalf of Mr. Rolando Gentile, owner of the property at 6476 London Street. Mr. McInnis outlined the reasons why Mr. Gentile had requested the minor variance. He noted that Mr. Gentile purchased the property in 1962 and, now that his children were older and attending University while living at home, more space was needed. Mr. McInnis clarified that Mr. McInnis was not adding two bedrooms, but rather was proposing to extend two existing bedrooms on the second floor and to enlarge the dining room and the kitchen on the first floor.

Referring to the section of the Planning Act where it states that "the intent of the side yard requirement is to provide a separation between buildings for access, maintenance and light", Mr. McInnis described the three windows existing on the adjacent property west of Mr. Gentile's. He noted that the adjacent property consisted of a small window that allowed light on the stairway, a second window that allowed light into a hallway, and a third window located in the attic. Referring to the maintenance

Public Hearing
August 17, 1988

situation, Mr. McInnis advised that he was a carpenter and had worked in areas between buildings with less than three feet of space, therefore, he suggested that the four feet of side yard was not a problem. Mr. McInnis added that Mr. Gentile was not planning on putting windows on the west side of his proposed addition. He further advised that Mr. Gentile was prepared to go along with the building inspector's requirement for a fire resistant wall in the proposed addition.

Mr. McInnis referred to the fact that there had already been at least six minor variances granted in this section of London Street, therefore, he suggested that a precedent had already been set.

Mr. Zakhour Faddoul, residing at 6480 London Street, addressed Council and advised that he lived next door to the property in question. Mr. Faddoul noted that his property would be affected in many ways by the proposed minor variance. Mr. Faddoul advised that he was in a difficult situation, as Mr. Gentile's neighbor and friend, to come before Council in opposition to his proposal. Mr. Faddoul expressed the concern that the proposed addition would accentuate the closeness of Mr. Gentile's dwelling to his property and would reduce the light on his property.

There were no further persons present wishing to address Council.

Alderman Dewell advised that it was difficult for him to make a recommendation on this matter. He noted that Mr. Gentile was an extremely good resident of the neighbourhood and that Mr. Faddoul was a good resident as well. Alderman Dewell advised that the regulations regarding minor variances were put in place in order to give guidelines for people to work on and to, hopefully, avoid situations like this where two neighbours find themselves at odds. Alderman Dewell indicated that he viewed the property in question and agreed that the proposed addition would reduce the sunlight on Mr. Gentile's property.

MOVED by Alderman Dewell, seconded by Alderman Jeffrey that the appeal be denied and the decision of the Development Officer upheld.

Motion passed.

Amendment to the Land Use Bylaw (Zoning Map) Re: the Identification of the R-2P (General Residential) Zone in the Peninsula Area of Fairview

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

Public Hearing
August 17, 1988

Mr. W. B. Campbell, Senior Planner with the Development and Planning Department, addressed Council and outlined the proposed amendment, as contained in the staff report dated June 29, 1988, to the Land Use Bylaw (zoning map) to change the label "R-2P" to "R-2" in the Peninsula section of the Fairview Secondary Planning Strategy area. Mr. Campbell advised that the amendment was required to clarify the application of the appropriate section of the Bylaw and could be considered merely as a "housekeeping" matter.

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

MOVED by Alderman Jeffrey, seconded by Alderman Downey that Council amend the Land Use Bylaw (Zoning Map) to change the label "R-2P" to "R-2" in the Peninsula section of the Fairview Secondary Planning Strategy area, as shown on Map P200/16669 attached to the staff report dated June 29, 1988.

Motion passed.

8:15 p.m. His Worship Mayor Wallace enters the meeting and assumes the seat of the Chair with Deputy Mayor Walker taking his usual seat in Council.

8:15 p.m. Alderman Dewell retires from the meeting.

Case No. 5541 - Rezoning from "P" Zone to U-2 Zone at 156 Bedford Highway

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

Mr. G. Porter, Planner with the Development and Planning Department, addressed Council and outlined the application, as contained in the staff report dated June 24, 1988, from Mount Saint Vincent to rezone a portion of proposed Lot W-1 at 156 Bedford Highway from P (the former Lot W) to U-2.

Mr. R. Cluney, Solicitor for Mount Saint Vincent University, addressed Council and advised that he was present to respond to any questions.

There were no further persons present wishing to address Council.

MOVED by Alderman Hamshaw, seconded by Deputy Mayor Walker that Council approve the application to rezone Lot W at 156 Bedford Highway from P (Park & Institutional) Zone to U-2 (High Density University) Zone, as shown on Plans No. P200/16495-99 of Case No. 5541 attached to the staff report dated June 24, 1988.

Motion passed.

Public Hearing
August 17, 1988

A letter dated August 4, 1988, from Mrs. M. Ledder was submitted (a copy of which is contained in the official file of this meeting).

Case No. 5644 - Proposed Lot 321A, Pioneer Avenue

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

Mr. E. B. Algee, Development Officer, addressed Council and outlined the application, as illustrated in the August 4, 1988 staff report, for a minor variance of the lot frontage requirement to permit the construction of a six-unit apartment building (townhouse style) on proposed Lot 321A Pioneer Avenue.

Mr. Perry Wournell, owner of the land in question, addressed Council and advised that on March 27, 1988, he came before Council with an application for a 16 unit apartment building on the land in question. He noted that the residents were not happy about the apartment building proposal and opposed it at that time. Mr. Wournell went on to advise that a further application was presented to Council on May 14, 1988, to downsize from a 16 unit apartment building to a six unit town house. Mr. Wournell advised that it was felt, at that time, that the six unit town house development would be more acceptable to the residents suggesting that it would enhance and increase the value of the properties in the area.

Ms. Virginia Jackson, residing at 20 Pioneer Avenue, addressed Council and advised that in May, 1987, Council denied approval of the minor variance to the said lot. She advised that this application was for a slightly different proposal for the building. Ms. Jackson expressed the concern that this second proposal did not eliminate the initial concerns the residents had in 1987 with respect to the traffic situation, the lot frontage, and the parking situation. In closing, Ms. Jackson asked that Council deny the minor variance.

Mr. Harold Marrow, addressed Council and advised that he was in a working relationship with the developer and purchaser of the property in question. Mr. Marrow advised that he had reviewed the objections to the past proposal and the current proposal and suggested that the quality of the proposed development would only increase the value of the properties in the area.

There were no further persons present, wishing to address Council.

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

Motion passed.

8:30 p.m. The meeting adjourned.

HEADLINES FOR CITY COUNCIL MINUTES
of 08/17/88

Appeal of Minor Variance Approval: Case No. 5440 - 5280-5282 South Street	.... 548
Appeal of Minor Variance Refusal: Case No. 5610 - 1526 Lilac Street	.... 548
Appeal of Minor Variance Refusal: Case No. 5606 - 5518 Duffus Street	.... 548
Appeal of Minor Variance Refusal: Case No. 5608 - 6476 London Street	.... 549
Amendment to Land Use Bylaw Re: Identification of the R-2P Zone (General Residential) Zone - Pen. Area of Fairview	.... 550
Case No. 5541 - Rezoning from "P" Zone to U-2 at 156 Bedford Highway	.... 551
Case No. 5644 - Proposed Lot 321A, Pioneer Avenue	.... 552

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

Council Chamber
City Hall
Halifax, Nova Scotia
August 25, 1988
8:00 P. M.

A regular meeting of Halifax City Council was held at this time.

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

ALSO PRESENT: City Manager; City Clerk; Mr. Barry S. Allen, representing the City Solicitor; and other members of City staff.

The meeting was called to order with members of Council and those present in the public gallery being led in the recitation of the Lord's Prayer by the Very Reverend Elia Shalhoub of St. Antonios Antiochian Orthodox Church, 2455 Windsor Street.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, July 28, 1988, and of a Special Meeting, held on Wednesday, August 17, 1988, were approved on a motion by Alderman Jeffrey, seconded by Alderman Hamshaw.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 20.1 Encroachment License: Civic No. 1595
Barrington Street/5184 Sackville Street
- 20.2 Request for Parachute Jump (September 16,
1988): the Skyhawks
- 20.3 Convoy Avenue -- Paving and Blasting
(Alderman Jeffrey)

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

- 20.4 Northwest Arm (Alderman Flynn)

Council
August 25, 1988

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

20.5 Public Hearing Dates (Alderman Meagher)

Moved by Alderman Jeffrey, seconded by Alderman Hamshaw
that the agenda, as amended, be accepted.

Motion passed.

Presentation of Retirement Scroll: Mr. A. Raymond Bourque,
Department of Engineering and Works

His Worship Mayor Wallace welcomed Mr. Raymond Bourque and members of his family to the Council Chamber on the occasion of Mr. Bourque's retirement from his position with the City's Engineering and Works Department.

Mayor Wallace commended Mr. Bourque on his 40 years of dedicated service and, on behalf of members of City Council and the City of Halifax, presented him with a retirement scroll. Alderman Leiper subsequently presented Mrs. Bourque with a corsage in honor of the occasion.

Presentation: Gifts and Artifacts from Hakodate

Alderman Moria Leiper, on behalf of the City of Hakodate, presented members of Council with a porcelain vase and an enamelled wood box, both of which commemorate the recent visit to Hakodate by representatives of the City of Halifax. In addition, the Alderman circulated a photograph album containing pictures of the Halifax delegation's visit to Hakodate and of the Halifax exhibit presently on display in Hakodate.

DEFERRED ITEMS

Case No. 5644 - Proposed Lot 321A, Pioneer Avenue

A hearing into the appeal of the Development Officer's decision to grant a minor variance at this site was held on Wednesday, August 17, 1988.

Alderman Hamshaw indicated that he agreed with the Development Officer's opinion that the developer's application does indeed represent a minor variance. The Alderman further emphasized that, in his opinion, the proposed development and the associated street repairs which will follow will do much to upgrade the condition of Pioneer Avenue.

Council
August 25, 1988

It was therefore moved by Alderman Hamshaw, seconded by Alderman Flynn that the appeal of the minor variance approval with regard to the proposed Lot 321A, Pioneer Avenue be denied, and that the decision of the Development Officer be upheld.

The motion was put and passed.

PETITIONS AND DELEGATIONS

Petition Alderman Leiper Re: Day Care Centre,
7 Plymouth Street

Alderman Moira Leiper presented a petition, signed by approximately 22 residents of Plymouth Street, Titus Street and Evans Avenue, expressing their concerns with regard to a day care centre presently proposed for 7 Plymouth Street in the middle of an R-1 area.

The Alderman asked that the petition be circulated, adding that she would be addressing the matter in greater detail during this evening's Question Period.

Petition Alderman Downey Re: Installation of a Crosswalk
- Intersection of Barrington and Artz Streets

Alderman Graham Downey presented a petition, signed by approximately 200 residents of Barrington Street, Brunswick Street, Artz Street, and Wood Avenue, requesting that a crosswalk be installed at the intersection of Barrington and Artz Streets.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, August 17, 1988, as follows:

Voting Delegates - U.N.S.M.

MOVED by Alderman Leiper, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the following Aldermen serve as voting delegates at the annual Union of Nova Scotia Municipalities (U.N.S.M.) conference scheduled for September 14-16, 1988:

Council
August 25, 1988

Alderman Deborah Grant
Alderman Graham Downey
Alderman Randy Dewell
Alderman Moira Leiper
Alderman Arthur Flynn

and, acting as an alternate, Deputy Mayor J. Albert Walker.

The motion was put and passed.

Bill No. 77 - Amendment to the Social Assistance Act
(Homes for Special Care)

This matter had been forwarded to Council without recommendation.

Noting that he would appreciate the opportunity of debating the implications of Bill No. 77 in detail, it was moved by Alderman O'Malley, seconded by Alderman Cromwell that the matter be referred to a future meeting of the Committee of the Whole Council.

The motion was put and passed.

8:20 p.m. - Alderman Richard Grant enters the meeting.

Acquisition - 294 Herring Cove Road

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Civic No. 294 Herring Cove Road be acquired from Ms. Margaret Brown for \$55,800 (funds to be made available from Account No. CK019, Miscellaneous Land Account).

The motion was put and passed.

Ordinance 170 - 1988

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Deborah Grant that, as recommended by the Tax Concessions and Grants Committee, Council approve the continuance of Ordinance 170 for

Council
August 25, 1988

the 1988 year, and that the rates of reduction of tax provided for in the Ordinance remain unchanged from 1987; and furthermore, that those organizations qualifying in 1987 be approved for continuance of inclusion under the Ordinance for 1988, with the following additional organization being designated to qualify under Ordinance 170 for 1988:

Schedule "A" (50% Reduction)

Golden Age Society
212 Herring Cove Road

and that the following organizations and property be rejected for inclusion under the Ordinance:

Metropolitan Group Homes Association
3235 Joseph Howe Drive
1820 Hollis Street
2690 Gottingen Street
(Residential - Ordinance 170
does not apply)

St. Leonard's Society
2549 Brunswick Street
(Residential - Ordinance 170
does not apply)

Rockinghorse Day Care
(Does not meet criteria)

Following a brief discussion, the motion was put and passed.

Expropriation of Easement - Wenlock Grove

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Richard Grant (on behalf of Deputy Mayor Walker), seconded by Alderman Jeffrey that:

- (a) Service Easement SE-A9, as shown on Plan TT-41-29673, be expropriated from Dr. Charlotte E. Keen and Ms. Catherine Dickie, 9 Wenlock Grove, Halifax, and that compensation in the amount of \$2,148 be offered, based on an appraisal by John K. Walker Appraisal Services Limited;

Council
August 25, 1988

- (b) Service Easement SE-B10, as shown on Plan TT-41-29673, be expropriated from Ms. Ossie Klaus, 11 Wenlock Grove, Halifax, and that compensation in the amount of \$2,280 be offered, based on an appraisal by John K. Walker Appraisal Services Limited;
- (c) the Mayor be authorized to seek an Order of Immediate Possession from the Attorney General

(funds for this project are available in Capital Account No. BB011, the Wenlock Grove Sanitary Sewer Project).

