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**SPECIAL COUNCIL
PUBLIC HEARING
MINUTES**

Council Chamber
City Hall
Halifax, Nova Scotia
4 January 1989
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 joined in reciting the Lord's Prayer.

PRESENT: Deputy Mayor Richard Grant, Chairman; and Aldermen, Fitzgerald, Downey, Meagher, O'Malley, Pottier, Hanson, Jeffrey, Leiper, and Stone.

ALSO PRESENT: City Manager, W. Anstey (representing the City Solicitor), City Clerk, and other members of staff.

**Public Hearing - Case No. 5688 - Contract Development - 2114
Creighton Street**

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

Mr. Gary Porter, Planner, Development and Planning Department, addressed Council and outlined the application from Parklin Developments Ltd. for a contract development to permit construction of a four unit building at 2114 Creighton Street (as illustrated in the staff report dated 10 November 1988).

The Applicant, Mr. Chris Von Maltzahn, residing at 2076 Kline Street, addressed Council. Mr. Von Maltzahn explained that the proposed building contains four two storey two bedroom units. He noted that the site is on Creighton Street and is presently vacant. Mr. Von Maltzahn indicated, as stated in the staff report of 10 November 1989, that the property is located in an R-3 zone under Schedule "3" and is covered by the Peninsula North Secondary Planning Strategy. He went on to note that the project proposes to cover 28.7 percent of the site with 72 percent left free for open space. Mr. Von Maltzahn pointed out that the City had already granted permission in this neighbourhood to several projects of similar or higher density than the one proposed. He therefore suggested that a number of precedents exist for this density within the immediate neighbourhood. Mr. Von Maltzahn indicated that the proposed project is complimentary to the residential character of the

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neighbourhood and asked for Council's approval to develop the site in question as described in the 10 November 1989 staff report.

There were no further persons present wishing to address Council.

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

Motion passed.

Public Hearing - Case No. 5682 - Development Agreement -
44 Frederick Avenue

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

7:40 p.m. Alderman Deborah Grant enters the meeting.

Mr. C.J. Reddy, Planner, Development and Planning Department, addressed Council and outlined the application for a development agreement under Section 12 of the Land Use Bylaw (Mainland area) to permit a modification of lot size of two existing lots at 44 Frederick Avenue (as illustrated in the staff report of 8 November 1988).

In response to a question from Alderman Jeffrey, Mr. Reddy advised that the application did not include a specific development proposal for the site in question at the moment.

Mr. Arnold Kelly, residing at 119 Coronation Avenue, addressed Council and advised that he was the owner of the property located at 44 Frederick Avenue. Mr. Kelly advised that he had spoken to the neighbours of the area and basically received their endorsement for this application. Mr. Kelly indicated that he wanted to develop the property in question as an R-2 lot.

Alderman Jeffrey inquired whether or not Mr. Kelly had any plans to build the duplex or single family dwelling on a slab. Alderman Jeffrey noted that this was a concern of the residents in the area.

Responding to Alderman Jeffrey's concern, Mr. Kelly advised that the property runs on quite a slope and consequently would need to come down to street level. Mr.

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Kelly suggested that the property would not be built on a slab.

Mr. Danny Clarke, residing at 42 Frederick Avenue, addressed Council and suggested that he would be the one most affected by the proposed lot modification. Mr. Clarke expressed concern with respect to his property value. He noted that a pool is located in his back yard and suggested that a duplex or single family dwelling would take away from the privacy which he had spent thousands of dollars to try and ensure. Mr. Clarke also expressed concern with respect to parking and suggested that two driveways would add to the parking problem. Mr. Clarke went on to request that some stipulations be placed on the development scheme for the property if the land modification was approved. He asked that the lot grade be brought down to at least the street level and that only a single storey building be allowed if the lot is to be developed. Mr. Clarke also expressed concern with respect to drainage problems and asked that consideration be given to allowing only one driveway as opposed to two for the property in question. Mr. Clarke suggested that he would prefer a hard surfaced driveway to reduce dust in the area.

Mr. Clarke responded to a number of query's from members of Council.

Mr. Dave Melvin, residing at 33 Rosedale Avenue, addressed Council and expressed concern with respect to building a two storey unit on the site in question. Mr. Melvin suggested that a two storey unit would interfere with his privacy. Mr. Melvin also expressed concern with respect to the dust which would result from additional traffic.

There were no further persons wishing to address Council.

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

Motion passed.

A petition containing approximately eleven names in favour of the application was submitted (a copy of which is included in the official file for this meeting).

Public Hearing - Amendments to the Municipal Development Plan & Land Use Bylaw (South St. near Victoria General Hospital)

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

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A supplementary staff report dated 3 January 1989 was submitted. Staff reports dated 7 December 1988 and 1 November 1988 were submitted previous to this meeting.

Mr. Joe Gallivan, Planner, Development and Planning Department, addressed Council and, with the aid of slides, outlined the proposed amendments to the Municipal Planning Strategy and Land Use Bylaw to accommodate a development proposed by the Canadian Cancer Society for South Street (as illustrated in the staff report dated 3 January 1989).

Mr. Ronald Pink, Solicitor for the Canadian Cancer Society, addressed Council and extended his sincerest thanks on behalf of the Society to Mayor Wallace and the members of Council who have had consistent faith in this project. Mr. Pink indicated that it was the hope of the Cancer Society to fulfil a life long dream that would provide Nova Scotian residents with a facility in close proximity to the Victoria General Hospital and its cancer treatment facilities. Mr. Pink briefly described the application as reviewed by staff and asked for Council's support in favour of the application.

There were no further persons present wishing to address Council.

MOVED by Alderman Deborah Grant, seconded by Alderman Fitzgerald that the following be approved:

BE IT ENACTED by the Council of the City of Halifax pursuant to the Planning Act, Statutes of Nova Scotia 1983, c.9 that the Municipal Planning Strategy as adopted by Halifax City Council on the 30th day of May, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, as amended, is hereby amended as follows:

1. Section V of the Municipal Planning Strategy is amended by adding new policies 7.6.2 and 7.6.3 as follows:
 - 7.6.2 For those properties designated "High Density Residential: fronting on South Street between the Gorsebrook lands and Tower Road, Council may permit, by development agreement, an office of a nonprofit medical or medical and rehabilitative organization to be located at or below the ground floor of a residential structure.
 - 7.6.3 Proposals under Policy 7.6.2 shall be evaluated against the following criteria:

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(a) that parking is adequate for both the residential use and the office use;

(b) that adjacent residential uses are not unduly affected as a result of hours of operation, location, parking, and lighting.

