

SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
February 3, 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 Alderman Downey, joined in reciting the Lord's Prayer.

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

Also Present: Mr. W.B. Campbell, Mr. S. Feist, and Mr. M. Hanusiak, all of the Development and Planning Department; City Manager; Mr. G. Goneau, representing the City Solicitor; City Clerk, and other members of City staff.

ADDED ITEMS

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

1. Illustrated Publication of Heritage Buildings & Streetscapes;
2. Case 5194 - Proposed Development Agreement - 1521 Lower Water Street (Marine Towers) - Date for Public Hearing;
3. Purdy's Wharf Development Limited.

MOVED by Alderman Hamshaw, seconded by Alderman R. Grant that the above items be added to the agenda.

Motion passed.

Illustrated Publication of Heritage Buildings & Streetscapes

MOVED by Alderman R. Grant, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the expenditure of up to \$7,500 to purchase copies of Historic Halifax (working title) a book to be published not later than September 1, 1988, containing photographs by Alvin Comiter and text by Elizabeth Pacy be authorized; and that these books be used as official City of Halifax gifts. Motion passed.

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Case 5194 - Proposed Development Agreement - 1521 Lower Water St.

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, a date be set for a public hearing to consider a development agreement under Schedule "G", Section 85 of the Land Use Bylaw, to permit construction of a 13 storey commercial building at 1521 Lower Water Street.

Motion passed.

The City Clerk advised that the date for the public hearing would be scheduled for Wednesday, March 9, 1988 in the Council Chamber, Halifax City Hall, beginning at 7:30 p.m.

Purdy's Wharf Development Limited

The above item was considered by City Council at its meeting held on January 28, 1988.

MOVED by Alderman Downey, seconded by Alderman Meagher that in addition to the sum of \$242,000.00 plus the cost of appraisals with the land value escalated at 10% at the time of sale, a further sum of \$29,000.00 be approved to acquire Crown Grant #19279 from Ports Canada for immediate sale to Purdy's Wharf Development Limited with the funds from the purchase by the developer to be held in escrow until receipt of Letters Patent from the federal government.

Motion passed.

NOTE: See City Council Minutes of January 28, 1988

Plan Amendment/Rezoning - Mainland South SPS: 26 Alton Drive

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

Mr. W. B. Campbell of the Development and Planning Department, with the use of a map and video, outlined the application to consider amending the Mainland South Secondary Planning Strategy and Land Use Bylaw to designate and zone 26 Alton Drive 'Medium Density Residential' and 'R-3' (Multiple Dwelling) as illustrated in the staff report dated September 9, 1987 and the Planning Advisory Committee report dated December 1, 1987.

There were no persons present wishing to address Council.

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

Motion passed.

R-2A and R-2AM Review

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

Mr. S. Feist of the Development and Planning Department outlined the application to consider the recommendation contained in the Planning Advisory Committee report dated June 19, 1987. Mr. Feist advised, as illustrated in the staff report dated December 4, 1987, that at the September 17, 1987 meeting of Council, the motion adopted respecting this item did not encompass all of the recommendations that were before Council. In order to rectify this matter and to ensure that the full intent of the R-2A and R-2AM recommendations as publicly discussed are implemented, Mr. Feist indicated that the PAC report of June 19, 1987 requires approval.

Mr. Alan Ruffman addressed Council and inquired if the proposed amendments would still permit, in the medium density, 14 units and within 8 feet of the back lot line.

Mr. Feist advised that the PAC report is not changing the recommendations that were passed by Council for the R-2A and the R-2AM zones. He further advised the proposed amendments are allowing the R-2A requirements as they were before the changes in September.

Mr. Ruffman expressed concern with respect to developments which have expanded out of properties literally filling the whole property with either parking or building. He made reference to the development on Tower Road, across from the Mitchell property, and two developments on Agricola Street which have expanded from the back of ordinary houses to the back lot line. Mr. Ruffman indicated that he would be in support of the proposed amendments if they were aimed to prohibit such expansions.

Responding to a concern from Alderman Dewell respecting R-2A use in an R-3 zone, Mr. Feist advised that it does not apply to all of the R-3 zones on the Peninsula noting that it only applies to R-3 zones in the south end of the Peninsula.

There were no further persons present wishing to address Council.

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MOVED by Alderman Meagher, seconded by Alderman Flynn  
that this matter be forwarded to Council without recommendation.

Motion passed.

Case No. 5485 - Appeal of Minor Variance Refusal - 1562-64 Vernon Street

A staff report dated January 11, 1988 was submitted with an attached letter dated December 22, 1987 from the applicant, Mr. Stephen Jordan. A letter dated January 30, 1988 from Charlotte Lindgren, in support of the Development Officer's decision, was also submitted.

Mr. M. Hanusiak, Development and Planning, with the aid of diagrams, gave a brief overview pertaining to the refusal of Mr. Stephen Jordan's application for a minor variance at 1562-64 Vernon Street as outlined in the staff report dated January 11, 1988.

8:05 p.m. Alderman O'Malley enters the meeting during Mr. Hanusiak's presentation.

Responding to a question from Alderman Jeffrey, Mr. Hanusiak advised that the applicant had been issued a building permit for internal changes only.

Mr. Stephen Jordan, applicant, addressed Council suggesting that it is in the best interests of the City of Halifax to grant this minor variance because it will greatly improve the quality of the new 3rd unit.

Mr. Detlev Steffen, residing at 1574 Vernon St., addressed Council and read and submitted a petition with approximately 11 signatures in support of the refusal for a minor variance (a copy of which is contained in the official file of this meeting).

Alderman Cromwell advised that he concurred with the comments made by Mr. Jordan but it was his opinion that Council has to be concerned with Section 34 of the Planning Act and, therefore, MOVED, seconded by Alderman Dewell that the decision of the Development Officer to refuse the application for a minor variance at 1562-1564 Vernon Street be upheld.

Motion passed.

Appeal of Variance Refusal - 6875 Quinpool Road

A staff report dated January 18, 1988 was submitted.

Mr. M. Hanusiak, Development and Planning, with the aid of a map, gave a brief overview pertaining to the refusal of Ms. Anne E. Wagner's application for a minor variance of the side yard requirement of the Land Use Bylaw, located at 6875 Quinpool Road.

Responding to a question from Alderman Flynn, Mr. Hanusiak advised that there were no letters received in favour of or in objection to this item.

Mr. R. Wagner, spouse of the property owner, 6875 Quinpool Road, addressed Council in support of the minor variance application and urged Council to approve the requested variance.

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

Motion passed.

8:30 p.m. The meeting adjourned.

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DEPUTY MAYOR WALKER  
CHAIRMAN

CITY COUNCIL  
MINUTES

Council Chamber  
City Hall  
Halifax, Nova Scotia  
February 11, 1988  
8:00 P. M.

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

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

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

The meeting was called to order, and members of Council (led by Alderman Graham Downey) joined in the recitation of the Lord's Prayer.

MINUTES

Minutes of the regular meeting of City Council held on January 28, 1988 and of a special meeting of Council held on February 3, 1988 were approved on a motion by Alderman Cromwell, seconded by Deputy Mayor Walker.