The motion was put and passed.

Stipends Committee

MOVED by Alderman Richard Grant, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the Stipends Committee be recalled to review the base Aldermanic salary; and further, that the Stipends Committee report in this regard to the meeting of Halifax City Council scheduled for September 15, 1988.

In making this motion, Alderman Grant suggested that members of the previous Stipends Committee be contacted to ascertain whether they wish to be reappointed.

Alderman O'Malley, while concurring with the intent of Alderman Grant's motion, suggested that a more appropriate result could be obtained by bringing in competent and experienced professionals to evaluate the qualifications and responsibilities of Halifax members of City Council.

8:30 p.m. - Deputy Mayor Walker enters the meeting.

A discussion ensued with Alderman Richard Grant indicating that he had no difficulty with the recommendation put forward by Alderman O'Malley.

The motion was therefore amended to read that the Stipends Committee be reactivated to receive recommendations from a consultant hired by Halifax City Council to review and assess the base salary of the members of Council; and further, that a subsequent recommendation be submitted from the Stipends Committee to City Council.

Council
August 25, 1988

Aldermen Cromwell and Dewell strongly urged that the membership of the reactivated Stipends Committee be determined by City Council as a whole, rather than as a decision by His Worship the Mayor.

The amended motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, August 17, 1988 as follows:

Building Sewer Connections

MOVED by Alderman Richard Grant, seconded by Alderman Hamshaw that, as recommended by the Committee on Works, Halifax City Council approve the following resolutions:

1. THAT, notwithstanding subsection (1) of Section 376 of said Chapter 52, as enacted by Chapter 79 of the Acts of 1970-71 and amended by Chapter 45 of the Acts of 1978, and further amended by Chapter 59 of the Acts of 1988, City Council direct staff to install that part of a private drain from the public sewer to the street line at the expense of the City, provided:
 - (a) the building to be serviced is located in that part of the City which was annexed from the Municipality of the County of Halifax on the first day of January, 1969;
 - (b) the building was in existence or under construction at the date of Annexation; and
 - (c) the public sewer was in existence at the date of Annexation; and
2. THAT Council confirm this legislation to be effective for a limited period of time and cease on December 31, 1993, subject to all affected owners of properties being given notice of the expiry date.

The motion was put and passed.

Council
August 25, 1988

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, August 17, 1988, as follows:

Request for Parachute Jump - Labour Day Weekend
(Halifax Natal Day Committee)

MOVED by Alderman Cromwell, seconded by Deputy Mayor Walker that, as recommended by the Safety Committee, permission be granted to the Nova Scotia Parachute Club to perform a parachute jump during the Labor Day Weekend (Sunday, September 4, weather permitting, or Monday, September 5, 1988), subject to compliance with Transport Canada Regulations; and further that the jump take place during the daylight hours; and further that the City of Halifax be absolved of any and all responsibility in connection with the jumps.

The motion was put and passed.

Request for Flypast - Shearwater Air Show

MOVED by Alderman Jeffrey, seconded by Alderman Downey that, as recommended by the Safety Committee, permission be granted to various flying performers to overfly the City of Halifax during the Shearwater International Airshow scheduled for September 15 - 19, 1988, providing that all military and Ministry of Transport safety regulations are strictly adhered to.

The motion was put and passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Ordinance Number 172, No Smoking Ordinance (No Smoking Sections in Restaurants) - SECOND READING

Notice of Motion was initially given by Alderman Leiper concerning this matter on November 12, 1987, with Council approving First Reading on November 26, 1987. Subsequent to a public meeting held on June 21, 1988, the proposed amendments were considered by the Finance and Executive Committee during its meeting on August 17, 1988.

Council
August 25, 1988

Correspondence, dated August 23, 1988, was received from Mr. James R. Legge, Executive Director of the Nova Scotia Restaurant and Foodservices Association, advising that his Association has "no problem with the wording of the proposed amendments to Ordinance #172."

MOVED by Alderman Leiper, seconded by Alderman Cromwell that Halifax City Council give SECOND READING to the amendments to Ordinance Number 172, the Smoking Ordinance, attached as Schedule "A" to the July 29, 1988 staff report.

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

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, August 17, 1988, was follows:

Planning Advisory Committee Report - Amendment to Municipal Development Plan and Land Use Bylaw Re: Registered Heritage Properties (Contract Ability) - SET DATE FOR PUBLIC HEARING

MOVED by Alderman O'Malley, seconded by Alderman Deborah Grant that, as recommended by the City Planning Committee, City Council set a date for a public hearing to amend the Municipal Development Plan and Land Use Bylaw (as outlined in Appendix I and Appendix II of the August 8, 1988 report from the Planning Advisory Committee), the intent of such amendments being to allow owners of registered heritage properties to apply for a development agreement.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, OCTOBER 5, 1988** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Proposed Contract Development: Melville Retirement Community, Shoreham Lane (Case No. 5561) - SET DATE FOR PUBLIC HEARING

MOVED by Deputy Mayor Walker, seconded by Alderman Richard Grant that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application for contract development to permit construction of a 75-unit apartment

Council
August 25, 1988

building intended as Phase 3 of the Melville Ridge Retirement Community (as outlined in the staff report, dated August 15, 1988).

The motion was put and passed.

The City Clerk advised that the proposed public hearing would be scheduled for **WEDNESDAY, SEPTEMBER 21, 1988** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Public Hearing Dates for Various Rezoning and Contract Development Applications - SET DATES FOR PUBLIC HEARINGS

A supplementary staff report, dated August 18, 1988, was submitted by Karen F. Swim, Acting City Clerk.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that, as recommended by the City Planning Committee, public hearings dates for the following applications be scheduled, providing that the necessary staff reports are made available as quickly as possible:

- (1) Case No. 5628 - Contract Development:
Halifax Shopping Centre
(PUBLIC HEARING DATE: **WEDNESDAY, OCTOBER 5, 1988 AT 7:30 P.M.**)
- (2) Case No. 5652 - Contract Development:
Haliburton House, 5172-84 Morris Street
(PUBLIC HEARING DATE: **WEDNESDAY, OCTOBER 5, 1988 AT 7:30 P.M.**)
- (3) Case No. 5620 - Land Use Bylaw
Amendment and Contract Development
Application: 5 Alex Street
(PUBLIC HEARING DATE: **THURSDAY, OCTOBER 6, 1988 AT 7:30 P.M.**)
- (4) Case No. 5636 - Land Use Bylaw
Amendment and Contract Development
Application: 25 Convoy Avenue
(PUBLIC HEARING DATE: **THURSDAY, OCTOBER 6, 1988 AT 7:30 P.M.**)

The motion was put and passed.

Council
August 25, 1988

Planning Advisory Committee Report -- Deferral of Matters
Referred to the Committee

This matter had been forwarded to Council without recommendation from the August 17 meeting of the City Planning Committee.

An Information Report, dated August 17, 1988, was submitted from Mr. Walter Nolan, Vice Chairman, Planning Advisory Committee.

Alderman Richard Grant expressed strong concern that the contents of the August 17 Information Report appear to imply that no action of any kind will be taken on various matters presently before the PAC until its new members are appointed. The Alderman suggested that an extended delay of this nature (particularly as it pertains to advertising requirements) could be financially detrimental to the developers in question.

After some discussion, it was moved by Alderman Flynn, seconded by Alderman Richard Grant that the Planning Advisory Committee be asked to consider scheduling public meetings concerning the matters outlined in the August 17 Information Report, such meetings to be held as quickly as possible after November 1, 1988.

The motion was put and passed.

MOTIONS

Motion Alderman Dewell Re: Amendment to Ordinance Number 121, the Retail Store Closing Ordinance (Section "S") - FIRST READING

Notice of Motion concerning this proposed amendment to Ordinance 121, the Retail Store Closing Ordinance, was introduced by Alderman Dewell during a regular meeting of Halifax City Council held on Thursday, July 28, 1988.

MOVED by Alderman Dewell, seconded by Alderman Leiper that Council give FIRST READING to the following amendment proposed for Ordinance 121, the Retail Store Closing Ordinance, and that the said amendment be referred to the next regular meeting of Committee of the Whole Council for consideration and report:

Council
August 25, 1988

1. Section 5 of said Ordinance 121 is amended by deleting the period at the end of clause (s) thereof, and by substituting therefor a semi-colon, and by adding immediately following said clause (s) the following:

"(t) a bookstore."

The motion was put and passed.

Motion Alderman Dewell Re: Amendment to Ordinance Number 121,
the Retail Store Closing Ordinance (Section "T") - FIRST READING

Notice of Motion concerning this proposed amendment to Ordinance 121, the Retail Store Closing Ordinance, was introduced by Alderman Dewell during a regular meeting of Halifax City Council held on Thursday, July 28, 1988.

MOVED by Alderman Dewell, seconded by Alderman O'Malley
that First Reading of this matter be deferred for clarification
purposes to the next regular meeting of Halifax City Council
scheduled for Thursday, September 15, 1988.

The motion to defer was put and passed.

MISCELLANEOUS BUSINESS

Appointments

A report, dated August 25, 1988, was submitted, by His Worship Mayor Ron Wallace.

MOVED by Alderman Flynn, seconded by Alderman Dewell
that the following appointments be approved by Halifax City
Council:

Halifax-Dartmouth Port Commission
DONALD G. LEBLANC
(Term to expire May 31, 1991)

Barrington Street B.I.D.C.
JO-ANN DAWSON
(Term to expire December 31, 1988)

Council
August 25, 1988

Heritage Advisory Committee
CHARLES LIEF
(Term to expire February 28, 1989)

The motion was put and passed.

Metropolitan Authority 1987 Annual Report - TO BE TABLED

A document entitled Metropolitan Authority Annual Report (1987) and dated June, 1988 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that the document entitled Metropolitan Authority Annual Report (1987) be tabled by Halifax City Council.

The motion was put and passed.

Halifax Water Commission 1987 Annual Report - TO BE TABLED

A document entitled Halifax Water Commission 1987 Annual Report (attached to correspondence dated August 16, 1988 from Mr. Blaine S. Rooney, C.A., Secretary and Treasurer, HWC) was submitted.

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Walker that the document entitled Halifax Water Commission 1987 Annual Report be tabled by Halifax City Council.

The motion was put and passed.

Tender Number 88-16 - Drysdale Road: Paving, Curb and Gutter, Sidewalk

An Information Report, dated August 9, 1988, was submitted, together with a staff report, dated August 19, 1988.

MOVED by Alderman Richard Grant, seconded by Deputy Mayor Walker that Tender Number 88-16 for new paving, curb and gutter, and sidewalk on Drysdale Road (Herring Cove Road to end) be awarded to Municipal Contracting Limited for the unit prices quoted, a total tender price of \$187,831.00 and a total project cost of \$225,000.00 (funds to be authorized from Account Numbers CD045 and CA020).

The motion was put and passed.

Council
August 25, 1988

QUESTIONS

Question Deputy Mayor Walker Re: Licensing
of Bicycles

Deputy Mayor Walker made reference to the increasing number of incidents involving local bicyclists driving on the sidewalks or ignoring other safe driving regulations. The Deputy Mayor emphasized that, in his opinion, the problem is exacerbated by the fact that cyclists who are in violation cannot be readily identified, owing to the fact that the City discontinued the licensing of bicycles several years ago.

Under the circumstances, Deputy Mayor Walker requested a report from staff as to the feasibility of reinstating licenses for bicycles operated in the City of Halifax.

Question Alderman O'Malley Re: Completion of
Capital Projects - 1988 Construction Season

Alderman O'Malley expressed concern that, contrary to what he was earlier led to believe and to what he has already advised his constituents, staff cannot guarantee that all capital projects (specifically, sidewalk renewals, pavings, etc.) will be completed during the 1988 construction period. He emphasized that such changes in scheduling places members of Council in extremely awkward circumstances, and asked that "the plug be pulled" to ensure every effort is made to complete these projects before the end of the 1988 construction period.

9:00 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Walker assuming the Chair.

Question Alderman Hamshaw Re: Rosebushes on Dunbrack Street

Alderman Hamshaw referred to two recent incidents in which women have been sexually molested while walking along Dunbrack Street. The Alderman drew Council's attention to the fact that the height of the rosebushes along this street make it impossible for passing motorists to tell if someone is in trouble on the adjacent sidewalks, and therefore asked that staff of the Parks and Grounds Division be requested to cut the shrubs back to a more appropriate height.

Council
August 25, 1988

Question Alderman Leiper Re: Establishment of Day Care
Centre - 7 Plymouth Street

Alderman Leiper made reference to the petition submitted earlier in the evening concerning the conversion of a dwelling at 7 Plymouth Street into a day care facility. In her remarks, the Alderman advised that area residents have expressed concerns regarding the process that has been followed in approving this conversion and, in this context, asked that staff submit a report outlining the rationale for giving permission for a day care centre in an R-1 Zone, and for allowing a mesh fence to be erected in the property's front yard.

Alderman Leiper also noted that permission was given by the Provincial Department of Social Services for a day care centre in a home which does not have a second exit in case of an accident or fire.

With specific regard to the property at 7 Plymouth Street, the Alderman noted that neighbors are also concerned that because no one is intended to live in the building on a permanent basis, the structure will be vacant from 4:00 p.m. until 7:00 a.m., thereby increasing the possibility of break and enters, or of the building being used for other purposes.

Alderman Leiper asked that staff submit their comments on the approval process followed in this instance so that she can clarify the situation for area residents.