BE IT ENACTED by the Council of the City of Halifax pursuant to the Planning Act, Statutes of Nova Scotia, 1983 c.9 that the Land Use Bylaw as adopted by Halifax City Council on the 30th day of March, 1978 and approved by the Minister of Municipal Affairs on the 11th day of August, 1978, as amended, is hereby further amended as follows:

1. The Land Use Bylaw (Peninsula Area) is amended by adding to Section 16AA a new clause (p) as follows:

16AA(p) Council may, by development agreement pursuant to Policies 7.6.2 and 7.6.3 of Section V of the Municipal Planning Strategy, permit, an office of a nonprofit medical or medical and rehabilitative organization to be located at or below the ground floor of a residential structure, for those properties zoned R-3 (Multiple Dwelling) fronting on South Street between the Gorsebrook lands and Tower Road provided all other provisions of the R-3 zone are met.

Motion passed.

Alderman D. Grant commented that she was very pleased that the application by the Canadian Cancer Society was approved and wished the Society good luck with its fund raising.

Public Hearing - Appeal of Variance Refusal - 6076 South Street

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

A staff report dated 9 December 1988 was submitted.

Mr. J. Michael Hanusiak, Acting Development Officer, addressed Council and outlined the reasons why the application for a minor variance of the lot frontage, lot area, front and side yard requirements of the Land Use Bylaw to allow an addition to the building at 6076 South Street and its retention as a three-unit apartment building was refused (as illustrated in the staff report dated 9 December 1988).

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Mr. Mark E. Ritchie, residing at 6076 South Street, addressed Council and presented photographs of the property in question. Referring to the photographs, Mr. Ritchie advised that there were four rooming houses on South Street running from Robie Street to Henry Street. He noted that the house in question was a fraternity house prior to being converted into a duplex and subsequently three units. Mr. Ritchie suggested that the variances requested were minor in nature. He explained that he was not putting an addition on the building or specifically adding living space. Mr. Ritchie pointed out, with the use of the photographs, what the proposed changes would do to the streetscape.

Alderman Fitzgerald expressed the concern that the building in question contains three units while its authorized use is a duplex. He noted that situations of this nature are occurring more and more in the City.

Responding to Alderman Fitzgerald's concern, Mr. Hanusiak advised that the three units were permitted under the Land Use Bylaw under 34E and that the property was purchased as three units. He further advised that the three units would be permitted without the granting of a variance but that the addition prohibits conversion. Mr. Hanusiak suggested that a system is currently being established that will monitor situations of this nature where additional units are added without authorization.

Eleanor Wengursky, residing at 6071 South Street, addressed Council and advised that the house in question was a fraternity the last time she was in contact with the Development and Planning Department. Ms. Wengursky expressed the concern that the building now consists of three living units although its authorized use is for a duplex. Ms. Wengursky went on to express concern with respect to parking. She explained that a large tree exists in the middle of one of the two parking spaces back against the back fence of the property. Ms. Wengursky further advised that both spaces are located on loose fill which was deposited in order to correct a slope problem at the back of the lot without any kind of retaining structure. She also expressed concern with regard to the grass in front of the building and suggested that it needed to be replaced. Ms. Wengursky suggested that the Development Officer was correct in refusing this application.

Alderman D. Grant asked whether or not the parking requirement was in existence and whether or not the soil was suitable to accommodate parking.

Responding to Alderman D. Grant's question, Mr. Hanusiak confirmed that the property could provide three

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parking spaces in accordance with the Land Use Bylaw. With regard to the issue of soil suitability and capability for parking, Mr. Hanusiak indicated that the matter could be referred to the Building Inspection Division and subsequently to Storm Water Management for review if the application was approved.

With the agreement of Council, Mr. Ritchie addressed Council for the second time and responded to a number of concerns raised by Ms. Wengursky. Mr. Ritchie agreed that the grass in front of the building was totally non-existent, but explained that it was impossible to maintain grass on this area due to the high volume of traffic. With regards to the concern expressed about the large tree in the middle of one of the parking lots, Mr. Ritchie advised that the tree would eventually be removed. Mr. Ritchie also advised that it was his intention to re-grade both the driveway and the parking spaces as part of the proposed development.

Mr. Mike Fearon, residing at 6080 South Street, addressed Council and advised that his property was a heritage building. Referring to plans, Mr. Fearon explained that his kitchen windows were at ground level and that there was barely enough room for a snow plough to clear the driveway. He suggested that the windows would be broken during snow removal because of the small space and would cause damage to the side of the house. Mr. Fearon went on to note that at least a foot of topsoil was added to the backyard of the property in 1981 without a retaining wall and, as a result, the earth was sliding out and the fence at the back of the property and at the side was collapsing. He therefore suggested that parking problems would arise as a result of the soil conditions. Mr. Fearon also noted that there had been considerable additions to the property during the last five years. Mr. Fearon expressed serious concern to the fact that the proposed addition would damage his property which was designated as a heritage property. In conclusion, Mr. Fearon urged Council to uphold the decision of the Development Officer to refuse the application.

There were no further persons present wishing to address Council.

MOVED by Alderman D. Grant, seconded by Alderman Fitzgerald that the matter be forwarded to Council without recommendation and that staff provide a report through the Engineering and Works Department and the Building Inspection Division about the grading of the land and the suitability of the land for parking in the back of the property.

Motion passed.

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8:45 p.m. The meeting adjourned.

DEPUTY MAYOR RICHARD GRANT
CHAIRMAN

/MMD

HEADLINES FOR CITY COUNCIL MINUTES
of 01/04/89

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

Council Chamber
City Hall
Halifax, Nova Scotia
12 January 1989
8:00 p.m.

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Richard Grant; and Aldermen Deborah Grant, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, Leiper, Flynn, and Stone.

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

MINUTES

Minutes of the regular meeting of City Council held on 15 December 1988 and of the special meeting held on 4 January 1989 were approved on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITION & DELETIONS

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

- 20.1 Case No. 5727 - Amendments to the Land Use Bylaw (Peninsula) - Building Heights in the C-2 (General Business) Zone - Supplementary Report;
- 20.2 CN Crossing at Palmer Hill;
- 20.3 Information Picket - Local 108 - Verbal Report by City Manager.

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

- 20.4 Service Adjustment, Route #9 - Barrington to Duke Streets.

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

- 20.5 Policy - Citizen Appointments.

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

20.6 Civic Hospital Board Resolution.

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that the agenda, as amended, be accepted.

Motion passed.

DEFERRED ITEMS

Case No. 5688 - Contract Development - 2114 Creighton Street

A public hearing on the above matter was held on 4 January 1989.

MOVED by Alderman Downey, seconded by Deputy Mayor R. Grant that:

1. City Council approve the application for contract development, lands of Parklin Developments Limited, 2114 Creighton Street, to permit a four unit building.
2. The agreement 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 approval will be void and obligations arising hereunder shall be at an end.

Motion passed with Mayor Wallace, and Aldermen D. Grant and Flynn abstaining due to non-attendance at the public hearing.