Amendment to Council Minutes of January 14, 1988 Re:  
Rezoning - 38 Vimy Avenue (Case No. 5323)

A report, dated February 8, 1988, was submitted from the City Clerk.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that p. 17 of the City Council Minutes, dated January 14, 1988 ("Case No. 5323 - Rezoning: 38 Vimy Avenue) be amended to read ". . . seconded by Alderman Meagher . . .".

The motion was put and passed.

8:05 p.m. - Alderman Meagher enters the meeting.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

14.2 Report - Proposed Regional Transit Committee  
Bylaw

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20.1 Heritage Day

Also at the request of the City Clerk, Council agreed to defer the following item to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, February 17), pending receipt of a staff report from the City Solicitor:

11.1 Building Sewer Connections (Sewer Main to Street Line)

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

20.2 Naming of Mainland North Library

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

20.3 5781-7 Sarah Street

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

20.4 Tree Trimming - Nova Scotia Power Corporation

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

Motion carried.

DEFERRED ITEMS

Plan Amendment/Rezoning - Mainland South Secondary Planning Strategy: 26 Alton Drive

A public hearing into the above matter was held on Wednesday, February 3, 1988.

MOVED by Deputy Mayor Walker, seconded by Alderman Leiper that the Mainland South Secondary Planning Strategy and Land Use Bylaw be amended to designate and zone 26 Alton Drive "Medium-Density Residential" and "R-3" (Multiple Dwelling).

The motion was put and passed with Aldermen D. Grant and O'Malley abstaining owing to their non-attendance at the February 3 public hearing.

R-2A and R-2AM Zoning Review

A public hearing into the above matter was held on Wednesday, February 3, 1988.



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MOVED by Alderman Cromwell, seconded by Alderman Flynn that Council adopt the amendments to the R-2A and R-2AM sections of the Land Use Bylaw, as set out in Appendix II (staff reports of April 7, 1987 and May 14, 1987) on the understanding that the amendments apply only to these uses in R-2A and R-2AM Zones, and not where they are permitted in other zones.

The motion was put and passed with Aldermen D. Grant and O'Malley abstaining owing to their non-attendance at the February 3 public hearing.

Permit Applications 25270 and 25271 - Demolition:  
1580 and 1588 Barrington Street

A staff report, dated February 9, 1988, was submitted.

MOVED by Alderman Downey, seconded by Alderman Deborah Grant that Council refuse Applications 25270 and 25271 pertaining to the demolition of 1580 and 1588 Barrington Street.

In making this motion, Alderman Downey indicated his hope that, in the interim before demolition may proceed as-of-right, the property owner and various heritage interests will be able to reach a compromise concerning the future development of these sites.

For clarification purposes, the City Manager indicated that Council had previously decided to defer deliberation of these demolition applications while the case concerning 1580 and 1588 Barrington Street was still before the courts. Mr. Calda added that, since a decision on the matter has now been reached in that suit, Council was now able to make its decision regarding the demolition requests.

The motion was put and passed.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on February 3, 1988, as follows:

Thorne, Ernst & Whinney Report: Pay-As-You Go  
(TO BE TABLED)

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the December, 1987 report entitled "City of Halifax - Evaluation of



AMENDED PAGE  
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City's 'Pay-As-You-Go' Policy of Capital Funding" from Thorne, Ernst & Whinney be tabled.

The motion to table was put and passed.

TransInfo - Go-Time Report

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the appropriate steps be taken to make representation to the Metropolitan Authority in an attempt to get an appropriate cost-sharing on the overrun.

The motion was put and passed.

Use of City Flag

An Information Report, dated February 8, 1988, was submitted from the City Solicitor.

Following is the recommendation from the February 3 meeting of the Finance and Executive Committee:

That Council take the appropriate steps to allow anyone wishing to fly the City flag to do so, and further, that the successful bidder on the annual tender for the supply of City flags be licensed to distribute the flags commercially.

Alderman O'Malley noted that during the February 3 meeting he had requested an additional staff report (concerning the methods used by the Provincial and Federal Governments to regulate the sale of their respective flags) which had not yet been received.

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that City Council grant permission to the Nova Scotian Hotel to fly the City of Halifax flag.

In making this motion, Alderman O'Malley recommended that the general matter of policy formulation concerning the sale and use of the City flag be referred to the next regular meeting of Committee of the Whole Council scheduled for February 17, 1988.

The motion was put and passed.

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

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City's 'Pay-As-You-Go' Policy of Capital Funding" from Thorne, Ernst & Whinney be tabled.

The motion to table was put and passed.

TransInfo - Go-Time Report

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the appropriate steps be taken to make representation to the Metropolitan Authority in an attempt to get an appropriate cost-sharing on the overrun.

The motion was put and passed.

Use of City Flag

An Information Report, dated February 8, 1988, was submitted from the City Solicitor.

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, that Council take the appropriate steps to allow anyone wishing to fly the City flag to do so, and further, that the successful bidder on the annual tender for the supply of City flags be licensed to distribute the flags commercially.

In making this motion, Alderman O'Malley recommended that the general matter of policy formulation concerning the sale and use of the City flag be referred to the next regular meeting of Committee of the Whole Council scheduled for February 17, 1988.

In conjunction with this recommendation, Alderman O'Malley referred to his comments made during the February 3 meeting of the Finance and Executive Committee, reiterating his request for information as to the methods used by the Provincial and Federal Governments to regulate the sale of their respective flags.

The motion was put and passed.

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

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City's 'Pay-As-You-Go' Policy of Capital Funding" from Thorne, Ernst & Whinney be tabled.

The motion to table was put and passed.

TransInfo - Go-Time Report

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the appropriate steps be taken to make representation to the Metropolitan Authority in an attempt to get an appropriate cost-sharing on the overrun.

The motion was put and passed.

Use of City Flag

An Information Report, dated February 8, 1988, was submitted from the City Solicitor.

MOVED by Alderman O'Malley, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, that Council take the appropriate steps to allow anyone wishing to fly the City flag to do so, and further, that the successful bidder on the annual tender for the supply of City flags be licensed to distribute the flags commercially.

In making this motion, Alderman O'Malley recommended that the general matter of policy formulation concerning the sale and use of the City flag be referred to the next regular meeting of Committee of the Whole Council scheduled for February 17, 1988.

In conjunction with this recommendation, Alderman O'Malley referred to his comments made during the February 3 meeting of the Finance and Executive Committee, reiterating his request for information as to the methods used by the Provincial and Federal Governments to regulate the sale of their respective flags.

The motion was put and passed.

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

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Encroachment License - Civic No. 1645 Barrington Street

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Council approve an Encroachment License to permit the construction of a wrap-around canopy at Civic No. 1645 Barrington Street to project over the street line, as shown on the drawing attached to the January 18, 1988 staff report.

The motion was put and passed.

Acquisition of Lot 1B - Brunswick Street

MOVED by Alderman Downey, seconded by Alderman Deborah Grant that, as recommended by the Finance and Executive Committee, a portion of land, 242 square feet in area (identified as Lot 1B on Schedule "A" attached to the confidential staff report of January 22, 1988), be acquired from Transeastern Properties Limited for the sum of \$20,812 (\$86 per square foot) with funds to be made available from Account No. CK019 - Sundry Land Acquisition.

The motion was put and passed.