Question Alderman Flynn Re: Effect of Recent Assessment Appeals

Alderman Flynn referred to a July 25, 1988 Information Report regarding assessment appeals and asked for additional staff comment as to the amount of money lost to the City in the form of government transfers as a result of the recent Assessment Appeal decisions and the subsequent reduction in tax revenues.

In conjunction with this request, the Alderman inquired as to whether there is any process by which the City can recoup that money from the Province on the basis that the faulty assessments have been undertaken by the Province and not by the City of Halifax.

While advising that a report would be issued concerning the initial portion of Alderman Flynn's request, the City Manager emphasized that there is nothing that the City can do to be reimbursed by the Province for any loss resulting from assessment appeals.

Council
August 25, 1988

Concurring with the City Manager's remarks, Alderman Flynn suggested that this is an issue which provincial election candidates might consider taking up in order that assistance could be given to the municipal units in their attempt to regain some of the monies lost because of the Provincial assessment process.

Question Alderman Downey Re: Crossing Guard - George Dixon Centre

Alderman Downey made reference to a previous request to the Chief of Police that a crossing guard be provided in the vicinity of the George Dixon Centre. While observing that this initial request had been denied, the Alderman referred to the petition submitted earlier in the evening from residents of the Artz/Brunswick/Barrington Street area and asked that Chief Jackson and the City's Traffic Authority be asked to reconsider the matter in time for the commencement of the 1988 school year.

The Chairman noted that the Chief of Police will be available for questions during the next regular meeting of Committee of the Whole Council, and suggested that Alderman Downey may wish to discuss the matter with Chief Jackson at that time.

Question Alderman Downey Re: Construction Projects

Alderman Downey noted that, over a year ago, he had requested that when construction was being undertaken, the City ensure that the developers erect suitable partitions so as to prevent adjacent sidewalks from being blocked. He drew Council's attention to the barricades erected on Argyle Street adjacent to the City Club and emphasized that it had been his understanding that this was the kind of partition the City intended to require from all construction projects.

In this context, Alderman Downey asked that Building Inspection staff review the situation from this perspective at all current development sites.

Question Alderman Downey Re: Construction Sign

Alderman Downey advised that there is a construction sign presently in place at the corner of Maynard and Cogswell Street which is blocking the view of motorists turning right onto Maynard. The Alderman asked that the Building Inspection Division ensure that this sign is lowered or removed from its present position.

Council
August 25, 1988

Question Alderman Richard Grant Re: Police Negotiations

With reference to a question from Alderman Richard Grant, the City Manager advised that the police negotiations are now in arbitration, and that mediation hearings are scheduled to be held late in October.

Question Alderman Richard Grant Re: Trail Bikes/Motorcycles

Alderman Richard Grant drew Council's attention to the considerable number of trail bikes and motorcycles being used in the vicinity of Roaches Pond Park, MacIntosh Park, Graves Oakley Park and the vacant land at Hilden Heights. Emphasizing that the noise emanating from these machines is extremely disruptive to the residential neighbourhoods surrounding these areas, the Alderman asked that staff investigate methods of making these sites inaccessible (using fencing or heavy rocks to block the access points) to such recreational vehicles.

9:10 p.m. - His Worship Mayor Wallace enters the meeting, with Deputy Mayor Walker resuming his usual seat on Council.

Question Alderman Cromwell Re: Peninsula Centre SPS

Alderman Cromwell made reference to provisions included in the Peninsula Centre Secondary Planning Strategy whereby older housing stock (provided they have appropriate square footage and lot frontage) can be converted from single-family homes into three residential units.

While noting that he is very much in support of these policy objectives, the Alderman emphasized that several developers have detracted from the character of existing streetscapes and from the value of adjacent homes by flattening the peaked roofs of their buildings in order to achieve the permitted conversion. Alderman Cromwell indicated that, in his opinion, the effect is one of a large square apartment building protruding into areas characterized by single-family homes, and, under the circumstances, asked that staff of the Development and Planning Department submit a report outlining methods and recommendations as to how these kinds of situations can be prevented.

Council
August 25, 1988

Question Alderman Cromwell Re: C-6 Zones

Alderman Cromwell referred to a recent confidential report submitted by Mr. Wayne Anstey, Senior Solicitor with regard to C-6 Zones and strongly recommended that this matter be discussed at a future meeting of Committee of the Whole Council.

Question Alderman Cromwell Re: Traffic Flows - Quinpool Road

Alderman Cromwell asked that the traffic flows on Quinpool Road be reexamined, particularly in light of the large number of vehicles turning right onto Bloomingdale Terrace and Armview Avenue. In his remarks, the Alderman noted that the amount of vehicular traffic has increased many fold over the last ten years, to the extent that these side streets have almost become throughways, making the situation particularly dangerous for the large number of young families living in this area.

Alderman Cromwell asked that the City's Traffic Authority have another look at this area to see if an alternative can be developed to alleviate the traffic problems on the two streets in question.

Question Alderman Meagher Re: Crossing Guard -
Intersection of Summit and Windsor Streets

Alderman Meagher noted that several months ago he had asked that a crossing guard be placed on the corner of Summit and Windsor Streets particularly for the safety of children attending Oxford School. He indicated that while the City has painted a crosswalk on the pavement and installed an overhead light, these measures, in his opinion, are not sufficient in light of the number of extremely young children attending this School.

The Alderman asked that the Chief of Police reexamine this request to ascertain whether a crossing guard is indeed feasible in this location.

Question Alderman Meagher Re: Vehicular Traffic -
Allan/Duncan/Windsor Streets

Alderman Meagher requested that the City's Traffic Authority be asked to reexamine the situation in the Allan, Duncan and Windsor Street area and the amount of traffic which is cutting through these streets between the hours of 4:00 - 6:00 p.m. The Alderman emphasized that many houses in this area have been

Council
August 25, 1988

purchased by young families with small children, adding that he has had a number of calls from these residents expressing their concern regarding vehicular speeds.

Alderman Meagher advised that while the Traffic Authority had denied his previous request for a "Children Playing" sign in this vicinity, it was his opinion that the situation requires another look at curbing both the amount of traffic entering the area and its speed.

Question Alderman Meagher Re: Sidewalk Renewals - Yale Street

Alderman Meagher indicated that during the 1988 budget discussions he had made a motion to the effect that the sidewalks on both sides of Yale Street be renewed. He therefore requested that the Engineering Department research the situation, and make every effort to have this project completed during the 1988 construction season.

Question Alderman Jeffrey Re: Amendments - Animal Control Ordinance

Alderman Jeffrey asked for information from staff as to the status of the proposed amendments to the City's Animal Control Ordinance (with specific reference to the control and regulation of cats).

Question Alderman Jeffrey Re: Stop Sign - Intersection of Rosedale Avenue and Gesner Street

Alderman Jeffrey noted that approximately one month ago he had asked a question regarding a stop sign on the corner of Rosedale and Gesner Streets. In his remarks, the Alderman Jeffrey advised that he had asked to have the sign relocated to Gesner Street in order to decrease vehicular speed in the area, but emphasized that he has not yet received a response from the Traffic Authority.

Question Alderman Dewell Re: Preliminary Budget Information (1989)

Alderman Dewell asked for information as to when staff anticipate having available information regarding the City's preliminary budget discussions for 1989. In this context, the Alderman also asked whether, in staff's opinion, the City is experiencing difficulty attracting a large number of participants

Council
August 25, 1988

to its tendering process because of the delays caused by the timing of the annual budget discussions. He also asked for information as to whether staff feel that the City might be paying more than is normal for services rendered because of the delays in its tendering process.

In his subsequent remarks, Alderman Dewell suggested that by waiting until later in the year to go to tender, the City may be hitting a "crunch" in which there are fewer contractors available (most being already involved in other construction projects). In addition, the Alderman wondered whether the bidding on City projects might not be as competitive as it would have been at an earlier point in the year.

The Chairman indicated that the City Manager would submit a report concerning the matters raised by Alderman Dewell.

Question Alderman Meagher Re: Overhead Crosswalk Signs
- Intersection of Welsford and Robie Streets

Alderman Meagher drew Council's attention to the recent traffic accident resulting in the death of a young boy at the intersection of Welsford and Robie Streets during the Natal Day weekend. The Alderman advised that this location appears to be a source of concern, and asked that the Traffic Authority be asked to consider the installation of two overhead crosswalk signs (on either side of the Robie Street median) in the vicinity of this intersection.

Question Alderman Richard Grant Re: Police Enforcement

Alderman Richard Grant referred to the areas surrounding Roaches Pond and Hilden Heights, and requested that the police be asked to increase their enforcement with respect to trail bikes and other recreational vehicles being used at these sites.

NOTICES OF MOTION

Notice of Motion Alderman Dewell Re: Amendment to Ordinance
Number 121, the Retail Shop Closing Ordinance

A report, dated July 12, 1988, was submitted from Mr. Donald F. Murphy, Q.C., City Solicitor.

Council
August 25, 1988

Alderman Dewell gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on Thursday, September 15, 1988 he proposes to introduce First Reading of an amendment to Ordinance 121, the Retail Shop Closing Ordinance, the purpose of which is to clarify the hours when stores are allowed to open for evening shopping.

ADDED ITEMS

Encroachment License - Civic No. 1595 Barrington Street/
5184 Sackville Street

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

MOVED by Alderman Downey, seconded by Alderman Flynn that an Encroachment License for the proposed lighting at Civic Number 1595 Barrington Street/5184 Sackville Street be approved, subject to a review of the situation in six months' time.

A discussion ensued with Alderman Deborah Grant proposing a motion to defer the matter until the question of appropriate illumination can be discussed in greater detail between staff and the property owners.

There was no seconder for the motion of deferral.

The City Manager advised that staff had recommended against the granting of this particular Encroachment License owing to the unusual configuration of the site and the potential impact the excessive illumination might have on vehicular traffic in the area.

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

Request for Parachute Jump (September 16, 1988) --
the Skyhawks

Correspondence, dated August 22, 1988, was submitted from Captain J. Nethercott, Base Commander, CFB Halifax.

MOVED by Alderman Richard Grant, seconded by Alderman Dewell that permission be granted to the Canadian Forces Parachute Demonstration Team, "The Skyhawks," to present a display on Friday, September 16, 1988 between the hours of 12:15 and 12:45 p.m., the proposed jump site to be Porteous Field, located within

Council
August 25, 1988

the confines of CFB Stadacona, subject to the participants waiving liability against and indemnifying the City for all claims which may arise as a result of the jumps.

The motion was put and passed.

Convoy Avenue - Paving and Blasting (Alderman Jeffrey)

This matter was added to the agenda at the request of Alderman Jeffrey who brought to Council's attention the situation on Convoy Avenue with regard to the ongoing installation of storm sewers. In his remarks, the Alderman emphasized that when Council initially reviewed this project, it approved curb and gutter and complete new street paving for Convoy Avenue from Alex to Willett Street, with the storm sewer to extend up Convoy to Willett, and along Willett to Rosedale Avenue. He noted, however, that it is now his understanding that the storm sewer is being extended from Willett to Gesner Avenue with the street in this area being completely demolished and considerable damage being done to existing concrete curbs and gutters.

Alderman Jeffrey indicated that staff are recommending that the street be patched once the sewers have been installed. He emphasized, however, that, in his opinion, patching would achieve merely a "band-aid" effect, proposing instead that funds be taken from projects slated for other parts of Ward 9 (which, in any case, cannot be completed during the 1988 construction period) in order that this portion of the street system can be completely repaved.

It was subsequently moved by Alderman Jeffrey, seconded by Alderman Leiper that, if necessary, funds be diverted from other projects approved for Ward 9 in order to complete the street paving and curb and gutter from Willett Street to Gesner Street.

Mr. P. S. Connell, Director of Engineering and Works, advised that, based on Alderman Jeffrey's motion, staff will examine the extent of the excavation from the perspective of resurfacing; he noted, however, that the installation of curb and gutter is uncertain at this point in time.

The motion was put and passed.

On a related matter, Alderman Jeffrey advised that pre-blast surveys were not undertaken on various homes in the Convoy Avenue area despite the fact that residents attempted without

Council
August 25, 1988

success to contact the blasting companies to have this work carried out. He emphasized that blasting has now taken place and that heavy charges were used, causing damage to some of the structures in the neighbourhood, specifically Civic Nos. 89, 91 and 88 Convoy Avenue.

In this context, the Alderman reminded Council that these homes will have to be repaired, and expressed the hope that the contractor for this project will get in touch with those responsible for the blast surveys to have another look at the situation.

His Worship indicated that Alderman Jeffrey's comments would be followed up.

North West Arm (Alderman Flynn)

Alderman Flynn noted that while much has been said and done with regard to the clean-up of Halifax Harbor, there would not appear to be similar plans for the North West Arm. In this context, the Alderman emphasized that there are still some outflows going into the Arm (primarily stormwater and open brooks), and inquired as to whether any attention is being paid to this important portion of the City's recreational facilities so that it can be integrated into the total clean-up of all the salt water within the limits of the City of Halifax.

His Worship suggested that this information would be available from the consultants' report, indicating that it would be brought forward for Council's reference.

Dues - U.N.S.M. (Alderman Flynn)

Alderman Flynn advised that an increase is being proposed with regard to the U.N.S.M. dues, and recommended that this matter be added to the agenda of the next regular Committee of the Whole Council scheduled for Wednesday, September 7, 1988.

Public Hearing Dates (Alderman Meagher)

This matter was added to the agenda at the request of Alderman Meagher who requested that Council schedule public hearings to consider the rezoning of two residential neighborhoods. The Alderman indicated that the reason for these proposed rezonings was to ensure that new development will be

Council
August 25, 1988

consistent with the character of existing neighbourhoods and to promote stability as provided for by the Residential Policy Sections of the Municipal Planning Strategy.