Case No. 5682 - Development Agreement - 44 Frederick Avenue

A public hearing into the above matter was held on 4 January 1989.

Alderman Jeffrey addressed the matter and advised that a number of concerns were raised by residents in the area during the public hearing i.e. the paving of the driveway, the height of the building, and the grade of the land. Alderman Jeffrey advised that he had met with the residents who were directly affected by this development and with the developer to address those concerns. He noted that the following resolution was agreed to by both the developer and the residents of the area.

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MOVED by Alderman Jeffrey, seconded by Alderman
Fitzgerald that:

1. City Council approve a modification to the lot frontage requirements of the R-2 (Two Family Dwelling) Zone of the Mainland portion of the Land Use Bylaw pursuant to Section 12 of the Land Use Bylaw (Mainland area) providing for the resubdivision of the lands at 44 Frederick Avenue in accordance with the provisions of the development agreement as attached to the staff report dated 8 November 1988;
2. The following additional provisions be included in the said development agreement:
 - a) All windows and decks be located at the eastern and western sides of the building;
 - b) The building be no more than 25 feet above the finished grade as opposed to the 35 feet permitted by the zone;
 - c) The finished grade within 15 feet of the building be reduced to an average of 5 feet from the existing grade except where bedrock is encountered;
 - d) Storm drainage flow be accommodated in accordance with City storm drainage requirements;
 - e) The building on the proposed lot be setback a minimum of 20 feet from any property line;
 - f) The driveway be paved and curved.
3. The agreement must be signed within 120 days of the resolution of any appeal or appeal period. If it is not signed accordingly, the agreement shall be void.

Motion passed with Mayor Wallace and Alderman Flynn
abstaining due to non-attendance at the public hearing.

Appeal of Variance Refusal - 6076 South Street

A public hearing into the above matter was held on
4 January 1989.

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An information report dated 10 January 1989 was submitted in response to a question raised by Alderman D. Grant at the public hearing on 4 January 1989.

Alderman D. Grant addressed the matter and advised that it was her opinion, while there has been some concern expressed with respect to the variance, two of the concerns that have occurred as a result of the application have been in existence for a long period of time. She went on to explain that the applicant was actually asking for a minor variance to permit a four foot addition which, in her opinion, was minor. Alderman D. Grant noted that concern had been expressed with respect to the unsuitability of the parking area for parking. She therefore requested that the building inspector withhold issuance of the building permit until the space for the parking is provided to his satisfaction. Alderman D. Grant indicated that it was her hope the owner of the property would work with the neighbours to ensure that, when snow plowing was required for parking at the rear of the building, it was done without damage to the abutters' properties.

MOVED by Alderman D. Grant, seconded by Deputy Mayor R. Grant that:

1. The decision of the Development Officer to refuse the application for a minor variance at 6076 South Street be overturned and the appeal be granted.
2. The Building Inspector withhold issuance of the building permit until the parking space is provided to his satisfaction.

Motion passed.

PETITIONS AND DELEGATIONS

Petition Aldermen Flynn and Pottie re: Crosswalk Safety - St. Catherine's School

Alderman Flynn presented a petition on behalf of the St. Catherine's School Community regarding the safety of children travelling to and from school who must cross major thoroughfares. The petition included approximately 72 signatures. Alderman Pottie agreed to sign the petition because both he and Alderman Flynn represented the parents in the area.

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Petition Alderman Stone re: Rezoning of Dickson Avenue

Alderman Stone presented a petition on behalf of all the owners of single family homes and/or lots on Dickson Avenue to rezone Dickson Avenue from R2 to R1. The petition consisted of approximately 16 signatures.

Alderman Stone asked that staff report on the matter and begin the appropriate measures to bring it to a public hearing.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 4 January 1989 as follows:

Presentation: Open Space Design Study - Grand Parade, Lower George Street and Waterfront Area

MOVED by Alderman Leiper, seconded by Alderman Downey that City Council authorize staff and the consultant to hold a public meeting with a view to soliciting public views on options and alternatives for concepts for the area and further that the design options submitted to the Committee be forwarded to the Design Advisory Panel for their comments.

Alderman Flynn urged that the public be well informed of the public meeting i.e. the location and date. He suggested that the newspaper advertisement be a large one and also that the meeting be advertised on the radio and television.

Deputy Mayor R. Grant stressed the fact that the purpose of the meeting was to receive suggestions and input from the public with regard to the design study. Deputy Mayor R. Grant advised that a number of residents had received the impression that the cenotaph in the Grand Parade would be removed. The Deputy Mayor urged that the message be put across to the public that the cenotaph would not be removed and that no final decision had been made with regard to the Grand Parade.

Following a short discussion, Deputy Mayor R. Grant asked that consideration be given to the closure of Argyle Street from Duke to George Streets with a driveway in front of the World Trade Centre.

Alderman Downey asked that the video on the preliminary results of the open space design study be made

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available through the local library system prior to the public meeting.

Alderman Downey expressed the concern that the downtown area has received so much of the mainstreet funding while no dollars have been allocated towards the Gottingen Street area.

The motion was put and passed.

Licensing of Amusement and Vending Machines

This matter was forwarded to Council without recommendation.

The report dated 24 November 1988 from the City Solicitor was recirculated to members of Council.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that this matter be forwarded to the next Committee of the Whole Council meeting scheduled for 18 January 1989.

Motion passed.

Overexpenditure Contract #88-43: Traffic Improvements - Titus Street

MOVED by Alderman Leiper, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council approve the additional expenditure of \$60,000.00 and authorize a transfer of funds in the amount of \$60,000.00 from Account #CJ400 (Unused Funds - Traffic Improvements) to Account #CJ007 (Titus Street - Main to Lacewood) for a revised total project cost of \$325,000.00.

Alderman Leiper asked that before this project is complete that staff do everything they can to ensure that the bus shelter is replaced on Titus Street.

The motion was put and passed.

Tender #88-61: Reconstruct Tennis Court (Westmount School)

MOVED by Alderman Flynn, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Tender #88-61 regarding the reconstruction of the tennis court (Westmount School) be awarded to Municipal Contracting Limited for the unit prices quoted and at a total project cost of \$45,000.00 (funding to be authorized from Account Number FA032).

Motion passed.

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Claim - James Hanifan et al Re: Nonconforming Use 3201-03
Agricola Street

MOVED by Alderman O'Malley, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, City Council authorize the payment of the total sum of \$10,607.69 in full and complete settlement of the claim of James Hanifan and Sharon Kinsman in respect of the wrongful issuance on 14 September 1988 of a building permit for renovations to the property situated at 3201-03 Agricola Street for use as a convenience store.

Motion passed.

Northcliffe Pool Repairs

MOVED by Alderman Leiper, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve the transfer of the balance of funds (as outlined in the staff report dated 15 December 1988) from Account Nos. FA003, FA007, FA019, FA025, FA027, FA032, FA041, and FA078 to Supplementary Account #FA042.