Mobile Canteens

MOVED by Alderman Flynn, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council approve in principle the draft Ordinance respecting Mobile Canteens, attached as Appendix "A" to the December 8, 1987 confidential staff report, and direct staff to arrange for its introduction for First Reading.

The motion was put and passed.

Request for Grant - Halifax Schools Honour Choir

This matter was deferred at the request of Alderman Meagher, pending the arrival of Mr. B. G. Smith, Director of Finance.

Remuneration: Non-City Committees, Boards and Commissions

MOVED by Alderman Richard Grant, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, the required legislation be enacted to ensure that aldermen, sitting on any non-City board, committee or commission

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where remuneration does occur, be entitled to and shall receive that remuneration; and further, that this policy be made effective as of January 1, 1988.

Alderman O'Malley requested information from the City Solicitor's Office as to whether the legislation referred to in the current motion pertains to the same section of the City Charter as had a previous request; namely, that dealing with aldermanic expenses and the setting up of the authority to expend funds for travel and other functions. In requesting this information, the Alderman noted that it had been his understanding that the first Charter amendment (requested some eight months ago) had been intended for submission to the upcoming sitting of the Provincial Legislature.

The motion was put and passed.

Acquisition - Parcel H-133, 485 Herring Cove Road

MOVED by Alderman Richard Grant, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, Parcel H-133, 485 Herring Cove Road be acquired from Texaco Canada Limited for the sum of \$7,499.23 as settlement in full (funds to be made available from Account No. CJ012, the Herring Cove Road Widening Account).

The motion was put and passed.

Tenders for Replacement Vehicles - Vehicle Replacement Account

**1) Award of Tender #87-184 - One Tractor-Loader-Backhoe**

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-184 for one (1) Tractor-Loader-Backhoe be awarded to Northeast Tractor Limited, 60 Symonds Road, Atlantic Acres Industrial Park, Bedford, Nova Scotia, B4B 1H3, for a total project cost of \$62,190.25 (funds to be made available from Account Number 126104.X1710.88008).

The motion was put and passed.

**2) Award of Tender #87-185 - Vibratory Roller**

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-185 for one (1) Vibratory Roller (portable, walk-behind

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type) be awarded to W. N. White and Co. Limited, P. O. Box 1474 North, Halifax, Nova Scotia, for a total project cost of \$8,195.00 (funds to be made available from Account Number 126104.X1710.88007).

The motion was put and passed.

3) **Award of Tender #87-181 - One 1988 Truck Chassis with Aerial Lift Utility Body**

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-181 for one (1) 1988 Model Truck Chassis (with aerial lift and body) be awarded to John White Limited, 217 Bedford Highway, Halifax, Nova Scotia for a total project cost of \$61,641.25 (funds to be made available from Account Number 126104.X1710.88011).

The motion was put and passed.

4) **Award of Tender #87-183 - One 1988 Truck Chassis with Utility Body and Rebuilt Aerial Lift**

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-183 for one (1) Truck Chassis (utility body and rebuilt aerial lift) be awarded to McDonald Chev Olds, 3681 Kempt Road, Halifax, Nova Scotia for a total project cost of \$70,975.88 (funds to be made available from Account Number 126104.X1710.88011).

The motion was put and passed.

5) **Award of Tender 87-177 - Three 1988 Cargo Vans**

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-177 for three 1988 cargo vans (8600 G.V.W.) be awarded to MacLellan Lincoln Mercury Sales, 6055 Almon Street, Halifax, Nova Scotia at a total project cost of \$42,588.00 (funds to be made available from Account Number 126104.X1710.88003).

The motion was put and passed.

6) Award of Tender #87-180 - Two Hi-Cube Vans

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-180 for two Hi-Cube Vans (10000 and 8600 G.V.W.) be awarded to MacLellan Lincoln Mercury Sales, 6055 Almon Street, Halifax, Nova Scotia for a total project cost of \$40,691.00 (funds to be made available from Account Number 126104.X1710.88002).

The motion was put and passed.

7) Award of Tender #87-176 - Seven 1988 Pick-up Trucks

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-176 for seven 1988 Model Pick-Up Trucks be awarded to MacLellan Lincoln Mercury Sales, 6055 Almon Street, Halifax, Nova Scotia, for a total project cost of \$77,479.00 (funds to be made available from Account Number 126104.X1710.88001).

The motion was put and passed.

8) Award of Tender #87-188 - One 1988 Tandem Truck

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-188 for one (1) 1988 Model Tandem Truck (with combination salt and dump body c/w plows) be awarded to Burnside International Trucks Limited, 1 Morris Drive, Dartmouth, Nova Scotia, B3B 1K7 (CHASSIS); and to Scotia Equipment, 52 Wright Avenue, Dartmouth, Nova Scotia, B3B 1G9 (BODY), for total project costs of \$83,296.48 and \$33,980.00 respectively (funds to be made available from Account Number 126104.X1710.88004).

The motion was put and passed.

9) Award of Tender #87-182 - Four 1988 Model Truck Chassis

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-182 for four 1988 Model Truck Chassis (27,000 G.V.W.; combination salt, dump bodies and plows) awarded to McDonald Chev Olds, 3681 Kempt Road, Halifax, Nova Scotia (CHASSIS); and to LeHave Equipment, P. O. Box 240, Bridgewater, Nova Scotia (BODY) for total project costs of \$153,028.00 and \$81,225.00 respectively (funds to be made available from Account Number 126104.X1710.88005).

The motion was put and passed.



10) **Award of Tender #87-178 - Two 1988 Four-Wheel  
Drive Vehicles with Plows**

MOVED by Alderman Hamshaw, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, Tender #87-178 for two 1988 four-wheel drive vehicles with plows be awarded to Wood Motors, 3773 Windsor Street, Halifax, Nova Scotia, for a total contract cost of \$37,780.00 (funds to be made available from Account Number 126104.X1710.88013).

The motion was put and passed.

Computer Acquisition Recommendations

MOVED by Alderman Leiper, seconded by Alderman Deborah Grant that, as recommended by the Finance and Executive Committee, Council adopt the Consultant's recommendations and authorize staff to proceed to implement these recommendations on the most cost-effective basis possible, but within an initial budget of \$3.5 million, to be provided from the Equipment Replacement Account and replenished by charges against operations, commencing in 1989 for a seven-year period, on the same basis used for the RAPID System.

The motion was put and passed.

Charge for Zoning and Permit Information

MOVED by Alderman Flynn, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, City Council authorize the following charges for researching specific information from City records and for the preparation of a letter:

Zoning .....	\$25.00 per property
Building or Occupancy Permit History, Legal Uses, Ordinance Violations (with or without zoning) .....	\$50.00 per property

Responding to a question from Alderman Jeffrey, the City Manager emphasized that these charges are not intended to apply to simple telephone inquiries pertaining to these matter, but rather to requests for information which will entail considerable research and a subsequent letter from City staff.

The motion was put and passed.

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Local Improvement Interest Rate

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that, as recommended by the Finance and Executive Committee, under Section 389 of the City Charter, an interest rate of 10.75 percent be established for any Local Improvement Tax levied in 1988.

Motion passed with Alderman Meagher voting in opposition.