It was subsequently moved by Alderman Meagher, seconded by Alderman Cromwell that City Council set the dates for public hearings to consider the following:

- (1) the rezoning of the lands zoned R-3 (Multiple Dwelling) Zone bounded by Robie Street, North Street, Windsor Street, and Cunard Street from R-3 (Multiple Dwelling) Zone to R-2 (General Residential) Zone; and
- (2) the rezoning of the lands zoned C-3 (Industrial) Zone and C-2 (General Business) Zone, and fronting on the north side of North Street between Gladstone and King Street, excepting 6041 North Street (Hertz Rent a Car) and 6103 North Street (Linda's Grocery), from C-3 (Industrial) Zone and C-2 (General Business) Zone to R-2 (General Residential) Zone.

The motion was put and passed.

The City Clerk advised that the proposed public hearings would be scheduled for WEDNESDAY, OCTOBER 19, 1988, at 7:30 p.m. in the Council Chamber, Halifax City Hall.

There being no further business to be discussed, the meeting was adjourned at 9:40 p.m.

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

EDWARD A. KERR
CITY CLERK

*K

HEADLINES FOR CITY COUNCIL MINUTES
of 08/25/88

Presentation: Gifts and Artifacts from Hakodate	.... 555
Presentation of Retirement Scroll: Mr. A. Raymond Tourque, Department of Engineering and Works	.... 555
MINUTES	.... 554
APPROVAL OF ORDER OF BUSINESS	.... 554
DEFERRED ITEMS	
Case No. 5644 - Proposed Lot 321A, Pioneer Avenue	.... 555
PETITIONS AND DELEGATIONS	
Petition Alderman Leiper Re: Day Care Centre, 7 Plymouth Street	.... 556
Petition Alderman Downey Re: Installation of a Crosswalk - Intersection of Barrington/Artz Streets	.... 556
REPORT - FINANCE AND EXEC COMM	
Voting Delegates - U.N.S.M.	.... 556
Bill No. 77 - Amendment to the Social Assistance Act (Homes for Special Care)	.... 557
Acquisition - 294 Herring Cove Road	.... 557
Ordinance 170 - 1988	.... 557
Expropriation of Easement - Wenlock Grove	.... 558
Stipends Committee	.... 559
REPORT - COMMITTEE ON WORKS	
Building Sewer Connections	.... 560
REPORT - SAFETY COMMITTEE	
Request for Flypast - Shearwater Air Show	.... 561
Request for Parachute Jump - Labour Day Weekend (Halifax Natal Day Committee)	.... 561
REP.- COMM. OF WHOLE COUNCIL	
Ordinance Number 172, No Smoking Ordinance (No Smoking Sections in Restaurants) - SECOND READING	.... 561

HEADLINES FOR CITY COUNCIL MINUTES
of 08/25/88

REPORT - CITY PLANNING COMM.

PAC Report - Amendment to MDP and LUB Re: Registered Heri- tage Properties (Contract Ability) - PUBLIC HEARING DATE	....	562
Proposed Contract Development: Melville Retirement Community - SET DATE FOR PUBLIC HEARING	....	562
Public Hearing Dates for Various Rezoning/Contract Development Applications - PUBLIC HEARING DATES	....	563
PAC Report -- Deferral of Matters Referred to the Committee	....	564

MOTIONS

Motion Alderman Dewell Re: Amendment to Ordinance No. 121, (Section "S") - FIRST READING	....	564
Motion Alderman Dewell Re: Amendment to Ordinance No. 121 (Section "T") - FIRST READING	....	565

MISCELLANEOUS BUSINESS

Appointments	....	565
Metropolitan Authority 1987 Annual Report - TO BE TABLED	....	566
Halifax Water Commission 1987 Annual Report - TO BE TABLED	....	566
Tender Number 88-16 - Drysdale Road: Paving, Curb and Gutter, Sidewalk	....	566

QUESTIONS

Question Alderman O'Malley Re: Completion of Capital Projects - 1988 Construction Period	....	567
Question Alderman Hamshaw Re: Rosebushes on Dunbrack Street	....	567
Question Deputy Mayor Walker Re: Licensing of Bicycles	....	567
Question Alderman Flynn Re: Effect of Recent Assessment Appeals	....	568
Question Alderman Leiper Re: Establishment of Day Care Centre - 7 Plymouth Street	....	568
Question Alderman Downey Re: Construction Sign	....	569
Question Alderman Downey Re: Crossing Guard - George Dixon Centre	....	569
Question Alderman Downey Re: Construction Projects	....	569
Question Alderman Richard Grant Re: Trail Bikes/Motorcycles	....	570
Question Alderman Cromwell Re: Peninsula Centre SPS	....	570
Question Alderman Richard Grant Re: Police Negotiations	....	570
Question Alderman Cromwell Re: Traffic Flows - Quinpool Road	....	571
Question Alderman Meagher Re: Crossing Guard - Intersection of Summit and Windsor Streets	....	571
Question Alderman Meagher Re: Vehicular Traffic - Allan/Duncan/Windsor Streets	....	571
Question Alderman Cromwell Re: C-6 Zones		

HEADLINES FOR CITY COUNCIL MINUTES
of 08/25/88

Question Alderman Meagher Re: Sidewalk Renewals Yale Street	.... 571
Question Alderman Jeffrey Re: Amendments - Animal Control Ordinance	.... 572
Question Alderman Jeffrey Re: Stop Sign - Intersection of Rosedale Avenue/Gasner Street	.... 572
Question Alderman Dewell Re: Preliminary Budget Information (1989)	.... 572
Question Alderman Meagher Re: Overhead Crosswalk Signs - Intersection of Welsford and Robie Streets	.... 573
Question Alderman Richard Grant Re: Police Enforcement	.... 573
NOTICE OF MOTIONS	
Notice of Motion Alderman Dewell Re: Amendment to Ord. No. 121, the Retail Shop Closing Ordinance	.... 573
ADDED ITEMS	
Request for Parachute Jump (September 16, 1988) -- the Skyhawks	.... 574
Encroachment License - Civic No. 1595 Barrington Street/ 5184 Sackville Street	.... 574
Convoy Avenue - Paving and Blasting (Alderman Jeffrey)	.... 575
Dues - U.N.S.M. (Alderman Flynn)	.... 576
North West Arm (Alderman Flynn)	.... 576
Public Hearing Dates (Alderman Meagher)	.... 576

SPECIAL COUNCIL
PUBLIC HEARING
MINUTES

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

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

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

Present: His Worship Mayor Wallace, Chairman; Deputy Mayor Walker; and Aldermen D. Grant, Cromwell, Downey, Meagher, R. Grant, Flynn, and Hamshaw.

Also Present: Mr. S. Feist, Planner; and Mr. W.B. Campbell, Senior Planner (both of the Development and Planning Dept.); Mr. E.A. Kerr, City Clerk; and other members of City staff.

Intention to adopt an Amendment to the Municipal Planning Strategy, Bedford Highway Secondary Planning Strategy and the Land Use Bylaw (Mainland Area) - 582, 588, 592, 596 Bedford Highway

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

Information reports dated August 5, 1988 and August 22, 1988 were submitted prior to this meeting.

Mr. Stephen E. Feist, Planner, Development and Planning Dept., addressed Council and, with the aid of diagrams, outlined the request for an amendment to the Municipal Planning Strategy, Bedford Highway Secondary Planning Strategy and the Land Use Bylaw (Mainland Area) for the properties at 582, 588, 592, 596 Bedford Highway. Mr. Feist advised that the purpose of the application was to permit an 85 unit residential condominium townhouse project.

Mr. F. B. Wickwire, Solicitor for the applicant, Hillsborough Properties Ltd., addressed Council and noted that Hillsborough Properties Ltd. principal officer was Mr. Ronald Crory. Mr. Wickwire advised that Mr. Crory had been involved with a number of important construction projects, mostly residential, in the metropolitan region i.e. the Shaunslieve development. Mr. Wickwire made reference to the fact that the owners of this property, the Youngs, live in British Columbia and were not around

Special Council
Public Hearing
September 7, 1988

when the planning process was taking place. He advised that the Young's would have been present in order to rectify the situation if they had been living here. Mr. Wickwire went on to advise that they are not requesting Council to change the Plan in order to accord with Mr. Crory's wishes, but were requesting to simply fix it in order to rectify the matter. With respect to the issue of Hemlock Ravine, Mr. Wickwire suggested that the lands in question were not required for the protection of the Hemlock Park. Mr. Wickwire also advised that the chief hydro geologist, Mr. James Fraser, Porter Dillon Limited, was present in the gallery along with Mr. Peter Cochrane, architect for the development. Mr. Wickwire noted that Porter Dillon Limited are of the view that there is sufficient ground water to service this 85 unit condominium development.

In closing, Mr. Wickwire noted that this application accords to Mr. Crory's lands the same property rights that are available both to the North and to the South of him. Secondly, Mr. Wickwire suggested that the development will produce a fine residential area for the City of Halifax.

There were no further persons present, wishing to address Council.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn
that this matter be referred to Council without recommendation.

Motion passed.

Implementation Policy 10

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

Mr. W. B. Campbell, Senior Planner, Development and Planning Dept., addressed Council and outlined the proposed amendment to Implementation Policy 10 as contained in the supplementary staff report dated July 20, 1988. In closing, Mr. Campbell responded to a number of questions from members of Council.

His Worship recognized the presence of Mr. Walter Fitzgerald, a former Mayor for the City of Halifax, and Brenda Shannon, a former Alderman for the City of Halifax.

Mr. Avery Bain, President of the West Armdale Residents Association, addressed Council and advised that the residents of West Armdale do not see any positive benefits for changing Implementation Policy 10. Mr. Bain strongly urged Council to

Special Council
Public Hearing
September 7, 1988

leave Implementation Policy 10 as it is or eliminate it completely.

Ms. Beverly Miller addressed Council as a representative of the Ward 1 Residents Association and as a citizen who owns a property across the street from Dalhousie University which is an institutional future land use designation. During her presentation, Ms. Miller referred to and submitted a brief from the Ward 1 Residents Association. She noted that, as a result of a survey carried out in a very limited number of areas, nearly 400 houses would be subject to threat from the proposed amendment to Implementation Policy 10. Ms. Miller, therefore, suggested that the number of future public hearings would increase. In concluding, Ms. Miller recommended, as stated in her brief submitted, that Implementation Policy 10 be left in place and that the Plan be amended only to allow the parcel of land from the boundaries of the Gorsebrook base to Wellington Street to be exempt from Implementation Policy 10.

Ms. Mary Ferguson, residing at 6134 Pepperell Street, addressed Council and expressed concern with respect to the proposed amendment to Implementation Policy 10. Ms. Ferguson advised that she was very concerned with respect to the lack of public participation which would follow as a result of the proposed amendment. Ms. Ferguson suggested that page two of the July 20, 1988 supplementary staff report gives the false impression that commercial will not be extended into residential areas. She then referred to Appendix 2 of the report, noting that only minor commercial was exempted from this Implementation Policy. Ms. Ferguson also expressed the concern that the Plan reads that the residential integrity of any neighbourhood will be protected by Staff's design controls and not the policies of the Municipal Plan. Ms. Ferguson suggested that the proposed amendment was totally unnecessary.

Mr. Stephen Townsend addressed Council as a resident of the City of Halifax and on behalf of the Citadel North Neighbourhood Association. Mr. Townsend read and submitted a letter dated September 7, 1988 recommending that Council not make any changes to the present Implementation Policy 10.

Mr. Donald Higgins addressed Council as a private individual who owns a house in the old south end which he suggested was a vulnerable property and which would be rendered even more vulnerable by the proposed changes. Mr. Higgins read and submitted a report dated September 7, 1988. In his report, Mr. Higgins urged that the Cancer Society find a new site where its proposed development would be approved as a matter of right, and that City Council reject the proposed amendments to Implementation Policy 10.

Special Council
Public Hearing
September 7, 1988

Ms. Mary Dykstra, a member of the Citadel North Neighbourhood Association and a resident of Creighton Street, addressed Council. Ms. Dykstra advised that she has lived on Creighton Street for four years now and that during this time she has attended many public hearings and City Council meetings in order to protect her neighbourhood and her property. She noted that she has also spent a great deal of money on legal fees for the same purpose. Ms. Dykstra noted that the current neighbourhood threat is Implementation Policy 10. She advised that she and her neighbours were tired of having to spend so much time and energy in order to simply protect their surroundings. Ms. Dykstra expressed the concern that she and her neighbours do not want commercial development to encroach upon their street from Gottingen Street or from Cogswell Street. Ms. Dykstra requested that Creighton Street be made exempt from the areas to be affected by this Implementation Policy change or that the proposed amendment be rejected all together.

Ms. Donna Kasdan, a resident of Creighton Street, addressed Council and expressed concern with the revised version of Implementation Policy 10. Ms. Kasdan suggested that the relative weight of consideration appears to be overwhelmingly on the side of the developer over the desires and the interests of individuals. She further suggested that the proposed amendment would cause a tremendous weakening of protection for residents all over the City. Ms. Kasdan advised that she and many others had participated in the planning process for Creighton Street and that they had clearly expressed their desire that the residential character of Creighton Street be retained.

Ms. Kasdan suggested that all citizen efforts would be essentially forfeited in the name of flexibility for the rest of the City or, in this case, for one single development project, if the proposed amendments to Implementation Policy 10 were adopted without the citizen protection component as included in the earlier expression of the Policy. She also suggested that their efforts would have been wasted if any of the adjacent land use designations penetrated the residential areas. In view of this, Ms. Kasdan asked that the amendments to Implementation Policy 10 not be adopted. If the amendments were adopted, Ms. Kasdan asked that Creighton Street, along with the South End, Peninsula Centre, Mainland South, and the Quinpool Road Commercial Area, be included in the policies restricting the use of Implementation Policy 10.