Deputy Mayor R. Grant asked whether or not an analysis had been done on the reasons for all the repairs to the Northcliffe Pool in order to prevent continuous repairs.

The City Manager advised that an analysis had been prepared and agreed to provide the Deputy Mayor with a copy.

Motion passed.

Final Report - Task Force on Approaches to Full Employment

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

- (1) Due to the comprehensive nature of the report, Council request staff comments on the Final Report of the Task Force, and that **Wednesday, 1 February 1989 at 2:00 p.m.** be set as the time for a special meeting of the Committee of the Whole Council to discuss the recommendations;
- (2) And further, that interested persons and/or groups be invited to submit presentations during this special meeting, and the City Clerk undertake to publish appropriate advertisements notifying the public of this meeting date.

Motion passed.

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Computer Room Lease - Market Street Mall

MOVED by Alderman Leiper, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to execute a five (5) year lease agreement with Halifax Developments Limited for 1,318 square feet of space in the Market Street Mall at a base rental of \$8.00 per square foot per annum, net.

Motion passed.

Agreement of Purchase and Sale: 1467-71 Brenton Street and Lands - Dresden Row

A supplementary staff report dated 9 January 1989 was submitted.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the agreement of purchase and sale generally approved by Council on 30 July 1987 be amended to include the following provisions:

- (i) at the closing date, the letter of credit submitted as part of the purchase and sale agreement will be replaced by a new letter of credit for the full amount of the outstanding balance, to run for a period beyond the due date of the first installment, conditional on the payout of the first installment and the provision of a new letter of credit.
- (ii) at the due date of the first installment, Chartwell will:-
 - (a) pay the first installment; and
 - (b) provide a further letter of credit for the reduced outstanding balance, to run for a period beyond the due date of the second installment.
- (iii) similar conditions will apply to subsequent letters of credit at the second, third and fourth anniversaries;
- (iv) if a letter of credit is called at any time, the full outstanding balance will be held in trust, from which the City will be paid the various installments owing to it on the due dates.

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Interest earned on the trust account would be to the benefit of the developer.

Motion passed.

Acquisition of Service Easement - Pioneer Avenue

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Service Easement SE-W as shown on Plan No. TT-42-29946 be acquired from H & A Developments for the sum of \$9,411 as settlement in full. Funds can be made available from Capital Account No. DB014, the Forest Hill Storm Sewer Project.

Motion passed.

Proposed Parking Lot Lease - Civic Hospital

MOVED by Alderman Meagher, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, Council approve a lease of the proposed parking lot to the Board of the Halifax Civic Hospital in the form as attached to the staff report dated 15 December 1988.

Motion passed.

Tax Exemption and Deferral

MOVED by Alderman Leiper, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee:

1. Under Section 227 of the City Charter, \$312 be set as the exemption sum for 1989, if household income does not exceed \$18,750 in 1988, but that such exemption shall not reduce the taxation to less than \$100.
2. Ordinance #137, Section 3(1), be amended to reflect an income figure of \$18,750.

Motion passed.

Social Assistance Mortgages

Alderman Jeffrey addressed the matter and advised that he had requested a report at the last Committee of the Whole meeting with regard to a particular case at the corner of Frederick Avenue and Alex Street. Alderman Jeffrey asked that this particular case be referred to the Committee of the Whole Council meeting scheduled for 18 January 1989 pending receipt of staff's report, to which the Committee agreed.

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MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to execute the releases of mortgages as contained in the staff report of 23 December 1988 with the exception of the case referred to by Alderman Jeffrey.

Motion passed.

Social Housing Policies

MOVED by Alderman Flynn, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Social Planning Department be mandated to convene a meeting of representatives of the four departments. The objective will be to discuss current social and housing policies and how they may be ratified to break the current economic double jeopardy that exists when a tenant obtains employment. The second is to develop long term community economic and development programmes that would more adequately meet the needs of residents.

Motion passed.

Nursing Homes/Homes for Special Care

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, as recommended by the Finance and Executive Committee, His Worship Mayor Wallace meet with the Premier to strongly request, on behalf of the City of Halifax, additional cost sharing in the area of homes for special care.

Alderman Fitzgerald asked whether or not a final word had been received from the Province with respect to cost sharing for 1989 for homes for special care.

The Chairman advised that there was some question as to what could be considered final word in response to the meeting held with the Province on the matter. The Chairman agreed to review the matter and report back to the Alderman.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Connaught Avenue (Chebucto Road - Jubilee Road Pole Line Upgrading)

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, His Worship Mayor Wallace, Aldermen Flynn and

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Fitzgerald meet with the Chairmen fo the Power Corporation and Maritime Tel & Tel to negotiate a cost sharing for underground wiring on Connaught Avenue between Chebucto Road and Jubilee Road and any other area of the City that has a boulevard.

Alderman Flynn explained that there had been reference in the news media recently indicating that special consideration was being given to one area of the City. Alderman Flynn advised that the intent of his motion was to include any area of the City that has a boulevard.

Following a discussion, Alderman Jeffrey suggested that the installation of wiring for new homes be put underground. He suggested that perhaps a building permit could include a stipulation to this effect.

Responding to Alderman Jeffrey's suggestion, the City Manager advised that underground wiring for all new construction could be considered and agreed to prepare a report on the matter.

The motion was put and passed.

9:00 p.m. Alderman D. Grant retires from the meeting.

REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS & COMMISSIONS

Repeal of Ordinance 144 and the Inclusion of the Provisions Thereof in Ordinance 168 - SECOND READING

This matter was given First Reading at a regular meeting of City Council held on 15 December 1988 and was further considered at a meeting of the Finance and Executive Committee held on 4 January 1989.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that City Council give SECOND READING to the following:

- 1) Ordinance 144 be repealed, and the former provisions thereof be included in the Fire Prevention Ordinance, Ordinance 168;
- 2) Ordinance 168 be amended for the purpose of changing the requirements for a fire alarm system.

The motion was put and passed.

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Amendment to the Membership of the Halifax Police
Commission to Add One Additional Council Member
- SECOND READING

This matter was given First Reading at a regular meeting of City Council held on 15 December 1988 and was further considered during a meeting of the Finance and Executive Committee held on 4 January 1989.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that City Council give SECOND READING to the amendment proposed to the membership of the Halifax Police Commission, the purpose of which is to enable Council to increase, by one, the Aldermanic representation on the Commission.

Alderman Flynn indicated that he would prefer to have approval of the proposed amendment deferred for a two-month period to allow the Police Commission an opportunity to meet with Council twice a month over the next eight weeks in an effort to improve communications between Council and the Commission.

In putting forward this recommendation, Alderman Flynn also suggested that a similar procedure be instituted with all City boards and commissions.