Local Improvement Policy - TO BE TABLED

MOVED by Deputy Mayor Walker, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, the staff report, dated January 25, 1988, concerning "Local Improvement Policy," be tabled.

The motion to table was put and passed.

Ordinance Number 147 - Dog License Payment

MOVED by Alderman Deborah Grant, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Section 5(2a) of Ordinance 147 be amended to read: "If the license fee prescribed by subsection (2) is paid within 30 days of the last due date on which the dog is required to be licensed, the license fee shall be."

The motion was put and passed.

Award of Tender #87-187: One 1988 Model Four-Wheel Street Sweeper

MOVED by Alderman Downey, seconded by Alderman Hamshaw that, as recommended by the Finance and Executive Committee, Tender #87-187 for one (1) 1988 Model Four-Wheel Street Sweeper be awarded to Standard Machinery & Equipment Co. Limited, P. O. Box 306, Saint John, New Brunswick, E2L 3Y2, for a total project cost of \$119,446.47 (funds to be made available from Account Number 126104.X1710.88006).

The motion was put and passed.

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Metro Transit Passes for Children Under 14 Years of Age

MOVED by Alderman Richard Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council forward a request to the Metropolitan Authority (Metro Transit) that they review the feasibility of providing monthly bus passes for school children under 14 years of age.

The motion was put and passed.

Grand Parade Parking

MOVED by Alderman Richard Grant, seconded by Deputy Mayor Walker that, as recommended by the Finance and Executive Committee, Council request that stricter enforcement of the no parking regulations (as they pertain to unauthorized vehicles in the Grand Parade) be commenced by the Halifax Police Department (in conjunction with staff members from City Field) as quickly as possible.

Deputy Mayor Walker suggested that consideration might be given to providing some sort of identity cards for those members of City boards and commissions attending meetings in the City Hall facility and parking in the Grand Parade. The Deputy Mayor noted that such cards could be retained by the building's Commissionaire and distributed to board members as required.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on February 3, 1988 as follows:

Building Sewer Connections

This matter had been deferred during the setting of the meeting's agenda to the next regular meeting of Committee of the Whole Council scheduled for **Wednesday, February 17, 1988.**

Alderman Richard Grant referred to the report to be submitted from the City Solicitor's Office, and reiterated his request that information be provided regarding the number of current households which had been in existence during the annexation period.

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Award of Tender #87-158: Northwest Interceptor System, Section 5

MOVED by Alderman Flynn, seconded by Alderman Hamshaw  
that, as recommended by the Committee on Works:

- 1) City Council award Tender #87-158 to Dexter Construction Company Ltd. at the quoted unit prices for materials and labour and a total bid price of \$586,785.00 (as contained in the January 27, 1988 staff report);
- 2) funds for payment for this project be authorized from Capital Account No. DD021, at a total project cost not to exceed \$704,142.00).

The motion was put and passed.

Roof at Centennial Pool/Ceiling at Northcliffe Pool

An Information Report, dated February 9, 1988, was submitted.

With reference to the February 9 Information Report, Alderman Jeffrey reiterated his request for details as to when the replacement work at these facilities will be undertaken and when the City Solicitor's Department will initiate action to attempt to recoup some of the City's losses suffered in this regard. In making these comments, Alderman Jeffrey emphasized the concerns expressed by area residents regarding the fact that the facilities are frequently out of operation.

Concurring with Alderman Jeffrey's comments, Alderman Cromwell noted that the problems with these facilities have been ongoing for almost eight years, and requested information as to why it has taken so long for legal action to be initiated on the City's behalf.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS

Amendments to Ordinance Numbers 54, 19, 132, 138, 146, 149,  
151, 130, 43 and 17 - SECOND READING

The following matters were given First Reading during a regular meeting of Halifax City Council held on January 28, 1988 and were further considered during a meeting of the Finance and Executive Committee held on Wednesday, February 3, 1988.

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1) Amendments to Ordinance Number 54 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell  
that, as recommended by the Finance and Executive Committee,  
Council give **SECOND READING** to the amendments to Ordinance Number  
54, the Going-Out-of-Business Sales Ordinance, attached to the  
January 4, 1988 staff report as Appendix "A" and as follows:

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

The motion was put and passed.

2) Amendments to Ordinance Number 19 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell  
that, as recommended by the Finance and Executive Committee,  
Council give **SECOND READING** to the amendments to Ordinance Number  
19, the Bill Posters Ordinance, attached to the January 4, 1988  
staff report as Appendix "A" and as follows:

1. Section 5 of said Ordinance 19 is amended  
by deleting the words, numbers and symbols  
"One Hundred Dollars (\$100.00)" from the second  
line thereof and by substituting therefor the  
words, numbers and symbols "One Hundred and  
Five Dollars (\$105.00)."

The motion was put and passed.

3) Amendments to Ordinance Number 132 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell  
that, as recommended by the Finance and Executive Committee,  
Council give **SECOND READING** to the amendments to Ordinance Number  
132, the Plumbing Ordinance, attached as Appendix "A" to the  
January 4, 1988 staff report and as follows:

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

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words, numbers and symbols "seventy-five dollars (\$75.00)" from the fourth line thereof and by substituting therefor the words, numbers and symbols "one hundred dollars (\$100.00)."

The motion was put and passed.

4) Amendments to Ordinance Number 138 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council give **SECOND READING** to the amendments proposed for Ordinance 138, the Tax Certificate Ordinance, attached as Appendix "A" to the January 4, 1988 staff report and as follows:

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

The motion was put and passed.

5) Amendments to Ordinance Number 146 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council give **SECOND READING** to the amendments to Ordinance Number 146, the Auctioneer's Ordinance, attached as Appendix "A" to the January 4, 1988 staff report and as follows:

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

(2) Clause (b) of said Subsection (4) is amended by deleting the numbers and symbols "\$510.00" from the first line thereof, and by substituting therefor the numbers and symbols "\$530.00."

The motion was put and passed.

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6) Amendments to Ordinance Number 149 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council give SECOND READING to the amendments to Ordinance Number 149, the Petty Trades Ordinance, attached as Appendix "A" to the January 4, 1988 staff report.

The motion was put and passed.

7) Amendments to Ordinance Number 151 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council give SECOND READING to the amendments to Ordinance Number 151, the Automatic Machines Ordinance, attached as Appendix "A" to the January 4, 1988 staff report and as follows:

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

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

The motion was put and passed.

8) Amendments to Ordinance Number 130 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council give SECOND READING to the amendments to Ordinance Number 130, the Electrical Ordinance, attached as Appendix "A" to the January 4, 1988 staff report and as follows:

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



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by substituting therefor the words, numbers and symbols "one hundred dollars (\$100.00)."

The motion was put and passed.

9) Amendments to Ordinance Number 43 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council give SECOND READING to the amendments to Ordinance Number 43, the Pawnbrokers Ordinance, attached as Appendix "A" to the January 4, 1988 staff report and as follows:

1. Clause (a) of Section 14A of said Ordinance 19 is amended by deleting the words, numbers and symbols "Three Hundred and Five Dollars (\$305.00)" from the second line thereof, and by substituting therefor the words, numbers and symbols "Three Hundred and Fifteen Dollars (\$315.00)."

The motion was put and passed .