Mr. Ronald Pink, Solicitor for the Canadian Cancer Society, addressed Council and advised that he had submitted an application to City Council on May 27, 1987, on behalf of his client, for an amendment to the Municipal Planning Strategy and Land Use Bylaw. He noted that, at the request of City Staff, he had met with them to discuss a method to resolve the difficulty which was encountered in the rezoning of this piece of property.

Special Council
Public Hearing
September 7, 1988

Mr. Pink noted that it was Staff's recommendation that the Canadian Cancer Society try to amend Implementation Policy 10. Mr. Pink advised that 16 months have passed since their initial application was submitted and that the Society was unfortunately no further ahead at this point. Mr. Pink emphasized that many hours had gone into the planning, design, and fund raising for this proposed structure which he noted was necessary for the public citizenry of this City and for the Province as a whole. Mr. Pink advised that the location for the proposed building was an important factor because the Dickson Centre was located immediately across the Street.

Mr. Pink indicated that the Cancer Society was supportive of the position of the Ward 1 Residents Association that, if an amendment was necessary to Implementation Policy 10, it be restricted to the property from Gorsebrook Avenue to Wellington Street in order to allow the Cancer Society to get their project completed. Mr. Pink requested that City Council do whatever is possible to accommodate the problem being experienced by the Cancer Society.

Ms. Anne MacMillan, resident of Wedgewood Park and Secretary of the Ward 12 Community Association and the Wedgewood Park Area Planning Committee, addressed Council. Ms. MacMillan advised that it was very important, in order to maintain a quality of life in the City, that input be received from the citizens and that procedures and a structure be maintained to allow citizens to give their input.

9:30 p.m. His Worship Mayor Wallace retires from the meeting with Deputy Mayor Walker assuming the seat of the Chair.

Ms. MacMillan emphasized that she was strongly opposed to Implementation Policy 10 due to the principle of democracy.

9:35 p.m. His Worship returns to the meeting with Deputy Mayor Walker taking his usual seat in Council.

Ms. Brenda Shannon, representing the Executive of the Ward 2 Residents Council, addressed Council and advised that they had written to the City on February 1, 1988, concerning this matter and quoted from that letter where it stated "to allow this amendment, would cause significant weakening of the boundaries of use on an adhoc basis, would lead to subjective decision making on a lot by lot development basis, and is such to be deplored". Ms. Shannon recommended that Implementation Policy 10 be removed from the Plan entirely and no substitution be effected. Referring to point (1) of the July 20, 1988, supplementary staff report, Ms. Shannon expressed the concern that "softness" is being reintroduced into their areas which they had tried to harden up through the detailed area planning process. Referring to point

Special Council
Public Hearing
September 7, 1988

(5). Ms. Shannon suggested that it was unrealistic to say the boundaries drawn on future land use maps are intended to be flexible. Ms. Shannon also expressed concern with respect to points (6) and point (7). Ms. Shannon expressed the concern that Council was giving away too much. She suggested that Council was giving up its own ability to design policy which the public relies on it for. Ms. Shannon further suggested that Implementation Policy #10 be abandoned altogether.

Mr. Allan Ruffman, a business person at 5112 Prince Street and a resident of 202 Ferguson's Cove Road, addressed Council and, with the aid of a diagram, explained that the original intent of Implementation Policy 10 was not to serve a particular developer, but to deal with the particular problem when a boundary happens to go down through a single lot of land. Mr. Ruffman suggested that the proposed amendment was ultimately a "time bomb" for this Council. Mr. Ruffman urged that Implementation Policy 10 be abandoned totally or else reverted to its original intention of dealing with a particular lot, owned by one property owner, divided by a boundary. Mr. Ruffman went on to express concern with regard to changing a whole Plan City wide to solve the problem of one particular development. Mr. Ruffman further suggested that the proposed amendment would take a lot of power away from Council.

Mr. Ruffman suggested, in terms of dealing with the particular problem at hand, that perhaps the amendment could be restricted to the property from Gorsebrook Avenue down to Wellington Street. Mr. Ruffman also proposed that Implementation Policy 10 be removed entirely and that Staff initiate a Council sponsored plan amendment to allow this development to go forward.

Mr. Walter Fitzgerald, residing at 6236 Shirley Street, addressed Council as a representative of the Halifax Homeowners Association. Mr. Fitzgerald advised that the Association was against the proposed amendment. Mr. Fitzgerald expressed the concern that the number of public hearings would increase if the proposed amendment was adopted. He also expressed the concern that the public would have to be more vigilant of the public hearings. In closing, Mr. Fitzgerald urged that the Canadian Cancer Society be accommodated somehow without amending Implementation Policy 10.

Mr. Phil Pacey, residing at 6269 Yukon Street, addressed Council and displayed a copy of the "Existing Implementation Policy 10" on the monitor. Mr. Pacey advised that he was a member of the negotiating committee that negotiated the Quinpool Road Detailed Area Plan. He advised that they had worked very hard to negotiate that Plan and had negotiated a boundary between the commercial and the residential area between Quinpool and Yale Streets and also between Quinpool and Pepperell Streets.

Special Council
Public Hearing
September 7, 1988

Mr. Pacey noted that there had been a suggestion that the Quinpool Road area was exempted from Implementation Policy 10. He indicated that the Quinpool Road area might be exempted, but suggested that there were a great many other properties, which are residential, along Yale Street and also residential properties along Pepperell Street which are either in the Peninsula North Detailed Area Plan or in the Peninsula Centre Detailed Area Plan. Mr. Pacey advised that it was unclear to him whether or not they are covered by that Policy and, therefore, suggested that there was a threat to these neighbourhoods. Mr. Pacey also expressed the concern that commercial developments also exist within Peninsula North and within Peninsula Centre. Mr. Pacey went on to advise that they have worked very hard over the past 15 years to develop a Municipal Plan and to draw boundary lines between different land uses. He suggested that those lines were very important in order to retain peace and harmony between the various land uses in this City and encouraged Council not to make those lines fuzzy.

Mr. Tom Creighton, residing at 2623 Fuller Terrace, addressed Council and indicated that he has developed the feeling that City staff rules how the City should run and decides rules for developers. Mr. Creighton suggested that Council should be developing the philosophy under which the City should grow and develop.

Ms. Doris Steeves, residing at 6314 Yale Street, addressed Council and advised that she was strongly opposed to Implementation Policy 10.

Ms. Mary Ferguson addressed Council for the second time inquiring whether the property in question could be rezoned from R-3 to Institutional and that the Plan Amendment be proceeded with so that the Canadian Cancer Society's proposed development was not jeopardized by Implementation Policy 10.

The Chairman suggested that Ms. Ferguson's question would be answered in a future report to Council.

There were no further persons wishing to address Council.

MOVED by Alderman Flynn, seconded by Alderman Meagher that City Council leave Implementation Policy No. 10 as it is and the item be referred to the September 13, 1988 meeting of the Planning Advisory Committee to consider avenues available and to make recommendation to City Council on September 15th with respect to how the Canadian Cancer Society's application can be accommodated.

Alderman Cromwell indicated that he would prefer to eradicate Implementation Policy 10, but indicated that he would like to receive a full report from Staff outlining how the

Special Council
Public Hearing
September 7, 1988

Canadian Cancer Society could be accommodated before making a decision.

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that the matter be deferred to the next regular meeting of City Council to be held on September 15, 1988.

Motion of deferral lost.

Alderman D. Grant explained that originally the Canadian Cancer Society approached Staff to determine the best route to take. She noted that Staff advised that it was best to use Implementation Policy 10 as it existed currently. Alderman D. Grant pointed out that it was the City's Legal Department that pointed out that this route was not possible. Therefore, Alderman D. Grant suggested that leaving Implementation Policy 10 in its present form would not be an easy solution to accommodating the Canadian Cancer Society's request.

The was put and passed with Alderman Cromwell and D. Grant voting in opposition.

The following correspondence was received with respect to this item (copies of which are included in the official file of this meeting);

- A letter dated August 11, 1988 from Mr. John E. Aldrich, 5888 Gorsebrook Avenue;
- A letter dated September 2, 1988 from J.L. Schaffner, Chairman, Ward One Residents' Association;
- A letter dated September 6, 1988 from Gerald Ferguson, Nova Scotia College of Art and Design;
- A letter dated September 7, 1988 from Mr. Donald Higgins, 5672 Rhuland Street;
- A letter dated September 7, 1988 from Mr. Stephen Townsend, Citadel North Neighbourhood Association;
- A letter dated September 7, 1988 from C.D. Ritchie, 6173 Pepperell Street;

10:30 p.m. The meeting adjourned.

Special Council
Public Hearing
September 7, 1988

HEADLINES

Intention to adopt an Amendment to the MPS, Bedford Highway
Secondary Planning Strategy and Land Use Bylaw
(Mainland Area) - 582, 588, 592, 596 Bedford Highway 581

Implementation Policy 10 582

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

EDWARD A. KERR
CITY CLERK

/MMD

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

Council Chamber
City Hall
Halifax, Nova Scotia
September 15, 1988
8:00 P.M.

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

The meeting was called to order with members of Council, led by Alderman Flynn, joining in the recitation of the Lord's Prayer.

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

ALSO PRESENT: Mr. D. F. Murphy, City Solicitor; Mr. E. A. Kerr, City Clerk; Mr. P. Calda, City Manager; and other members of City staff.

His Worship Mayor Wallace congratulated Alderman O'Malley and Alderman Dewell on their involvement in the recent Provincial Election. He noted that both Aldermen had vigorous campaigns. Mayor Wallace congratulated Alderman O'Malley on winning the seat of M.L.A. for Halifax-Needham.

Mayor Wallace recognized the presence in the gallery of Councillor Aldridge, Town of Yarmouth.

PRESENTATION

Carolyn Barkhouse - Miss Halifax 1988 & Miss Nova Scotia 1988

His Worship Mayor Wallace introduced Carolyn Barkhouse and congratulated her, on behalf of Council, for winning the titles of Miss Halifax 1988 & Miss Nova Scotia 1988. Mayor Wallace presented Miss Barkhouse with a silver rose bowl.

Alderman D. Grant then presented a bouquet of roses to Miss Barkhouse on behalf of Council and on behalf of the citizens of Halifax.

Miss Barkhouse commented that it was a pleasure to come before Council this evening and indicated that she looked forward to representing Nova Scotia in the Miss Canada pageant.

Council
September 15, 1988

MINUTES

Minutes of the regular meeting of City Council held on August 25, 1988 and of the special meeting of City Council held on September 7, 1988 were approved on a motion by Alderman Jeffrey, seconded by Deputy Mayor Walker.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Award of Tender #88-08: Water and Sewer Installation - Wenlock Grove;
- 20.2 Award of Tender #88-133: West Street Fire Station Renovations (Administrative Offices);
- 20.3 Current Assessment of Tripartite Process;
- 20.4 Revenue and Expenditure Statement;
- 20.5 Firefighters Collective Agreement;
- 20.6 Contract Development - Public Hearing - 5 Alex Street;
- 20.7 Contract Development - Public Hearing - 25 Convoy Avenue.

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

- 20.8 Senior Citizen Taxi Fare and Subsidy Program.

At the request of Alderman Flynn, Council agreed to deal with agenda item 20.5 at the start of the meeting.

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

Motion passed.

Firefighters Collective Agreement

A private and confidential staff report dated September 15, 1988, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that the Mayor and City Clerk be authorized to affix their signature to a new collective agreement between the City of Halifax and Local 268 of the International Association of

Council
September 15, 1988

Firefighters as per the private and confidential report of
September 15, 1988.

Motion passed.

DEFERRED ITEMS

Report Planning Advisory Committee re: Canadian Cancer Society
Application

A public hearing into the above matter was held on
September 7, 1988.

The following reports were submitted: two different
staff reports dated September 15, 1988 from the City Manager, and
a staff report dated September 14, 1988 from the Vice-Chairman of
the Planning Advisory Committee.

Alderman D. Grant addressed the matter advising that a
meeting of the Planning Advisory Committee was held on September
14, 1988 to determine the best course of action with respect to
the application of the Canadian Cancer Society. Alderman D. Grant
referred to the recommendation contained in the staff report dated
September 15, 1988 from the City Manager recommending that Council
set the date for a public hearing to consider an amendment to the
Land Use Bylaw. The Alderman noted that, in order for Council to
consider a development agreement under Implementation Policy 10,
the amendment needed to be placed in the Land Use Bylaw. Alderman
D. Grant noted that the amendment was merely a housekeeping
matter.

MOVED by Alderman D. Grant, seconded by Alderman Flynn
that Council set the date for a Public Hearing to consider an
amendment to the Land Use Bylaw which will enable development by
agreement pursuant to Implementation Policy 10.

MOVED by Alderman D. Grant, seconded by Alderman Flynn
that Council set the date for a public hearing to consider a
development agreement under Implementation Policy 10, as it
presently exists in the Plan, to accommodate the Canadian Cancer
Society's application.

Alderman Cromwell addressed the matter and asked if
there was a more expeditious way of dealing with the Canadian
Cancer Society's application.

In response to Alderman Cromwell's question, Mr. W.B.
Campbell of the Development and Planning Department advised that
a public hearing was necessary to consider the contract that had
not been before Council. With respect to identifying

Council
September 15, 1988

Implementation Policy 10 only for this property, Mr. Campbell advised that it was Council's decision at its meeting of September 7, 1988 not to proceed with the PAC's recommendation to change Implementation Policy 10 in any way.

A further questioning of staff ensued with the Chairman calling the question on the amendment to the Land Use Bylaw.

The motion was put and passed.