It was therefore moved by Alderman Flynn, seconded by Alderman Fitzgerald that the proposed amendment to the membership of the Halifax Police Commission be deferred for a two-month period.

The motion to defer was put and passed.

Responding to a question from Alderman Jeffrey, the Chairman advised that, pending completion of Alderman Flynn's recommended two-month trial period, the proposed amendment to the Police Commission's membership would be brought back to Council at its meeting scheduled for THURSDAY, 16 MARCH 1989.

Amendment to Ordinance 105, Section 16 - SECOND READING

This matter was given First Reading during a regular meeting of City Council held on 1 December 1988, and was further considered at a meeting of the Finance and Executive Committee on 4 January 1989.

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MOVED by Alderman Jeffrey, seconded by Alderman Hanson that City Council give SECOND READING to the following amendment proposed for Section 16 of Ordinance 105:

BE IT ENACTED by the Council of the City of Halifax that Ordinance 105, Respecting the Establishment of Standing Committees of Council, be amended as follows:

1. Section 16 of Ordinance 105 is amended by inserting after the word "of" and before the figure "(2)" in the second line thereof the words "not fewer than."

In putting forward this motion, Alderman Jeffrey clarified that the amendment will provide for an addition in the number of Aldermanic representatives serving on the City's Recreation Committee.

The motion was put and passed.

Change to Lease Agreement for Seniors Manors
- Halifax Housing Authority

A report, dated 15 December 1988, was submitted from Ms. Margaret Cragg, Chairman, Advisory Committee on Concerns of Aging, which contained the following recommendation:

THAT Halifax City Council forward a request to the Halifax Housing Authority that they consider including in their lease agreement a clause requiring that tenancy in the Seniors Manors throughout the City be based on the ability of the individual to care for themselves and their apartments; and further, that the lease also include a clause allowing staff of the Authority access to the apartments within the various Seniors Manors in cases of emergency.

Alderman Flynn indicated that, prior to making a decision on this matter, he would prefer to obtain information from the Halifax Housing Authority as to what their current policies in this context are as well as an idea of the implications of the Committee's recommendation.

It was therefore moved by Alderman Flynn, seconded by Alderman Downey that the matter be deferred, pending receipt of further information from staff.

The motion to defer was put and passed.

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Document Flow to the Transit Advisory Committee

A report, dated 13 December 1988, was submitted from Alderman Ron Hanson, Acting Chairman, Transit Advisory Committee.

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Transit Advisory Committee, all information received by staff regarding transit, which will impact on the public, be forwarded on a timely basis to the Transit Advisory Committee; and further, that the Metropolitan Authority be requested to include the various Transit Advisory bodies on their mailing list to ensure that such information is made available to the Committees.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on 4 January 1989 as follows:

Case No. 5738: Rezoning - Proposed Lots DØ-1 and DØ-2, Donaldson Avenue - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Stone, seconded by Alderman Leiper that, as recommended by the City Planning Committee, a date for a public hearing be set to consider the rezoning of the area shown as Lots DØ-1 and DØ-2, Donaldson Avenue, from P (Park and Institutional) Zone to R-1 (Single-Family Dwelling) Zone, as shown on Plan No. P2ØØ/16964.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 8 FEBRUARY 1989** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case No. 5729: Rezoning - 3326-34 Dutch Village Road: R-2P to R-2AM

This matter was forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Flynn that Council set a date for a public hearing to consider the rezoning of 3326-34 Dutch Village Road, from R-2P (General Residential) to R-2AM (General Residential Conversion and Townhouse).

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Alderman Leiper reminded Council that the matter of the R-2AM zones (and, in particular, the development proposed for the property at 3326-34 Dutch Village Road) has been the subject of some concern to Fairview residents. She noted that Council has already requested its Planning Advisory Committee to undertake a review of the R-2AM provisions and to hold a public meeting, and suggested that, in her opinion, Council should now delay the scheduling of its public hearing so that the PAC will have an opportunity to make its report.

Alderman Jeffrey concurred with Alderman Leiper's comments, but noted that he had been given to understand from staff that the scheduling of a public hearing on the matter was of some urgency.

Having received clarification on the matter from Mr. Michael Hanusiak of the Development and Planning Department, it was moved by Alderman Jeffrey, seconded by Alderman Leiper that Council defer the scheduling of a public hearing on this matter until its meeting on THURSDAY, 26 JANUARY 1989 in order to allow the Planning Advisory Committee an opportunity to discuss the matter.

The motion to defer was put and passed.

Case No. 5691: Cost-Sharing - Storm Sewer, Withrod Drive

MOVED by Alderman Hanson, seconded by Deputy Mayor Richard Grant that, as recommended by the City Planning Committee, Council confirm sharing in the construction of the storm sewer at Withrod Drive, in connection with the subdivision to form Lots 206-213 inclusive, in the amount of \$24,565.00, subject to final billings based on the quantities and unit prices submitted as the actual costs of construction.

The motion was put and passed.

Case No. 5734: Rezoning from R-2P to R-2AM,
3-5 Alma Crescent

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Flynn that the matter be deferred to the next regular meeting of City Council scheduled for THURSDAY, 26 JANUARY 1989.

The motion to defer was put and passed.

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Date for Hearing - Recommended Heritage Properties

MOVED by Alderman Fitzgerald, seconded by Alderman Deborah Grant that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the following buildings for inclusion in the Halifax Registry of Heritage Property: 5711 Sackville Street, 1067 Bland Street, 995 Mitchell Street, and 1355 Barrington Street.

With reference to the City-owned property at 5711 Sackville Street and a question from Deputy Mayor Richard Grant, His Worship Mayor Wallace indicated that a previous report regarding this building (submitted by the Director of Social Planning) would be recirculated.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be included as part of the agenda for the regular meeting of City Council scheduled for **THURSDAY, 2 MARCH 1989** at 8:00 p.m. in the Council Chamber, Halifax City Hall.

Case No. 5699: Proposed Contract Development -
2080 Windsor Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the entering into a development agreement between the City of Halifax and the Roman Catholic Episcopal Corporation of Halifax to permit an addition to St. Vincent's Guest House, located at 2080 Windsor Street, provided that the said addition is in substantial conformity with Plans No. P200/16846-50 inclusive of Case No. 5699.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 8 FEBRUARY 1989** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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MISCELLANEOUS BUSINESS

Tender #88-199: Towing and Storage Services

A staff report, dated 4 January 1989, was submitted.

MOVED by Alderman Deborah Grant, seconded by Alderman Fitzgerald that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 18 JANUARY 1989.

The motion to defer was put and passed.

Tender #88-200: Shelving - Mainland North Branch Library

A staff report, dated 3 January 1989, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Stone that Tender #88-200 regarding shelving for the Mainland North Branch Library be awarded to Colonial Scientific Limited in the amount of \$110,000.00 (funds to be made available in the Furniture and Equipment Account #226102.GA005.Z0600).