10) Amendments to Ordinance Number 17 - SECOND READING

MOVED by Alderman Leiper, seconded by Alderman Cromwell that, as recommended by the Finance and Executive Committee, Council give SECOND READING to the amendments to Ordinance Number 17, the Junk Dealers Ordinance, attached as Appendix "A" to the January 4, 1988 staff report and as follows:

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

The motion was put and passed.

Request for Grant - Halifax Schools Honour Choir

This matter had been deferred from an earlier part of the meeting's agenda, pending the arrival of Mr. B. G. Smith, Director of Finance.

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A report, dated February 11, 1988, was submitted by Alderman N. P. Meagher, Chairman of the Tax Concessions and Grants Committee.

MOVED by Alderman Meagher, seconded by Alderman Deborah Grant that Council approve a grant in the amount of \$1,000.00 towards the transportation costs of the Halifax Schools Honour Choir.

In making this motion, Alderman Meagher expressed his appreciation to Mrs. Kay Pottie for the work she has undertaken with regard to the City's school choirs.

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

Report - Proposed Regional Transit Committee By-law

A report from Alderman A. Hamshaw, Chairman, Transit Advisory Committee, dated February 11, 1988 was submitted.

Alderman Flynn noted that there were two recommendations contained within the report and indicated that he would deal with these separately.

MOVED by Alderman Flynn, seconded by Alderman D. Grant that adoption of the Proposed Regional Transit Committee By-law be refused by City Council and further that the present situation (each of the participating municipalities having their own Transit Advisory Committee) be continued.

Motion passed.

MOVED by Alderman Flynn, seconded by Alderman Leiper that the terms of reference of the Transit Advisory Committee be amended to provide that the Committee will be composed of four Alderman, two of whom will be Council's representatives's on Metropolitan Authority, and four citizen representatives (two from the Peninsula area of the City and two from the Mainland area of the City), one of whom will act as Chairman of the Committee, and further that the Committee will meet at the call of the chair but, at least six times annually and that the appointments to the Committee be made at the next meeting of City Council to be held on February 25, 1988.

Alderman Flynn addressed the matter indicating the Committee had put this matter forward to Council this evening rather than at next Wednesday's Committee of the Whole due to the fact that there was some urgency to hold a public meeting in relation to the ongoing route review. Alderman Flynn noted that Metropolitan Authority would be seeking public input into the route review in the near future and were proposing that the public

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input process be completed by the end of March. Alderman Flynn went on to note that the recommendation proposed a new composition for the Transit Advisory Committee and requested that appointments to that Committee be made at the next meeting of Council for that reason.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on February 3, 1988, as follows:

Case No. 5190 - Cost Sharing - Langbrae Gardens Subdivision  
Phase 2A (Kilibirnie Lane)

MOVED by Alderman Hamshaw, seconded by Alderman Leiper  
that, as recommended by the City Planning Committee, City Council:

- 1) agree to cost-share in the construction of the extension of the collector roadway, Langbrae Drive, in connection with Phase 2A of the Langbrae Gardens Subdivision in the amount of \$18,905; and
- 2) request staff to undertake a reappraisal of the existing cost-sharing policy.

Motion passed.

Case No. 5342 - Contract Development - Lands of Kidston Glass  
Company Limited, Brunswick Street - SET DATE FOR PUBLIC  
HEARING

MOVED by Alderman Downey, seconded by Alderman O'Malley  
that, as recommended by the City Planning Committee,  
that a public hearing be scheduled to consider a proposed development agreement to permit a portion of Lots C3 and E, and Lots D and F of the lands of Kidston Glass Company Limited to be developed in accordance with the provisions of the C-2-V (General Business - View Plane) Zone (the said lands being identified on Sketch 1 of the staff report, dated January 13, 1988).

Motion passed.

The City Clerk advised that the date for the Public Hearing was set as Wednesday, March 9, 1988 in the Council Chamber, City Hall beginning at 7:30 p.m.

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Case No. 5306 - Cost-Sharing - Keystone Court Subdivision

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Walker that, as recommended by the City Planning Committee, City Council approve the cost-sharing of the construction of the oversize storm and sanitary sewer systems in connection with the Keystone Court Subdivision in the amount of \$17,207.63, based on the actual costs.

Motion passed.

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

This matter was deferred to the this meeting from the January 28, 1988 meeting of City Council.

A staff report dated February 8, 1988 with attached correspondence dated February 1, 1988 from the applicant, Mr. Ralph Alphonse, was submitted.

Alderman Jeffrey addressed the matter indicating he had put forward the motion to defer in order that he might have an opportunity to discuss this matter with staff and the applicant. Alderman Jeffrey noted that a letter had been received from Mr. Alphonse indicating that he was willing to comply with the conditions discussed at the January 28, 1988 Council meeting.

Alderman Jeffrey went on to refer to the objections raised in relation to the location of the 14 unit building in the area and indicated that Council had approved a resolution requesting the Planning Advisory Committee to review the areas affected and advise on whether such rezonings should still be considered or whether a zoning change should take place to reduce the development potential under the R-2AM Zone. Alderman Jeffrey went on to note that area residents were particularly concerned with traffic on McFatrige Road; however, he suggested that the sidewalks proposed for McFatrige Road would serve to improve the situation and provide a reasonable level of safety. Alderman Jeffrey further referred to the proposed closure of the Titus Smith School and noted that the development was to contain two bedroom units which would mean, in all likelihood, that there would be more children in the area.

Quoting from the staff report, Alderman Jeffrey indicated that the proposal meets the requirements of the Planning Strategy and further indicated that he felt he must act consistently in relation to this matter and put forward a motion to approve the development. Alderman Jeffrey noted, however, that should rezoning applications come forward in the future he would not be as willing to quickly approve the application. Alderman Jeffrey noted that he was hopeful that the Planning Advisory

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Committee would act quickly on the matter of rezoning in this area.

MOVED by Alderman Jeffrey, seconded by Alderman Hamshaw that Council approve the application to rezone the property located at Civic No. 1 Alma Crescent (Lot 27) and a rear portion of the property located at 3 Alma Crescent (Lot 26) from R-2P, General Residential Zone, to R-2AM, General Residential Conversion and Townhouse Zone to permit the construction of a 14-unit apartment building.

A brief questioning of staff ensued with Alderman Leiper addressing the matter and urging Council to reflect upon the concerns raised by the areas residents and the ongoing traffic problems in the Mainland North area.

In response to a question from Alderman Leiper, the City Clerk advised that all members of Council were present at the hearing.

The motion was put and passed with Alderman Leiper voting against the motion.

Case No. 5376 - Development Agreement - 2093 Creighton Street

MOVED by Alderman Downey, seconded by Alderman Cromwell that, as recommended by the City Planning Committee, City Council approve:

- 1) the application for approval of a contract development pursuant to Schedule "C," Section 83 of the Land Use Bylaw, Peninsula Area, to permit a four-unit apartment building on the property known as Civic No. 2093 Creighton Street (as shown on the revised Plans No. P200/16476, 16477, 16210, 16211 and 16212 of Case No. 5376) be approved;
- 2) the contract shall be signed within 120 days or any extension thereof by Council on request of the applicant from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including any applicable appeal periods; otherwise, this contract approval will be void and obligations arising hereunder shall be at an end;
- 3) the problems brought to light with this proposal be reconsidered by the Planning Advisory Committee.