The City Clerk advised that the public hearing date with respect to the bylaw amendment is set for Thursday, October 6, 1988, in the Council Chamber, Halifax City Hall, beginning at 7:30 p.m.

The Chairman called the question on the second motion by Alderman D. Grant to set a date for a public hearing to consider a development agreement with the motion being put and passed.

The City Clerk suggested that Wednesday, November 23, 1988, would be the most appropriate date for the public hearing for a development agreement, owing to the fact that the new Council is sworn into office on November 7, 1988. Members of Council agreed that November 23, 1988, was a satisfactory date.

Amendment to the Municipal Planning Strategy, Bedford Highway
Secondary Planning Strategy and the Land Use Bylaw (Mainland Area)
- 582, 588, 592, & 596 Bedford Highway

A public hearing into the above matter was held on September 7, 1988.

MOVED by Alderman Hamshaw, seconded by Alderman Flynn
that City Council:

- 1) designate and zone the properties at 588 and 582 Bedford Highway, High Density Residential and R-3 (General Residential and Low Rise Apartments) as illustrated on Maps 1 and 2 contained in the staff report dated March 1, 1988;
- 2) designate and zone the properties at 596 and 592 Bedford Highway, Highway Commercial and C-2B (Highway Commercial) as illustrated on Maps 1 and 2 contained in the staff report of March 1, 1988;
- 3) amend the Bedford Highway Area Plan Boundary Map 1, Part II, Section VIII (Bedford Highway Secondary Planning Strategy) of the Municipal Planning Strategy to include all of the property identified as civic number 588 Bedford Highway.

Council
September 15, 1988

Motion passed with Alderman O'Malley, Leiper, Dewell, and Jeffrey abstaining due to non-attendance at the public hearing.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee referred from its meeting held on Wednesday, September 7, 1988, as follows:

Tourism Halifax

Alderman O'Malley advised that this matter was placed on the agenda with the intent of asking questions and possibly bringing about debate concerning the matter of tour guides and the training of tour guides. He, therefore, suggested that the matter be discussed at a Committee of the Whole Council meeting.

MOVED by Alderman O'Malley, seconded by Alderman Dewell that this matter be deferred to the Committee of the Whole Council meeting scheduled for Wednesday, September 21, 1988.

Motion passed.

Bill No. 77 - Amendment to the Social Assistance Act - Homes for Special Care

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

1. Halifax City Council amend Section 2.3.1 (Assets) of its own Municipal Social Assistance Policy for Community Care of the Elderly and Disabled as outlined in the August 17, 1988 staff report and in accordance with the May 25, 1988 amendments to the Social Assistance Act;
2. Halifax City Council direct the City Solicitor and the Social Planning Department to prepare a report and documentation necessary to release the mortgage agreements held on designated residences of persons currently in receipt of assistance with care costs in a Home for Special Care;
3. Halifax City Council continue to make representation to the Province for equitable treatment of all assets in determining eligibility for assistance in a Home for Special Care. Recognizing that this would create an increased expenditures to all municipalities, the Province should be asked to cost share all Homes for Special Care expenditures at 66 2/3 percent beginning

April 1, 1988. Furthermore City Council request that in 1989 the Province implement an insured resident copayment system;

4. Staff negotiate with the Province regarding the Province assuming 100% of the cost sharing for Homes for Special Care; and
5. Recommendation #3 be forwarded to the Union of Nova Scotia Municipalities with a request that the Union pursue this matter as well.

Social Assistance Rates - Current Assessment of Tripartite Process

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council approve the following Social Assistance rates to become effective October 1, 1988 with the proviso that if the Province does not review the cost sharing in November and agree to a 75% open ended cost sharing formula, it will be necessary for Halifax to revert to the present level of rates:

Age Grouping	Food	Clothing	Miscellaneous Essentials
0-6 Years	\$ 65	\$ 18	\$ 15
7-12 Years	\$ 78	\$ 18	\$ 15
13-18 Years	\$100	\$ 18	\$ 15
19-	\$107	\$ 18	\$ 15

Rent including heat, lights and water would be actual up to the following maximums:

Single person actual up to maximum of	\$350.00
Family of two actual up to maximum of	\$450.00
Family of three actual up to maximum of	\$470.00
Family of four actual up to maximum of	\$470.00
Family of five or more actual up to maximum of	\$500.00

Alderman Cromwell addressed the matter expressing concern with respect to the \$4,000,000 shortfall that could become the responsibility of the City of Halifax. He noted that approximately six months ago, Council approved a Committee that was to dialogue with the Provincial Government on this matter. Alderman Cromwell indicated that he was disappointed that the recommendation to meet with the Minister of Social Services had not been followed through.

The City Manager noted that the Union of Nova Scotia Municipalities had asked Halifax City Council to respond to questions on this topic and advised that agenda item 20.3,

Council
September 15, 1988

"Current Assessment Tripartite Process", addresses those questions. He further noted that the item referred to relates directly to the topic that is under discussion. It was therefore agreed that agenda item 20.3, Current Assessment of Tripartite Process, be dealt with at this time. A report dated September 15, 1988, pertaining to this matter was submitted.

Mr. Crowell, Director of Social Planning, addressed Council and advised that the Minister of Community Services set up a task force to review all social assistance cost sharing and rates across the Province. He advised that groups from around the province have been meeting to discuss this issue and that a final report is to come forward by the end of this month. Mr. Crowell noted that there has been an on-going discussion in relation to this matter.

Alderman O'Malley expressed the concern that the Committee, struck by Council to discuss the matter with the Provincial Government, had never met. Alderman O'Malley also expressed concern with respect to the possible tremendous shortfall that the City may be faced with in the current year. He expressed the concern that very little action had been taken to address that matter.

A discussion ensued with Alderman Leiper noting that the motion was discussed fully at the September 7, 1988, Committee of the Whole Council meeting. She noted that Council had not yet been asked to endorse the report respecting "Current Assessment of Tripartite Process" and, therefore, suggested that Council discuss the report at the Committee of the Whole Council meeting scheduled for September 21, 1988.

The motion was put and passed.

MOVED by Alderman Leiper, seconded by Alderman D. Grant that the report, "Current Assessment of Tripartite Process", be deferred to the September 21, 1988, Committee of the Whole Council meeting for discussion.

Motion passed.

Increase in Annual Dues - UNSM

MOVED by Alderman Leiper, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, Council approve the increase to the annual dues paid to the Union of Nova Scotia Municipalities effective January 1, 1989, as follows:

Council
September 15, 1988

<u>Population</u>	<u>Present</u>	<u>Proposed</u>
1 to 1,500	\$575.00	\$600.00
1,501 to 3,000	\$725.00	\$760.00
3,001 to 5,000	\$875.00	\$915.00
5,000 and over	17.0 cents per capita	17.8 cents per capita

Motion passed.

REPORT - SAFETY COMMITTEE

Appointment of License Inspector - City Ordinances

MOVED by Alderman Hamshaw, seconded by Alderman Jeffrey that, as recommended by the Safety Committee, Sgt. Ronald K. Mosher of the Halifax Police Department be appointed the License Inspector pursuant to Section 6 of the Petty Trades Ordinance, Section 2(f) of the Automatic Machines Ordinance, and Section 47 of the Streets Ordinance.

Alderman R. Grant referred to the question he raised at the Committee of the Whole Council meeting with respect to the License Inspector's authority to suspend or revoke vending licenses, etc. Alderman R. Grant noted that a report on this matter was still pending and further asked that the matter of increasing the number of License Inspectors be reviewed, if appropriate.

The City Manager indicated that the matter was under review.

Motion passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Council considered the report of the Committee of the Whole Council, Boards and Commissions from its meeting held on September 7, 1988, as follows:

Amendment to Ordinance Number 121 - the Retail Store Closing Ordinance (Section "S") - SECOND READING

Notice of Motion concerning this proposed amendment was initially given by Alderman Dewell on July 28, 1988, with Council approving First Reading on August 25, 1988. The proposed

Council
September 15, 1988

amendment was considered by the Finance and Executive Committee during its meeting on September 7, 1988.

Correspondence, dated September 9, 1988, was received from Mr. Charles P. Burchell, President and Manager of "The Book Room", urging that City Council not make "bookstores" an exception or exempt them from the present laws.

MOVED by Alderman Dewell, seconded by Alderman Leiper that, as recommended by the Committee of the Whole Council, Boards and Commissions, Halifax City Council give SECOND READING to the following amendment to Ordinance Number 121, the Retail Store Closing Ordinance:

1. Section 5 of said Ordinance 121 is amended by deleting the period at the end of clause (s) thereof, and by substituting therefor a semi-colon, and by adding immediately following the said clause (s) the following:

"(t) a bookstore."

Alderman D. Grant advised that she could not support the motion because, in her opinion, it would set a precedent. She went on to explain that it would be difficult not to amend the Ordinance for other types of stores too that come before Council requesting exemption. Alderman D. Grant noted that a number of bookstore owners have contacted members of Council to indicate their position that the proposed amendment would be an unfair advantage to bookstores that are not situated in Shopping Malls. She further noted that even bookstore owners that are not operating in Malls have indicated opposition to this proposed amendment.

Alderman Jeffrey indicated that he too could not support the motion. He indicated his agreement with Alderman D. Grant's comments that the proposed amendment would set a precedent for other types of stores requesting exemption. Alderman Jeffrey agreed that the proposed amendment would discriminate against bookstores located in Shopping Malls and that it would be a disadvantage to some bookstores.

Alderman O'Malley advised that he would not be supporting the motion for a number of reasons. He inquired whether or not a bookstore in a Shopping Mall could remain open if the proposed amendment was approved.

The City Solicitor advised that a bookstore in a Shopping Mall would legally be allowed to remain open if the proposed amendment was approved and would not be discriminated against under this amendment. He noted that it would be a matter of contract and not a matter of law.

Council
September 15, 1988

Alderman O'Malley advised that he disagreed with the proposed amendment on the basis that it is discriminatory and advised that he could see no logical reason to differentiate between a bookstore and any other kind of store. Alderman O'Malley asked a number of questions relating to the definition of a bookstore i.e. what constituted a bookstore, the ratio of magazines and newspapers to books.

A short discussion ensued with Alderman O'Malley suggesting that the answers to his questions were confusing and MOVED, seconded by Alderman Dewell that this matter be deferred pending a report from staff with respect to the definition of a bookstore, ratio of magazines, newspapers, etc., to books that could be sold.

Alderman Leiper suggested that the staff report also include the 20 exceptions that have already been made to the Ordinance.

The motion of deferral was put and passed.

CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, September 7, 1988, as follows:

Demolition Permit Application Number 29656: 1544 Summer Street (Garden Crest Apartments)

MOVED by Alderman Cromwell, seconded by Alderman D. Grant that, as recommended by the City Planning Committee, Council not support issuance of the demolition permit for 1544 Summer Street (the Garden Crest Apartments).

Motion passed.

Request from Ward 12 Community Association and Wedgewood Park Area Planning Committee Re: Recreation Space

MOVED by Alderman Hamshaw, seconded by Alderman Jeffrey that funds be placed in the 1989 budget for the acquisition and development of recreational lands in the area located at the southeast corner of the Kearney Lake Road and the Bicentennial Highway.

In seconding the motion, Alderman Jeffrey commented that he had attended a recreation meeting recently. He noted that the Ward 12 Community Association was present at that meeting and had expressed concern with respect to the lack of recreational

Council
September 15, 1988

facilities in this area. Alderman Jeffrey suggested that the comments made by the Recreation Committee supported the Association's request for more facilities.

Motion passed.

Dickson Avenue Rezoning - Petition from the Residents of Dickson Avenue

MOVED by Alderman Hamshaw, seconded by Alderman Jeffrey that this matter be deferred to the Committee of the Whole Council meeting scheduled for Wednesday, September 21, 1988.

Alderman R. Grant requested that staff report at the next Committee of the Whole Council meeting on whether there is a figure guideline for R-1 and R-2 development in other subdivisions across the Country i.e. if only a certain percent of the houses are R-2, the rest are zoned R-1.

Motion passed.

Case No. 5292 - Cost Sharing: Cresthaven Drive

A supplementary staff report dated September 14, 1988 was submitted.

Following is the recommendation of the City Planning Committee:

"That Council direct staff to continue negotiations with the developer."

MOVED by Alderman Hamshaw, seconded by Alderman Leiper that the City agree to cost-share surface improvements to the eastern 600 feet of Cresthaven Drive in the amount of \$37,500 subject to final billings based on the quantities and unit prices of the tender and that funds for this purpose placed in the 1989 Capital Budget.

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

MOTIONS

Motion - Alderman Dewell re: Amendment to Ordinance
Number 121 - the Retail Store Closing Ordinance
(Section "T") - FIRST READING

This matter was deferred, for clarification purposes, to this meeting from the City Council meeting held on August 25, 1988.

Council
September 15, 1988

MOVED by Alderman Dewell, seconded by Alderman Meagher
that Council give First Reading to the amendment to Ordinance
Number 121, the Retail Store Closing Ordinance (Section "T"), as
follows and that this matter be forwarded to the next regular
meeting of the Committee of the Whole Council for consideration
and report:

Ordinance 121, the Retail Shop Closing is amended as
follows:

1. Section 2 of said Ordinance 121 is amended by adding the
following clause immediately following clause (e) thereof:

(f) "convenience store" means a shop having a net floor
area of one thousand and five hundred square feet (1500
sq. ft.) or less, engaged in the selling of groceries,
dairy products, confectionery, beverages, snack foods,
tobacco products, newspapers, magazines or books, or
some combination thereof.

2. Clause (m) of Section 5 of said Ordinance 121 is amended by
deleting the words, numbers and symbols "a grocery store shop
having a net floor area of one thousand five hundred square feet
(1500 sq. ft.) or less" and by substituting therefor the words "a
convenience store".