The motion was put and passed.

QUESTIONS

Question Deputy Mayor Richard Grant Re: Approved Projects Currently Incomplete

Deputy Mayor Richard Grant asked for information (prior to the review of the proposed 1989 Capital Budget) as to the number of projects which were previously approved by Council but are currently incomplete. In this context, the Deputy Mayor also asked for a dollar value pertaining to these projects, and information as to whether tenders have been called (he added that, if tenders have not already been called, he would appreciate being advised as to when such tender calls are scheduled).

Question Deputy Mayor Richard Grant Re: Surplus Funds

Deputy Mayor Richard Grant asked for information (prior to the review of the proposed 1989 Capital Budget) as to the amount of surplus funds resulting from already-

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completed projects or from projects which, while originally approved for completion by City Council, had subsequently been petitioned against and therefore abandoned.

Question Deputy Mayor Richard Grant Re: Height Limitations

Deputy Mayor Richard Grant requested information from staff of the Development and Planning Department as to the feasibility (in R-1 and R-2 Zones) of reducing the present 35 foot height limitations to 25 feet.

His Worship Mayor Wallace advised that staff are currently in the process of preparing this report and that it should be submitted for Council's reference shortly.

9:20 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Richard Grant assuming the Chair.

Question Alderman Jeffrey Re: Halifax Civic Arena

Alderman Jeffrey referred to the property on which the Halifax Civic Arena is located, noting that a portion of it is currently owned by the Federal Government.

In this context, the Alderman advised that he had been asked by the Halifax Forum Commission to request that City Council forward a letter to the appropriate Federal Government department seeking information as to whether the Government would be willing to sell (or give back) its portion of the Civic Arena lands in order to permit the reconstruction of that facility.

In putting forward this request, Alderman Jeffrey asked that the letter be forwarded as quickly as possible.

The Deputy Mayor suggested that a similar letter to the Federal Government be forwarded by the Halifax Forum Commission.

Question Alderman Jeffrey Re: Corner of
Rosedale Avenue and Gesner Street

Alderman Jeffrey referred to his request (made during Question Period at the 15 December meeting of City Council) that an evaluation be made of the pedestrian hazards at the intersection of Rosedale Avenue and Gesner Street. The Alderman noted that he has since received a report on the

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matter which advised that, in staff's opinion, the location is not particularly dangerous.

Alderman Jeffrey strongly disagreed with this evaluation and emphasized the large number of school children who use this intersection without benefit of either a crossing guard or a crosswalk. He therefore requested that the Traffic Authority undertake another review of the location and submit a report prior to the next regular meeting of City Council scheduled for Thursday, 26 January 1989.

Question Alderman Flynn Re: Review of
Administrative Order #16

Alderman Flynn submitted a letter from Mr. Leo Peddle, a resident of 2920 Doug Smith Drive, and asked that a review of Administrative Order #16 (pertaining to private sewers blocked by City trees) be included on the agenda of the next regular meeting of Committee of the Whole Council scheduled for 18 January 1989.

In this context, the Alderman asked that copies of the Administrative Order and of Mr. Peddle's letter be distributed to members of Council prior to that time.

Question Alderman Flynn Re: C-2 Zone - Mumford Road

Alderman Flynn asked that staff commence a review of the C-2 Zone located along Mumford Road in the vicinity of Romans Avenue, Ralston Avenue, the CNR rail cut, the Sears parking lot and the ReMax building.

In his remarks, the Alderman referred to a building in what he termed "the middle of this primarily residential neighborhood," and indicated that he would like to see the rezoning process commenced as quickly as possible so as to prevent any increase in the size of the building in question.

Question Alderman Flynn Re: Traffic Signals -
Scot Street and Joseph Howe Drive

Alderman Flynn noted that an item pertaining to traffic signals at the corner of Scot Street and Joseph Howe Drive had been included in the proposed 1989 Capital Budget.

Emphasizing that both he and Alderman Jeffrey have worked long and hard to effect the installation of these signals, Alderman Flynn requested that the matter be brought

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forward to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 18 January 1989) to discuss the possibility of an early tender call.

In this context, the Alderman requested that a staff report be submitted on this item prior to the Committee meeting.

Question Alderman Leiper Re: Crosswalk Safety

Alderman Leiper referred to two suggestions for a crosswalk safety program (one submitted by Messrs. Ron Van Houten and Louis Malenfant of Mount Saint Vincent University; the other from Mrs. Jo-Anne Galloway of Dartmouth) recently received, and asked if the City's Traffic Authority could submit comments on these proposals in time for the 18 January meeting of Committee of the Whole Council.

Question Alderman Leiper Re: Homes for Special Care

Alderman Leiper referred to a letter, dated 20 December 1988, from the Honorable Tom McInnis, Minister of Community Services, in which it was indicated that the City of Halifax will not be receiving additional funding with regard to homes for special care.

Emphasizing that this decision will create a sizeable deficit for the City, Alderman Leiper asked for a report from Mr. H. D. Crowell, Director of Social Planning, prior to the 18 January meeting of Committee of the Whole Council, as to how the City intends to cope with this deficit for the three months remaining in the Provincial fiscal year.

Question Alderman O'Malley Re: Lighting - Senior Citizens Manors (Charlie Zone)

Alderman O'Malley referred to a motion approved by Council on 17 November 1988 which requested a number of reports regarding the lighting in the vicinity of various senior citizen manors and bus shelters in the City's Charlie Zone.

The Alderman emphasized that, to date, she has received only two of the six requested reports, and urged that the remaining items be brought forward as quickly as possible.

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Question Alderman Fitzgerald Re: Harbor Clean-Up

Alderman Fitzgerald asked for information as to whether it would be possible for members of Council to meet with those involved in the Harbor Clean-Up project in order to clarify some of the specifics of this proposal, its costs and long-range implications.

The Deputy Mayor noted that, in the initial stages of the pollution control project, metropolitan area Councils had received a presentation from the project consultants. In response to Alderman Fitzgerald's query, he suggested that perhaps an update on that original presentation is now warranted and could be arranged.

Question Alderman Fitzgerald Re: Municipal Deficit

Responding to a question from Alderman Fitzgerald, the City Manager advised that over the last several days the City of Halifax has lost another \$1.1 million in assessment appeals. He added that he will have an official update on the City's financial situation prepared in time for the first meeting of the 1989 Capital Budget review presently scheduled for Monday, 16 January.

Question Alderman Fitzgerald Re: Street Lighting

Alderman Fitzgerald advised that several of his constituents have raised concerns regarding the dimness of the City's street lighting which, in their opinion, increases the potential for crime.

The Deputy Mayor noted, in this regard, that staff had previously submitted a report on this matter and, in deference to Alderman Fitzgerald's request, asked to have that information recirculated.