Motion passed with Aldermen Jeffrey, Leiper and Hamshaw abstaining due to non-attendance at the public hearing.

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MOTIONS

Motion Alderman Jeffrey re: Ordinance Number 183, the Wastewater Discharge Ordinance - FIRST READING

Alderman Jeffrey gave Notice of Motion at the January 28, 1988 meeting of City Council of his intention to introduce First Reading of a new Ordinance 183, the Wastewater Discharge Ordinance.

A report dated January 21, 1988 from D. F. Murphy, Q.C., City Solicitor, was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Hamshaw that City Council give FIRST READING to proposed Ordinance Number 183, the Wastewater Discharge Ordinance in the form attached as Appendix "A" to the January 21, 1988 staff report and refer the said Ordinance to the next meeting of the Committee of the Whole Council for consideration and report.

Motion passed.

Motion Alderman O'Malley re: Amendment to Ordinance Number 110, the Halifax Deed Transfer Tax Ordinance - FIRST READING

Alderman O'Malley gave Notice of Motion at the January 28, 1988 meeting of City Council of his intention to introduce First Reading of an amendment to Ordinance 110, the Halifax Deed Transfer Tax Ordinance.

MOVED by Alderman O'Malley, seconded by Deputy Mayor Walker that City Council give FIRST READING to the proposed amendment to Ordinance 110, the Deed Transfer Tax Ordinance, as follows, and refer the said amendment to the next meeting of the Committee of the Whole Council for consideration and report:

Ordinance 110, the Halifax Deed Transfer Tax Ordinance, as enacted by Halifax City Council on the 27th day of August, 1964 and approved by the Minister of Municipal Affairs on the 13th day of May, 1977, and as amended is further amended as follows:

1. Section 3 of said Ordinance 110 is amended by deleting the word "one" from the third line thereof and by substituting therefor the words "one and one-quarter"

Motion passed.

MISCELLANEOUS BUSINESS

Snow Clearing Program - Establishment of Snow Committee

This matter was deferred to this meeting from the February 3, 1988 Works Committee.

Alderman O'Malley addressed the matter indicating that this item had appeared on the agenda a number of times recently. Alderman O'Malley indicated that snow clearing was a problem of great magnitude to seniors. Alderman O'Malley indicated that he had three of four particular concerns and indicated that he would like the City Engineering and Works Department to review these matters in detail.

Alderman O'Malley went on to note that during snowstorms city staff found it impossible to wing back the snow completely on the first pass. Alderman O'Malley indicated that in some instances it took two to three passes to push the snow back completely. Alderman O'Malley noted that this often resulted in snow being pushed back onto sidewalks which had already been cleared. Alderman O'Malley went on to note that this required the homeowner to shovel the sidewalk sometimes two or three times. Alderman O'Malley went on to note that in many instances seniors, due to age and health, were unable to shovel their snow in the best of situations and indicated that after two or three passes by the snowplow the snow often becomes so icy that it is impossible for a senior to move.

Alderman O'Malley referred to the volunteer program in relation to shovelling snow for seniors and indicated that, through investigation, he had determined that certain areas of the City had no such volunteers. Alderman O'Malley went on to note that most of the volunteers were between the ages of 12 and 14 and would not be able to shovel the icy snow he had mentioned previously. Alderman O'Malley noted that this being the case, seniors must find an available adult to shovel the snow and pay for the removal of the snow. Alderman O'Malley quoted an instance in which a particular senior had hired an adult to shovel his sidewalk on three different occasions after one snowstorm at a cost of \$60.00. Alderman O'Malley indicated that seniors on fixed income could not afford to pay someone this amount of money to clear their sidewalks.

Alderman O'Malley indicated that he would like staff to look into, in instances where a pass by the snowplow has rolled the snow back onto the sidewalk, making a provision allowing for the removal of the snow rolled back on the sidewalk. Alderman O'Malley further requested that staff look into the possibility of ensuring that wherever possible the street is cleared curb to curb on the first pass. Alderman O'Malley indicated that he recognized the inherent difficulties with this proposal given the



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number of streets in the City and the amount of equipment operated by the City; however, he indicated that some effort must be made to ensure that City residents do not have to shovel out time after time.

Alderman O'Malley then referred to the changing demographics of the City noting that there were more and more seniors living on their own. Alderman O'Malley went on to stress that many seniors were unable to shovel and could not afford to pay someone to shovel their driveways and sidewalks. Alderman O'Malley noted that the situation as it stands is not acceptable and noted that something must be done to aid these seniors whether through Social Services or some other means.

Alderman O'Malley then referred to the possibility of reverse plowing toward boulevards and noted that this type of plowing should be carried out wherever possible in the City. Alderman O'Malley indicated that he was aware that a certain amount was being carried out in the City; however, he felt that a greater effort must be put into this practice. Alderman O'Malley indicated that this might require cutting off the traffic to certain streets and noted that should there be such a requirement, staff should be given the authority to take such action.

Alderman O'Malley further indicated that all the Aldermen of the City took a number of phone calls in relation to snow removal. Alderman O'Malley indicated that he would like staff to look into setting up a system whereby an Alderman can contact the supervisor of snow removal in his area directly. Alderman O'Malley indicated that in this way the Aldermen can respond to questions from citizens on an informed basis. Alderman O'Malley further noted that he would like to be introduced to the supervisor of snow removal in his area and develop a working relationship with this individual.

His Worship indicated that the Snow Committee would look into the concerns and requests brought forward by Alderman O'Malley.

#### Appointments

A report dated February 11, 1988 from His Worship the Mayor was submitted.

MOVED by Alderman Cromwell, seconded by Alderman Meagher that City Council approve appointments, as follows, to the indicated Boards, Committees and Commissions:

#### HALIFAX INDUSTRIAL COMMISSION

Alderman Gerald O'Malley  
Dean Salsman

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George Cooper  
Bob Hemming  
Gordon Stanfield  
David Hyndman

Term to expire February 14, 1991

HALIFAX NATAL DAY COMMITTEE

Alderman Deborah Grant  
Alderman Richard Grant  
John Bulley  
Don Buck  
Doug Mitchell  
Bernie Hum  
Gary Manthorne  
Joan Power  
Sean Hennessey

Term to expire February 14, 1991

HALIFAX FORUM COMMISSION

Christopher Spurdakes  
Ron Hanson

Term to expire February 14, 1989

HALIFAX RECREATION COMMITTEE

Rob Stewart

Term to expire February 14, 1991

Marjorie Ferguson

Term to expire February 28, 1991

HALIFAX WATER COMMISSION

Les Kirkpatrick  
Dan Clarke

Term to expire February 14, 1991

NOMINATING COMMITTEE - HALIFAX HOUSING AUTHORITY BOARD

Brenda Shannon

Motion passed.

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Alderman Cromwell addressed the matter noting that he felt that Council should reaffirm its policy in relation to appointments to Boards and Commissions. Alderman Cromwell noted that Council had approved a resolution providing that citizen appointees to Boards and Commission may only serve two terms or a total of six years on any given Board. Alderman Cromwell indicated that this policy did not suggest that the present members of Boards and Commissions were not doing a good job but, rather encouraged more residents of the City to serve on City Boards and Commissions.