Alderman Cromwell addressed the matter indicating that
he would like some information in relation to the definition of a
grocery store and Ordinance 121 for the Committee of the Whole
Council meeting.

Motion passed.

MISCELLANEOUS BUSINESS

Tender #88-43 - Titus Street Widening

A staff report dated September 9, 1988 was submitted.

MOVED by Alderman Leiper, seconded by Alderman Flynn
that Tender #88-43 for Traffic Improvements, Titus Street be
awarded to Municipal Contracting Limited for a bid price of
\$214,637 and a total project cost of \$265,000.

A short discussion ensued with Alderman Jeffrey
indicating that he would not be supporting the motion as it
related to the widening of Titus Street. Alderman Jeffrey
indicated that a number of residents in area were opposed to the
widening of Titus Street and suggested that this would only serve
to increase traffic in the area.

Council
September 15, 1988

The motion was put and passed.

Expropriation Settlement - Parcels M-1 and M-3 Titus Street
Titus Street and Main Avenue

A confidential staff report dated August 31, 1988 was submitted.

MOVED by Alderman Leiper, seconded by Alderman Flynn that the expropriation of Parcels M-1, as shown on Plan No. TT-39-29311, and M-3, as shown on Plan No. TT-35-280600, Titus Street and Main Avenue, be settled for \$131,705 as settlement in full and further that funds are available in Account No. CJ007, the Capital Account for Titus Street Traffic Improvements (Main to Lacewood).

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

Tender #88-10 - Harlington Crescent Sewer Renewal

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

Expropriation - 3694 Dutch Village Road

A confidential staff report dated August 29, 1988 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that Lot "D", as shown on Plan TT-20-21296 be expropriated from Fort Massey Realty Ltd. and that compensation of \$75,000 be offered to the owner in accordance with the provisions of the Expropriation Act.

Motion passed.

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

QUESTIONS

Question Alderman Jeffrey re: Paving and Blasting - Convoy
Avenue

Alderman Jeffrey, referring to questions he had asked at the last meeting of City Council, noted that he had received a response to these questions by way of a report dated September 6, 1988. Alderman Jeffrey, quoting from the report, noted that the

Council
September 15, 1988

contractor had been reprimanded as a result of blasts which have exceeded the specified limits of seismic readings. Alderman Jeffrey asked what form this reprimand had taken and the severity of the reprimand.

Alderman Jeffrey went on to note that the report indicates that residents have been advised to submit claims to the contractor for any damages to their property as a result of the contractor's operations. Alderman Jeffrey noted that the owner of 140 Coronation Avenue had called the insurance company for the contractor a number of weeks ago and has not received any response in relation to his call. Alderman Jeffrey indicated that he would like someone to look into this matter with a view to determining what problem existed on this property.

Alderman Jeffrey went on to ask what would happen to claims in process and what protection was offered the residents, should the company undertaking the work become bankrupt. Alderman Jeffrey asked what responsibility the City, the contractor and the insurance company have to ensure these claims are honored.

Alderman Jeffrey asked if it was permissible to use sandbags to reduce the seismic readings of the blasting. Alderman Jeffrey further asked what the statute of limitations was in relation to hidden damage. Alderman Jeffrey, by way of explanation, noted that damage to the walls of a finished rec room located in the basement would not become apparent immediately and noted that he would like to know if there was any statute of limitation in this regard.

Alderman Jeffrey advised that some of the residents in the area have already made claims. Alderman Jeffrey indicated that these residents have been advised that if they have \$500.00 in damages, they are only entitled to 50% of the cost of that damage. In reference to this, Alderman Jeffrey asked exactly what 'third party liability' meant.

Alderman Jeffrey went on to note that there were a number of schools in the area and that safety precautions were not being adhered to for children travelling to and from school. Alderman Jeffrey noted that the residents were quite upset about this situation and asked why a policeman or a school crossing guard had not been allotted to that particular area.

In closing, Alderman Jeffrey asked what date the project would be completed. Alderman Jeffrey further noted that a member of City staff had met with the residents of Convoy Avenue and told the residents that an information report regarding the project would be forwarded to them. Alderman Jeffrey noted that certain of the residents have received the report, however, others have not. Alderman Jeffrey asked when the report would be sent to all residents of the area.

Council
September 15, 1988

Question Alderman R. Grant re: Resignation of Fire Chief

Alderman R. Grant, referring to the recent resignation of the Fire Chief, noted that he had become aware of the matter through the media. Alderman R. Grant asked why Council had not been advised of this prior to the media report. Alderman R. Grant indicated that he hoped there would be not be a repetition of this situation in the future.

Question Alderman R. Grant re: Elizabeth Sutherland Playground Landscaping

Alderman R. Grant, referring to the installation of steps at the Elizabeth Sutherland Playground, indicated that it had been his understanding that the hill was to be landscaped in connection with the installation of the steps. Alderman R. Grant asked if the School Board intended to carry out the landscaping this year or wait until the spring to complete the work.

Question Alderman R. Grant re: Playing Field - Elizabeth Sutherland School

Alderman R. Grant noted that he had received complaints from property owners abutting the Elizabeth Sutherland Playing Field in relation to baseballs hitting their homes. Alderman R. Grant noted that in one particular case a hit from a baseball had resulted in a crack in the siding on the house. Alderman R. Grant noted that city staff has visited the home and suggested to the property owner that she make a claim in relation to the cracked siding.

Alderman R. Grant noted that the property owner has done so, however, no appropriate resolution to the matter has been reached to date. Alderman R. Grant indicated that he would like staff to look into the matter and to resolve the situation. Alderman R. Grant indicated that he felt correction of the damage to the siding was the responsibility of the City. Alderman R. Grant went on to note that, in connection with the problems he had just outlined, he would like staff to include in the budget for 1989 funds to cover the cost of fencing should it be needed to rectify this situation.

Question Alderman R. Grant re: Pedestrian Islands - Herring Cove Road

Alderman R. Grant noted that at present two pedestrian islands were being constructed on the Herring Cove Road. Alderman R. Grant noted that he was of the understanding that there were to be three pedestrian islands constructed, the third being located in the area of the Canadian Tire store and Spry Avenue. Alderman

Council
September 15, 1988

R. Grant requested clarification of how many pedestrian islands were to be constructed on the Herring Cove Road.

Question Alderman Cromwell re: Meeting with Halifax Seniors Council

Alderman Cromwell, referring to a September 9, 1988 letter received from the Halifax Seniors Council regarding the seniors taxi fare reduction and subsidy program, noted that the Seniors Council had requested to meet with Council. Alderman Cromwell noted that if possible, Council should meet with the Seniors Council within the next month. Alderman Cromwell indicated that he was very hopeful that this meeting would take place.

The Deputy Mayor indicated that note would be taken of this request.

Question Alderman O'Malley re: Seniors Taxi Fare Reduction Proposal

Alderman O'Malley, referring to his request that the Taxi Commission study the possibility of a reduction in taxi fares for seniors, asked when Council could expect this report to come forward from the Commission.

Alderman Dewell, noting that a sub-committee of the Taxi Commission has been reviewing this matter, indicated that it was expected that a report would be forwarded to the Commission for consideration at this month's meeting. Alderman Dewell noted that he expected a resolution would be coming to Council very shortly in relation to this matter.

Alderman O'Malley, referring to the letter from the Seniors Council, suggested that a reply should be made indicating that the matter would be coming to Council in the near future. Alderman O'Malley further suggested that an invitation should be extended to representatives of the Seniors Council to attend the meeting of Council at which this matter is discussed.

The Acting Chairman indicated that the City Clerk would acknowledge the letter and advise the Seniors Council accordingly.

Question Alderman O'Malley re: Establishment of Grocery Store Gottingen Street

Alderman O'Malley referred to the possibility of establishing a grocery store on Gottingen Street for use by seniors. Alderman O'Malley noted that it has come to his attention that seniors are paying up to \$20.00 for transportation when they shop for their groceries. Alderman O'Malley noted that

Council
September 15, 1988

this obviously reduces the funds available to the senior for groceries.

Alderman O'Malley noted that this matter has been brought before Council by Alderman Downey on a number of occasions. Alderman O'Malley asked if any action has been taken in regard to this matter by the City. Alderman O'Malley went on to advise that it was his understanding that the City was hoping to receive federal funding for a grocery store in the Gottingen Street area to serve the larger population of that area.

The City Manager noted, as a result of Alderman Downey's concerns, that staff has been actively involved in negotiating for a grocery store in the Gottingen Street area.

Mr. Crowell addressed the matter noting that his staff have been aware of the problem for quite some time. Mr. Crowell went on to explain that attempts to establish a grocery store through HRDA had been unsuccessful. Mr. Crowell further noted that he was to attend a meeting on Monday in relation to establishing a grocery store in the area and, hopefully, would have a positive report for Council after that meeting.

Question Alderman O'Malley re: Transportation for Seniors

Alderman O'Malley referred to the bus service provided to seniors living in the Ahern, Sunrise and Gordon B. Isnor Manors for shopping purposes and asked if this bus was in fact servicing all three manors and how often the service was provided.

Question Alderman O'Malley re: Completion of 1988 Sidewalk Program

Alderman O'Malley noted that he had brought forward a question approximately one month ago regarding whether the 1988 Sidewalk Program would be completed in this construction season. Alderman O'Malley indicated that this evening he would like to know specifically whether the sidewalk on the west side of Albert Street from Duffus to Young Street would be completed within this construction season.

The City Manager indicated that he could not answer this question at this time, however, he would provide the Alderman with the answer tomorrow.

Question Alderman D. Grant re: Grace Maternity Construction

Alderman D. Grant referred to start up of construction on the new Grace Maternity Hospital and noted that representatives of the Grace Maternity had contacted the neighbouring land owners advising that construction was about to begin. Alderman D. Grant noted that the abutters have been

Council
September 15, 1988

assured that blasting will be sensitive so as to not create difficulties with the machinery in the surrounding hospitals.

In reference to blasting, Alderman D. Grant asked what procedure was involved in obtaining a blasting permit. Alderman D. Grant went on to request information regarding how often blasting would occur and at what hours the blasting would occur.

Question Alderman D. Grant re: Tax Concessions and Grants

Alderman D. Grant, referring to tax concessions and grants, noted that she had been informed by a community agencies that they had been charged interest on their taxes while awaiting a grant from the City of Halifax. Alderman D. Grant noted that the grant was not issued until July while tax bills were forwarded in February and May. Alderman D. Grant further noted that it was her understanding that this interest was not to be forgiven. Alderman D. Grant requested a report from City staff on whether or not the interest can be forgiven by Tax Concessions and Grants.

Question Alderman Leiper re: Blind Sidewalks

Alderman Leiper noted that in certain cities the sidewalk adjacent to crosswalks have been rippled to alert the blind that they are about to enter a crosswalk. Alderman Leiper asked for a report regarding the possibility of introducing this practice in the City.

Question Alderman Leiper re: Day Care Centre in R-1 Zone

Alderman Leiper, referring to a question she had put forward at the last meeting of Council regarding the establishment of a day care centre in an R-1 zone in her area, noted that the Land Use Bylaw provides that this is an as-of-right use. Alderman Leiper referred to Section 23(c) of the Land Use Bylaw noting that it states that for every 1,000 sq. ft. exceeding \$6,000 sq. ft., four more children may be enrolled in the centre. Alderman Leiper indicated that, due to the number of large lots in Mainland North, this could result in quite a large day care centre. Alderman Leiper requested that staff come forward with a report outlining the pros and cons of Section 23(c) in the Land Use Bylaw and how it could be changed in light of the concern regarding the number of children which would be permitted.

Question Alderman Leiper re: Award of Commonwealth Games to Victoria

Alderman Leiper, referring to the award of the Commonwealth Games to Victoria, suggested that the Mayor, on behalf of the City and Council, forward a message of

Council
September 15, 1988

congratulations to Victoria on obtaining the Commonwealth Games for their City.

A brief discussion ensued and it was MOVED by Alderman Leiper, seconded by Alderman R. Grant that the Mayor, on behalf of City Council and the City of Halifax, forward a message of congratulations to Victoria on their success in winning the bid to host the Commonwealth Games.

Motion passed.

His Worship noted that he had been in contact with Victoria in this regard and was preparing a congratulatory telegram to be forwarded to Victoria.

Question Alderman Downey re: Overhead Crosswalk Sign - Artz and Barrington

Alderman Downey, referring to a petition he had submitted regarding the installation of an overhead crosswalk sign at the intersection of Artz and Barrington Streets, asked what, if any, action had been taken in this regard. Alderman Downey noted that the overhead crosswalk sign at Artz and Brunswick had been installed last week.

Question Alderman Downey re: Sidewalk - Brunswick Street (Duke to Sackville Street)

Alderman Downey noted that recently a construction company had done some work on the sidewalk on Brunswick Street between Duke and Sackville Streets. Alderman Downey noted that there was quite a mess along that piece of sidewalk and further indicated that this was a heavily used sidewalk. Alderman Downey requested that staff contact the company involved with a request that they carry out a clean up of the area.

Question Alderman Meagher re: Overhead Crosswalk Sign - Welsford and Robie Street

Alderman Meagher referred to the question he had put forward in relation to a overhead crosswalk sign at the corner of Welsford and Robie Street at the last meeting of Council and noted that a young child had been killed at that intersection this summer. Alderman Meagher indicated that the traffic was extremely heavy at this intersection and requested that a report in relation to this matter be available for the next meeting of the Committee of the Whole Council scheduled for Wednesday, September 21, 1988.

Council
September 15, 1988

Question Alderman Meagher re: Crossing Guard - Summit and Windsor Street

Alderman Meagher referred to his question at the last meeting of Council regarding a crossing guard at the corner of Summit and Windsor Street and noted that he had not yet received a report in this regard. Alderman Meagher requested that the report regarding this matter be made available for the next meeting of the Committee of the Whole Council scheduled for Wednesday, September 21, 1988.