Question Alderman Fitzgerald Re: Crosswalk Safety

With reference to Alderman Leiper's earlier remarks regarding crosswalk safety options, Alderman Fitzgerald referred to the seven-point safety proposal considered by Council several weeks ago, and asked that those recommendations also be considered in conjunction with the upcoming discussion slated for the 18 January Committee of the Whole Council.

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Question Alderman Pottie Re: Land Donation - Oxford Street

Alderman Pottie referred to a property recently received by the City as part of a land donation agreement, and asked if the teachers from the St. Catherine's School could use this site for off-street parking during weekdays. He emphasized that because on-street parking is very limited in the vicinity of Edgewood Avenue, Chester Avenue and Connolly Street, the availability of the Oxford Street site would be of considerable assistance in alleviating this problem.

Question Alderman Pottie Re: Crosswalk Safety

Responding to a question from Alderman Pottie, who had made reference to a letter recently received by Council from a Mrs. Jo-Anne Galloway (formerly of Regina), the City Manager emphasized that City signage is governed by the Provincial Motor Act and Regulations which compels us to use signage designed and approved by the Province. He added, however, that Mrs. Galloway's suggestions (as contained in her letter of 18 December 1988) had been forwarded to the Department of Transportation for comment.

Question Alderman Pottie Re: Intersection -
Lady Hammond Road and Robie Street

Alderman Pottie referred to the traffic lights at the intersection of Lady Hammond Road and Robie Street, noting that complaints received appear to indicate that the "Walk" sign (crossing Lady Hammond Road) is not sufficiently long to allow pedestrians to make their way safely across the street.

The City Manager suggested that the phasing of the lights might require adjustment, and indicated that it would be brought to staff's attention.

Question Alderman Stone Re: Traffic Speeds on
Dunbrack Street

Alderman Stone asked for a report from the City's Traffic Authority regarding traffic speeds on Dunbrack Street which he described as being "very inconsistent." In his remarks, the Alderman noted that posted speeds range from 60 kph to 70 kph back to 60 once more, adding that, in his opinion, such frequent changes encourage speeding and increase the safety hazards on this street.

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The Alderman strongly recommended that consideration be given to making these speeds uniform and urged, as well, that they be reduced, noting, in particular, that Dunbrack Street is rapidly becoming a neighborhood street rather than a through-way.

Question Alderman Meagher Re: 24-Hour
Video Store - Quinpool Road

Alderman Meagher referred to a recently-established video store (located in Quinpool Centre) which, he had been given to understand, is now open for business all night long. In response to a question from the Alderman concerning this matter, the City Solicitor indicated that he would investigate the legalities of the store's hours of operation and report.

Question Alderman Meagher Re: Requested Improvements
-- Property Surrounding Oxford School

Alderman Meagher referred to a request previously submitted by him on behalf of the PTA of the Oxford School with regard to suggested improvements to the School yard and surrounding streets and emphasized that, to date, a report has not yet been received from the City's Engineering and Works Department. In bringing this matter to the City Manager's attention, the Alderman reiterated that such report is to be sent to the Recreation Department as well as to the Oxford School PTA.

The City Manager indicated that this report would be brought forward as quickly as possible.

Question Alderman Meagher Re: Harbor Clean-Up

Alderman Meagher referred to a recent CBC report to the effect that a local scientist has voiced serious reservations concerning the implications of the proposed Harbour clean-up. The Alderman asked for information as to what is being done about such concerns.

The City Manager emphasized that no firm decisions have yet been made by the Province concerning the Harbor project, pending results of hearings recently held by the Environmental Council. In this context, Mr. Calda noted that the report from that Council is presently being prepared and is expected to be delivered to the Minister of the Environment within a month's time. Based on the findings of that report, the Province will then decide if further

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environmental studies are necessary before the project can commence.

Question Alderman Meagher Re: Assessment Rolls

Alderman Meagher expressed strong reservations concerning the implications of the 1989 Assessment Rolls recently received, emphasizing that, as he had earlier predicted, the City of Halifax has lost a considerable number of businesses and jobs to Dartmouth over the last 12 months.

The Deputy Mayor suggested that the Alderman's concerns could be added to the agenda of a future Committee of the Whole Council to allow an opportunity for the City's Director of Finance to comment.

The City Manager advised that various aspects of this matter will be addressed during the upcoming review of the City's 1989 proposed Capital Budget, commencing on Monday, 16 January.

Question Alderman Downey Re: Federal Government Site -
Gottingen Street

Alderman Downey asked for an update concerning the Federal Government site on Gottingen Street.

Question Alderman Flynn Re: City's Safety Policy

Referring to the investigation presently underway into this summer's fatality on Route #102, Alderman Flynn asked for a staff report as to the City's policy and training program for individuals responsible for directing traffic around construction sites. In this context, the Alderman also inquired as to what direction the City gives to its contractors and the type of barriers we use to direct traffic into other lanes.

NOTICES OF MOTION

Notice of Motion Alderman Flynn Re: Proposed
Amendments to Ordinance 180, the Streets Ordinance

Alderman Flynn gave Notice of Motion that, at the next regular meeting of Halifax City Council, scheduled for **Thursday, 26 January 1989**, he proposes to introduce for First Reading amendments to Ordinance 180, the Streets Ordinance.

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In his remarks, Alderman Flynn noted that the purpose of these amendments is to improve the regulation of street vendors, and will introduce a tendering system for the licensing of street vendors in the downtown area of the City and restrict the number of locations at which the vendors may locate.

Notice of Motion Deputy Mayor Richard Grant Re:
Membership on City Boards, Committees and Commissions

Deputy Mayor Richard Grant gave Notice of Motion that, at the next regular meeting of Halifax City Council, scheduled for **Thursday, 26 January 1989**, he proposed to introduce for First Reading amendments to legislation to provide for two-year terms for all appointees to City-regulated boards, committees, and commissions.

In his remarks, the Deputy Mayor advised that the purpose of these amendments is to clarify and consolidate the citizen appointees on these boards, committees, and commissions.

10:00 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Richard Grant assuming his usual seat on Council.

ADDED ITEMS

Case No. 5727 - Amendments to the Land Use Bylaw
(Peninsula): Building Heights in the C-2 (General
Business Zone (Supplementary Report)

This matter was last discussed during a regular meeting of City Council held on Thursday, 15 December 1988, at which time a public hearing date of 18 January was set to consider certain amendments to Sections 57(2)(f) and 58 of the Land Use Bylaw (Peninsula Area).

A supplementary report, dated 11 January 1989, was submitted, in which it was noted that several areas affected by the proposed amendments had been inadvertently omitted from the newspaper advertisement.