MOVED by Alderman Cromwell, seconded by Alderman Leiper that the Mayor write to the Chairmen of City Boards/Committees/Commissions advising that City Council has reaffirmed its policy that:

1. appointments will be made for one year except when legislation dictates otherwise;
2. all appointments will be subject to review in November 1988; and
3. no appointee will serve more than two consecutive terms, in no case to exceed six years.

Motion passed.

Recommendation - Audit Committee

A report dated February 11, 1988 from His Worship the Mayor was submitted.

MOVED by Alderman O'Malley, seconded by Alderman R. Grant that, as recommended by the Audit Committee, the City Auditor General be granted the same financial authority as all other Department Heads within the City's administration.

Motion passed.

Provincial - Cost Sharing Agreement No. 40

A staff report dated February 1, 1988 was submitted.

MOVED by Alderman Downey, seconded by Alderman Hamshaw that Council:

1. approve this cost sharing Agreement No. 40 as outlined in the February 1, 1988 staff report; and
2. authorize His Worship the Mayor and City Clerk to sign this proposed Agreement No. 40 (see letter of request

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attached as Appendix "A" to the February 11, 1988 staff report) so that the Minister of Transportation may finalize legal documentation.

Motion passed.

#### QUESTIONS

Question Deputy Mayor Walker re: Improvement of Driveway Around Citadel Hill

Deputy Mayor Walker referred to the poor condition of the driveway around Citadel Hill noting that he had received a few comments in relation to the condition of this driveway. Deputy Mayor Walker asked if the City had any responsibility in this matter and, if not, asked that Parks Canada be requested to repair the driveway as soon as possible in the Spring. Deputy Mayor Walker further indicated that he would like to request that Parks Canada consider the resurfacing of the entire driveway.

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

Question Alderman Jeffrey re: Resident of Parkhaven Manor

Alderman Jeffrey referred to a situation which had come to his attention in relation to a gentleman presently living at Parkhaven Manor. Alderman Jeffrey noted that as a result of a severe heart attack this man was completely paralyzed and has been living at Parkhaven since becoming paralyzed. Alderman Jeffrey indicated that this gentleman's mother occasionally takes him home for one or two days at a time; however, she has recently been advised that she is not allowed to continue with this practice.

Alderman Jeffrey went on to note that the gentleman was receiving family benefits through Social Services; however, he has recently been advised, by correspondence dated February 5, 1988 from Mr. John M. Webb, Nova Scotia Department of Social Services, that he is no longer eligible for these benefits and they will be discontinued as of March 1, 1988. Alderman Jeffrey noted the correspondence advised that the funds were being discontinued as the gentleman has become eligible for Canada Pension. Alderman Jeffrey indicated that he would like to know if the amount received from Canada Pension would equal the family benefits the gentleman was presently receiving.

Alderman Jeffrey then went on to advise that the gentleman received something in the order of \$79 as a comfort allowance and that the gentleman's mother purchased all his personal needs for him as she has been advised that the comfort

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allowance was for her son's use only. Alderman Jeffrey indicated that when the gentleman's mother asked about the comfort allowance she was advised that the gentleman has spent it all in candy. Alderman Jeffrey indicated that he would like to know what the policy in relation to the comfort allowance is at Parkhaven and indicated that it was his understanding that in other manors members of the family do have access to this money to purchase the patient his/her personal needs.

Alderman Jeffrey submitted the letter to the gentleman in question from the Provincial Department of Social Services and asked that it be forwarded to Mr. Crowell, Director of Social Planning, with a request that he review the situation and advise accordingly as soon as possible.

Question Alderman Downey re: Petition - Crosswalk - Seaview  
Co-op

Alderman Downey referred to a petition that he had submitted in relation to the location of a crosswalk from the Seaview Co-op across Barrington Street to the bus stop and noted that he had not received a report in relation to this matter. Alderman Downey requested that the report be submitted to Council as soon as possible.

Question Alderman Downey re: Repair of Potholes on City Street

Alderman Downey referred to the number of potholes on City streets and asked if Engineering and Works was attempting to patch any of these. Alderman Downey indicated that one gentleman had severely damaged the front end of his car as a result of a pothole and was presently having discussions with the Legal Department in relation to the City's liability. Alderman Downey asked when staff would begin work on the potholes and requested that he be provided with a report in this regard.

The City Manager addressed the matter noting that the older pavement within the City was breaking up due to the weather conditions. The City Manager noted that although City staff was trying to patch these potholes, the patching did not last long due to the weather. The City Manager went on to note that residents knowing of a particularly severe pothole should advise the Engineering and Works Department of the location. The City Manager further indicated that he did not believe the City would be responsible for damage done to a vehicle under these conditions as there was no negligence on the part of the City and the condition of the streets was as a result of ordinary wear and tear given the weather conditions. The City Manager indicated that he could only advise motorist to drive carefully in an attempt to avoid damage to their cars.

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Question Alderman Flynn re: Review of Administrative Order  
#16 respecting Private Sewer Blocked by Roots of City Trees

Alderman Flynn referred to the process involved in relation to Administrative Order #16 regarding private sewers blocked by City trees and requested that a review of this process be placed on the agenda of an upcoming Committee of the Whole Council.

Question Alderman Cromwell re: Meeting with Industrial  
Commission

Alderman Cromwell noted that it has been some time since Council met with the Industrial Commission to review their activities. Alderman Cromwell requested that a meeting be established with the Industrial Commission to discuss what they have done in 1987 and what they are proposing for 1988. Alderman Cromwell indicated that he did not wish to give the impression that this would be anything other than a positive session with the Industrial Commission.

The Chairman indicated that such a meeting would be established as soon as possible.

Question Alderman Leiper re: Letter from CHNS re Tendering  
of Natal Day Concert

Alderman Leiper referred to a letter received from CHNS expressing concern that the Natal Day Committee has decided to tender for the Natal Day Concert this year. Alderman Leiper indicated that the letter suggested that the Committee was being unfair given that CHNS had provided the concert free of charge for so many years. Alderman Leiper requested a report from the Committee explaining why they had decided to tender the concert this year.

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

Question Alderman O'Malley re: Section 164(1)(a) Assessment Act

Alderman O'Malley indicated that he would like to direct a question to the Legal Department regarding Section 164(1)(a) of the Assessment Act regarding Right of Sale. Alderman O'Malley indicated that the municipality is given the authority to proceed with the sale of a property after a certain time has passed and the taxes on the property remain unpaid. Alderman O'Malley further noted that the Act provided that the municipality may also incorporate all costs involved in the sale in the sale price.

Alderman O'Malley indicated that he had one basic difficulty in this regard. Alderman O'Malley noted that the

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process to prepare for the sale of the property begins in April (preceding the end of the fiscal year after which the municipality may sell the property for past due taxes) with a deed search. Alderman O'Malley went on to note that should the taxes be paid prior to the end of the fiscal year, the property owner is being billed in relation to the cost of the deed search. Alderman O'Malley indicated that, in his opinion, there was no substantiation for such a cost to be levied against the property owner. Alderman O'Malley went on to suggest that if the City wished to include this amount in the cost of the sale, they should not undertake the deed search until after they have right of sale, such time being after the end of the fiscal year.