Question Alderman Meagher re: Historic Properties Outfall

Alderman Meagher, referring to the outfall at Historic Properties, noted that recent media reports regarding the whole matter of harbour clean up were very positive. Alderman Meagher went on to note, however, that he was not satisfied with the situation with the outfall at Historic Properties. Alderman Meagher indicated that he understood that this situation would be corrected in conjunction with the harbour clean-up, however, he felt some temporary steps must be taken to correct that situation. Alderman Meagher asked that staff come forward with a report regarding a temporary solution to the problem with the outfall at historic properties.

Question Alderman Cromwell re: Assessments

Alderman Cromwell referred to reports he has received from realtors and citizens of the city regarding the drop in housing prices in certain areas of the City. Alderman Cromwell noted that in many cases the purchase price of the house has dropped below the assessed value of the house. Alderman Cromwell noted that he had some difficulty with this and suggested there should be a system in place whereby the assessment dropped automatically in line with the purchase/sale price of the house.

Alderman Cromwell went on to request that staff come forward with a report outlining whether the reduction in housing costs is a city wide phenomena or if it relates to only certain areas of the City. Alderman Cromwell further requested that staff report as to why a method has not been put in to place to automatically record these reductions.

The City Manager noted that the assessment function is carried out by the Province and a re-assessment is carried out every three years. The City Manager further noted that citizens have the right to appeal their assessment on an annual basis.

Alderman Cromwell noted that he was aware of this, however, he maintained that there should be some method by which reductions in the market value of homes are recognized in the assessed value of homes at the time of the reduction.

Council
September 15, 1988

Question Alderman Dewell re: Consolidation in R-2 Zones

Alderman Dewell advised that it was possible under the Municipal Planning Strategy to consolidate two lots in an R-2 Zone and build a fourteen unit apartment building. Alderman Dewell noted that he was of the understanding that such an application would be made to the City in relation to an area within his Ward. Alderman Dewell went on to note that the potential development was surrounded by single family dwellings.

Alderman Dewell requested that staff distribute the related excerpts from the Plan in regard to this matter. Alderman Dewell further requested that staff outline the procedure the applicant must follow in making this application and what rights the citizens have in relation to this application.

Question Alderman Dewell re: Report from Taxi Commission
Seniors Taxi Fare Reduction Program

Alderman Dewell, referring to the report from the Taxi Commission relating to a seniors taxi fare reduction program, urged Council to begin to consider the funding for such a proposal. Alderman Dewell noted that Council should be looking to the Province and the Federal Government to aid in the funding for this program. Alderman Dewell went on to note that the report from the Taxi Commission would be before Council very shortly, however, Council must consider the cost of administering such a program and take the appropriate action in this regard.

NOTICES OF MOTION

Notice of Motion Alderman Meagher re: Amendment to Ordinance
170, respecting Partial Tax Exemption for Certain
Properties - Schedule "A"

Alderman Meagher gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on September 29, 1988 he intends to introduce a motion to amend Schedule "A" of Ordinance 170, Partial Tax Exemption for Certain Properties. The purpose of this amendment is to include the 'Golden Age Society, 212 Herring Cove Road' in Schedule "A" for 1988.

ADDED ITEMS

Award of Tender #88-08 - Water and Sewer Installation -
Wenlock Grove

A staff report dated September 12, 1988 was submitted.

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

Council
September 15, 1988

- 1) award Tender #88-88, Section A, Wenlock Grove, to Empire Excavators Ltd. for the unit prices quoted at a total projects cost of \$592,988.88;
- 2) approve the gross funding for Wenlock Grove in Capital Account No. DB911 from \$428,888.88 to the gross amount of \$592,988.88 with no increase in net City cost and with appropriate recoveries to be expected from the Province and Halifax Water Commission; and
- 3) direct staff to approach the Province for funding assistance for the installation of sewer and water on Purcell's Cove Road (Section B and C) at a similar level as provided for Barclay Avenue, Woodcrest Avenue and Wenlock Grove.

Motion passed.

Award of Tender #88-133: West Street Fire Station Renovations
(Administrative Offices)

A staff report dated September 12, 1988 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Downey
that:

1. Tender #88-133 for West Street Fire Station - Renovations to Administration Offices be awarded to Blunden Construction Ltd. for a bid price of \$78,288 and a total project cost of \$84,588; and
2. Funding authorized from Account Number BA888

Motion passed.

Current Assessment of Tripartite Process

This matter was dealt with earlier in the meeting.

Revenue and Expenditure Statement

A staff report dated September 8, 1988 was submitted.

MOVED by Alderman Flynn, seconded by Alderman R. Grant
that the summary of revenue and expenditure for the seven months
ended July 31, 1988 as attached to the September 8, 1988 staff
report be tabled.

Referring to the recommendation contained within the report that Council meet privately to discuss this matter, Alderman R. Grant requested that this meeting be held later in the day and suggested that a supper meeting on a Committee of the

Council
September 15, 1988

Whole date might be a possibility. Alderman R. Grant requested that His Worship look into this possibility.

Motion passed.

Firefighters Collective Agreement

This matter was dealt with earlier in the meeting.

Contract Development - Public Hearing - 5 Alex Street and
Contract Development - Public Hearing - 25 Convoy Avenue

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

The City Clerk addressed the matter noting that this and the subsequent item are similar situations to the Canadian Cancer Society item. The City Clerk advised that Council has already set October 6, 1988 as the date for public hearings to consider the Alex Street and Convoy Avenue matters. The City Clerk went on to advise that both items involve a Bylaw amendment and a contract development.

The City Clerk indicated that staff is seeking authority to deal with the Bylaw amendment aspect of these matters at the October 6, 1988 public hearing and to set the date of Wednesday, November 23, 1988 as the public hearing to consider the contract development aspect of those two applications.

MOVED by Alderman Jeffrey, seconded by Alderman Flynn
that Council grant authority to staff to deal only with the Bylaw
amendment aspect of the applications received in relation to 5
Alex Street and 25 Convoy Avenue at the October 6, 1988 public
hearing and further that Wednesday, November 23, 1988 be set as
the date for the public hearing to consider the contract
development applications relating to 5 Alex Street and 25 Convoy
Avenue.

Motion passed.

Senior Citizens Taxi Fare Reduction Program - Alderman D. Grant

This matter was added to the agenda, during the setting of the agenda, at the request of Alderman D. Grant.

Referring to the comments previously made by Aldermen O'Malley and Dewell in relation to this matter, Alderman D. Grant indicated that she had placed this matter on the agenda to bring it to Council's attention and to ensure that it comes forward to Council. Alderman D. Grant indicated that she hoped this matter would come before Council as soon as possible and noted that it was a very important item for discussion.

Council
September 15, 1988

Alderman Jeffrey addressed the matter indicating that this matter had come before Council a number of months ago. Alderman Jeffrey, referring to the subsidy which would be necessary to implement this program, indicated that he did not believe Council was expecting the individual taxi drivers to subsidize this program. Alderman Jeffrey went on to note that Council must begin to seek subsidization of this program through City, Provincial and Federal funds.

Alderman Jeffrey noted that this program would benefit not only seniors living in seniors housing but, also those living in their own homes. Alderman Jeffrey noted that this program was a very important program for seniors.

10:05 p.m. The meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
DEPUTY MAYOR J. ALBERT WALKER
CHAIRMAN

E. A. KERR
CITY CLERK

mmd/sh

HEADLINES FOR CITY COUNCIL MINUTES
of 09/15/88

Carolyn Barkhouse - Miss Halifax 1988 & Miss Nova Scotia 1988	.... 590
APPROVAL OF ORDER OF BUSINESS	
Firefighters Collective Agreement	.... 591
	.... 591
	.... 591
DEFERRED ITEMS	
Report Planning Advisory Committee re: Canadian Cancer Society	.... 592
Report Planning Advisory Committee re: Canadian Cancer Society Application	.... 592
Amendment to MPS, Bedford Highway Secondary Planning Strat. and the LUB (Mainland Area) - 582, 588, 592, 596 Bedford Hwy.	.... 593
Amendment to MPS, Bedford Highway Secondary Planning Strat. and the LUB (Mainland Area) - 582, 588, 592 & 596 Bedford Hw.	.... 593
REPORT - FINANCE AND EXEC COMM	
Tourism Halifax	.... 594
Bill No. 77 - Amendment to Social Assistance Act - Homes for Special Care	.... 594
Bill No. 77 - Amendment to the Social Assistance Act - Homes for Special Care	.... 594
Social Assistance Rates - Current Assessment of Tripartite Process	.... 595
Social Assistance Rates - Current Assessment of Tripartite Process	.... 595
Increase in Annual Dues - UNSM	.... 596
Increase in Annual Dues - UNSM	.... 596
REPORT - SAFETY COMMITTEE	
Appointment of License Inspector - City Ordinance	.... 597
Appointment of License Inspector - City Ordinance	.... 597
REP.- COMM. OF WHOLE COUNCIL	
Amendment to Ord. No. 121 - the Retail Store Closing Ordinance (Section "S") - SECOND READING	.... 597
Amendment to Ordinance Number 121 - the Retail Store Closing Ordinance (Section "S") - SECOND READING	.... 597

HEADLINES FOR CITY COUNCIL MINUTES
of 09/15/88

REPORT - CITY PLANNING COMM.

Request from Ward 12 Community Association and Wedgewood Park Area - Planning Committee re: Recreation Space Demolition Permit Application Number 29656: 1544 Summer St. (Garden Crest Apartments)	.... 599
Demolition Permit Application Number 29656: 1544 Summer Street (Garden Crest Apartments)	.... 599
Request from Ward 12 Community Association and Wedgewood Park Area Planning Committee re: Recreation Space Dickson Avenue Rezoning - Petition from the Residents of Dickson Avenue	.... 600
Case No. 5292 - Cost Sharing: Cresthaven Drive	.... 600
Case No. 5292 - Cost Sharing: Cresthaven Drive	.... 600
Dickson Avenue Rezoning - Petition from the Residents of Dickson Avenue	.... 600

MOTIONS

Motion: Ald. Dewell re: Amendment to Ord. No. 121 - the Retail Store Closing Ord. (Section "T") - FIRST READING	.... 600
Motion Alderman Dewell re: Amendment to Ord. No. 121 - the Retail Store Closing Ord. - (Section "T") - FIRST READ	.... 600

MISCELLANEOUS BUSINESS

Tender #88-43 - Titus Street Widening	.... 601
Tender #88-43 - Titus Street Widening	.... 601
Expropriation Settlement - Parcels M-1 and M-3 Titus Street Titus Street and Main Avenue	.... 602
Expropriation - 3694 Dutch Village Road	.... 602
Tender #88-10 - Harlington Crescent Sewer Renewal	.... 602

QUESTIONS

Question Alderman Jeffrey re: Paving and Blasting: Convoy Avenue	.... 602
Question Alderman R. Grant re: Resignation of Fire Chief	.... 604
Question Alderman R. Grant re: Elizabeth Sutherland Playground Landscaping	.... 604
Question Alderman R. Grant re: Playing Field - Elizabeth Sutherland School	.... 604
Question Alderman R. Grant re: Pedestrian Islands - Herring Cove Road	.... 604
Question Alderman Cromwell re: Meeting with Halifax Seniors Council	.... 605
Question Alderman OMalley re: Seniors Taxi Fare Reduction Proposal	.... 605
Question Alderman OMalley re: Establishment of Grocery Store Gottingen Street	.... 605
Question Alderman OMalley re: Completion of 1988 Sidewalk Program	.... 606
Question Alderman D. Grant re: Grace Maternity Construction	

HEADLINES FOR CITY COUNCIL MINUTES
of 09/15/88

Question Alderman OMalley re: Transportation for Seniors	.... 606
Question Alderman Leiper re: Blind Sidewalks	.... 606
Question Alderman Leiper re: - Day Care Centre in R-1 Zone	.... 607
Alderman D. Grant re: Tax Concessions and Grants	.... 607
Question Alderman Leiper re: Award of Commonwealth Games to Victoria	.... 607
Question Alderman Downey re: Overhead Crosswalk Sign - Artz and Barrington	.... 608
Question Alderman Downey re: Sidewalk - Brunswick Street (Duke to Sackville Street)	.... 608
Question Alderman Meagher re: Overhead Crosswalk Sign - Welsford and Robie Street	.... 608
Question Alderman Meagher re: Historic Properties Outfall	.... 609
Question Alderman Cromwell Re: Assessments	.... 609
Question Alderman Meagher Re: Crossing Guard - Summit and Windsor Street	.... 609
Question Alderman Meagher Re: Historic Properties Outfall	.... 609
Question Alderman Meagher re: Crossing Guard - Summit and Windsor Street	.... 609
Question Alderman Dewell Re: Consolidation in R-2 Zones	.... 610
Question Alderman Dewell Re: Report from Taxi Commission - Seniors Taxi Fare Reduction Program	.... 610

NOTICE OF MOTIONS

Notice of Motion Alderman Meagher Re: Amendment to Ord. #170, Partial Tax Exemption (Schedule "A") 610
--	----------

ADDED ITEMS

Firefighters Collective Agreement	.... 591
Current Assessment of Tripartite Process	.... 595
Award of Tender #88-08 - Water and Sewer Installation: Wenlock Grove	.... 610
Award of Tender #88-133: West Street Fire Station Renovations (Administrative Offices)	.... 611
Revenue and Expenditure Statement	.... 611
Senior Citizens Taxi Fare Reduction Program (Alderman D. Grant)	.... 612
CID- Public HEARING - SALEX ST	- e - 612
CID- Public HEARING - 25 CONROY AVE	- - 612