Alderman O'Malley went on to note that all property owners are billed \$150.00 in this regard and asked if all deed searches would be equal in value. Alderman O'Malley asked if the deed search on a property worth 10 million dollars was equivalent to that of a deed search on a 35-55 thousand dollar property. Alderman O'Malley requested a report from the legal department interpreting this section of the Act and advising Council as to whether there is any legal basis for billing the owner for the deed search.

Alderman O'Malley went on to note that residents receiving this bill are not fully aware of what the bill is for and asked if, when any resident has committed an infraction against a city law, this law be quoted in any correspondence being forwarded to that individual in relation to his/her infraction.

Question Alderman Meagher re: 1988 Assessment

Alderman Meagher requested a report from the Director of Finance in relation to 1988 Assessments. Alderman Meagher noted that in certain sections of the City in which the homes are fairly expensive there has been a trend toward a fairly substantial reduction in the 1988 assessment over the 1987 assessment. Alderman Meagher went on to note that properties in the central area of the City which received a substantial increase in assessment in 1987 are experiencing a further increase in 1988. Alderman Meagher requested that the Director of Finance report with regard to what is happening with assessments across the City. Alderman Meagher further requested that this matter be placed on the agenda for the next meeting of the Committee of the Whole Council to be held on Wednesday, February 17, 1988.

Question Alderman R. Grant re: Request to Aldermen - Guidelines for Use of Halifax Hall

Alderman R. Grant referred to correspondence dated February 8, 1988 directed to members of Council from His Worship the Mayor regarding restrictions and guidelines for the use of Halifax Hall. Alderman R. Grant noted that the letter requested



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that the Alderman submit their comments and views in relation to restrictions/guidelines in relation to the use of Halifax Hall. Alderman R. Grant requested that all Aldermen respond to this request before the middle of March.

Question Alderman R. Grant re: Clearing of Snow at Intersections

Alderman R. Grant referred to those intersections where there are traffic lights and noted that there was some problem with an accumulation of snow at these intersections. Alderman R. Grant further noted that residents had particular difficulty in accessing the crosswalks at these intersections. Alderman R. Grant indicated that in light of the increasing problem of liability of cities, it behooved the City to ensure that these intersections were kept clear of snow. Alderman R. Grant requested that staff make every effort to ensure that snow was removed from those intersections at which traffic lights were located, particularly where there is a crosswalk.

NOTICE OF MOTIONS

Notice of Motion Alderman Cromwell re: Amendment to Ordinance Number 121, the Retail Shop Closing Ordinance

Alderman Cromwell gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on February 25, 1988 he proposes to introduce First Reading of an amendment to Ordinance 121, the Retail Shop Closing Ordinance. Alderman Cromwell indicated that the purpose of this amendment was to set the limit on the size of corner grocery or convenience stores which would be permitted to remain open until midnight at 1500 square feet and to remove the duplication between Section 4 of Ordinance 121 and the Provincial Retail Business Closing Day Act by repealing Section 4 of the Ordinance enacting a new Section 4 which deals only with Halifax Natal Day.

ADDED ITEMS

Heritage Day

This matter was added to the agenda at the request of the City Clerk. A report from His Worship the Mayor dated February 10, 1988 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Leiper that City Council proclaim Monday, February 15 as Heritage Day in Halifax and urge citizens to join in the various events scheduled for that week.

Alderman D. Grant referred to correspondence received in relation to Heritage Day and indicated that the correspondence

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included a request that Council discuss the aims and objectives outlined in the correspondence at the February 17, 1988 Committee of the Whole. Alderman D. Grant indicated that Council, believing in Heritage, should discuss this at the next meeting of the Committee of the Whole Council.

His Worship indicated that this matter would be brought forward at the next meeting of the Committee of the Whole Council.

Naming of Mainland North Library - Alderman Leiper

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

Alderman Leiper referred to the Information Report dated February 10, 1988 in relation to the naming of the Mainland North Library and indicated that she agreed with the Library Board that the name 'Mainland North Library' might cause confusion for users due to the existing North Branch Library located on Gottingen Street.

MOVED by Alderman Leiper, seconded by Alderman Hamshaw that Council endorse the procedure recommended by the Board (to carry out a public competition with entries to be judged by a special selection committee) for choosing a distinctive local name for the new branch library and further that prior to any final decision being made that the entries be submitted to Council for consideration.

Motion passed.

5781-87 Sarah Street - Alderman Meagher

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

Alderman Meagher addressed the matter indicating that this matter had been discussed at a recent Planning Advisory Committee. Alderman Meagher indicated that the Planning Advisory Committee had denied an application by the owner of Rapid Action Delivery to use 5781-87 for parking. Alderman Meagher went on to note that it was his understanding that staff has advised the owner that he must discontinue using this area as a parking lot as of February 28, 1988.

Alderman Meagher went on to note that Rapid Action Delivery employed some 85 persons and that the property in question was used for rental parking. Alderman Meagher indicated that there was very little parking in the Sarah Street area and that this parking area was very important to the area. Alderman Meagher requested that this matter be placed on the agenda of the Committee of the Whole Council with a view to developing a

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contract whereby the parking lot use of the property could be continued. Alderman Meagher went on to note that he felt that should Rapid Action Delivery lose the use of the parking lot, they will be forced to move out of the area. Alderman Meagher requested that Legal prepare a report for the next meeting of the Committee of the Whole Council regarding what, if any action, can be taken to allow Rapid Action Delivery to use this area as a parking lot.

Tree Trimming - Nova Scotia Power Corporation - Alderman Flynn

Alderman Flynn indicated that he would like staff to review the policy in relation to the cutting back of city trees when Nova Scotia Power is installing power lines. Alderman Flynn indicated that Nova Scotia Power had just completed some line work in the Westmount Subdivision and, in doing the work, had cut back many of the trees in the Westmount Subdivision to what he considered an unreasonable level. Alderman Flynn indicated that in many cases it would take a full generation of growth to replenish the foliage in the area.

Alderman Flynn indicated that he felt Nova Scotia Power was indiscriminately pruning trees so that it will not be necessary to carry out trimming every two years. Alderman Flynn went on to note that he had spoken with Engineering and Works and Parks and Grounds in relation to this matter and they had indicated they were satisfied with the situation. Alderman Flynn indicated that he was not satisfied with the situation and wanted the policy in this regard reviewed.

His Worship indicated that a report from both city staff and the Power Commission would be provided to Council in regard to this situation.

Alderman Flynn addressed the matter once more indicating that he would like some action taken to prevent any further destruction of trees throughout the City.

Alderman D. Grant addressed the matter indicating that she concurred with Alderman Flynn's statements and noting that the Power Corporation had carried out extensive tree pruning on Belmont, Beaufort and Inglis Streets. Alderman D. Grant indicated that it was obvious that the Power Corporation had no idea of the proper way to prune a tree. Alderman D. Grant went on to note that she had complained to the authorities to no avail.

Alderman Meagher addressed the matter suggesting that Council should invite representatives of the Power Corporation to attend a Committee of the Whole to discuss this matter.

His Worship indicated that staff would follow-up on this matter immediately.

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10:15 p.m. The meeting adjourned.

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

E.A. KERR  
CITY CLERK

\*K/sh