After some discussion and questioning of Mr. C. J. Reddy of the City's Development and Planning Department, it was moved by Alderman Leiper, seconded by Alderman Fitzgerald that Council hold the public hearing scheduled for 18 January

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1989 with a view to adjourning it after hearing those who make presentation to a date more than three weeks hence to permit those who may not have been adequately notified the first time to appear.

The Deputy Mayor requested a report (prior to the scheduled public hearing) concerning the variances in tax assessments (i.e., whether they would increase or decrease as a result of the proposed amendments).

Alderman Flynn recommended that the Planning Advisory Committee be encouraged to hold its public meeting on this matter before Council schedules its adjourned public hearing.

The motion was put and passed.

As a result of Alderman Flynn's recommendation (noted above), a date for the adjourned public hearing was not set at this time.

CN Crossing at Palmer Hill

A report, dated 9 January 1989, was submitted from Mr. D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Richard Grant that, in approving the amendments to Ordinance 126 submitted to them, the Railway Transport Committee of the Canadian Transport Commission be requested to withhold approval of the Chain Lake Drive crossing located at Mile Number 3.40 Chester Subdivision.

In making this motion, Alderman Jeffrey urged that the remaining amendment (i.e., concerning the CN crossing at Palmer Hill) be dealt with immediately.

The motion was put and passed.

Information Picket - Local 108 (Verbal Report by Mr. Paul Calda, P.Eng., City Manager)

The City Manager referred to an information picket established in front of Halifax City Hall on Wednesday, 11 January, advising Council that it was a direct result of suspensions recently handed out to various employees of the City's Works Division.

In his overview of the situation, Mr. Calda advised that, under the terms of the collective agreement, overtime and shift work is compulsory (with regard to snow and ice

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removal) from 15 October to 15 April. He noted that, during the City's first snowstorm of the 1988-89 season, a total of 26 employees did not respond and were subsequently sent a letter reminding them of their obligations under the collective agreement. On the 31 December there was a second snowstorm; again, a number of employees did not respond and letters were once more sent out to those who had violated that clause of the agreement. Subsequent to the third snowstorm on 2 January 1989, a total of 14 repeat offenders were suspended for a period of four working hours each. They then proceeded to establish a picket in the vicinity of City Hall which, Mr. Calda emphasized, did not disrupt normal operations.

The City Manager advised that he had personally discussed the matter with a number of the picketers, as well as with those responsible for the management of the Works Division. He added that he has also instructed the Director of Labor Relations to investigate the matter and to report back as quickly as possible.

Mr. Calda further noted that, under the terms of the collective agreement, a "Snow Committee" was to be established to consist of both management and Union representatives and "to discuss improvements in the response to snow and ice operations." He indicated that, while this Committee had functioned successfully last year, the Union (for some reason presently unknown) had declined to participate in meetings called for the 1988-89 winter season.

In conclusion, the City Manager advised that there are two other methods by which differences such as this can be resolved: one to embark on the three-step grievance procedure provided for in the collective agreement itself (i.e., from Operations Manager to the Director of Labor Relations to an Arbitration Board); the other relates to direct negotiations of the collective agreement in order to clarify interpretation of perceived differences.

Mr. Calda emphasized, however, that the Union's collective agreement expired as of 31 December 1988 with negotiations on a new agreement to commence shortly.

The City Manager subsequently responded to questions from various members of City Council.

Service Adjustment - Route #9, Barrington to Duke
(Alderman Downey)

This matter was added to the agenda at the request of Alderman Downey who expressed serious reservations

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concerning reports that Metro Transit intends to revise Route #9 (presently running from Barrington to Cornwallis to Gottingen and down Cogswell). In his remarks, the Alderman emphasized that, in his opinion, the proposed changes will have very negative effects on the residents of his ward (particular those in Mulgrave Park) and on the Gottingen Street merchants.

It was subsequently moved by Alderman Downey, seconded by Alderman Leiper that this matter be referred for consideration to the Transit Advisory Committee with a request that that Committee be asked to advise Metro Transit that City Council does not support the suggested changes to Route #9.

The motion was put and passed.

Policy - Citizen Appointments

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

It was moved by Deputy Mayor Richard Grant, seconded by Alderman Meagher that Council extend the appointment of Mr. Kenneth C. Rowe, Chairman of the Halifax Board of Police Commissioners, for a 30-day period.

The motion was put and passed.

With reference to citizen appointments to the City's boards and commissions, the Deputy Mayor reminded Council that it had previously discussed the matter as a result of findings by the Commission on City Government and at subsequent meetings. He added that the policy had been reviewed in November of 1988 with the following conditions being put forward for confirmation.

MOVED by Deputy Mayor Richard Grant, seconded by Alderman Leiper that Council reaffirm its policy regarding citizen appointees as follows:

- (1) 50 percent of Board membership changes;
- (2) all City-regulated terms will be two years, effective 1990;
- (3) with regard to 1989 terms, one-half of the Board members will be appointed for one year; the other half for two years;

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It was subsequently moved by Alderman Downey, seconded by Alderman Leiper that this matter be referred for consideration to the Transit Advisory Committee with a request that that Committee be asked to advise Metro Transit that City Council does not support the suggested changes to Route #9; and further, that the Metro Authority be requested not to proceed with this adjustment until it has been discussed by the Transit Advisory Committee. The motion was put and passed.

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The motion was put and passed.

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- (1) 50 percent of Board membership changes;
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- (3) with regard to 1989 terms, one-half of the Board members will be appointed for one year; the other half for two years;

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- (4) appointments be made for a maximum of two consecutive terms;
- (5) appointees will be selected from applications on file; and
- (6) all appointments will be made in January to become effective February 1.

A discussion ensued with it being moved by Alderman O'Malley, seconded by Alderman Jeffrey that the matter be deferred for further discussion to the next regular meeting of Committee of the Whole Council.

The motion to defer was put and lost.

Discussion on the motion continued with Alderman Hanson strongly recommending that future appointees be specifically advised of the conditions of their appointment including the length of their term.

The motion was put and passed.

Motion - Halifax Civic Hospital

This matter was added to the agenda at the request of Alderman Meagher who submitted an excerpt of the Minutes from a meeting of the Board of Directors for the Halifax Civic Hospital, held on 9 January 1989.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as requested by the Board of Directors for the Halifax Civic Hospital, City Council reconfirm the ownership and operation of the Halifax Civic Hospital.

The motion was put and passed with unanimous consent.

There being no further business to be discussed, the meeting was adjourned at approximately 11:00 p.m.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR RICHARD GRANT
CITY CLERK

EDWARD A. KERR
CITY CLERK

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**SPECIAL COUNCIL
PUBLIC HEARING
MINUTES**

Council Chamber
City Hall
Halifax, Nova Scotia
18 January 1989
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 joined in reciting the Lord's Prayer.

PRESENT: Deputy Mayor R. Grant, Chairman; Aldermen Fitzgerald, Downey, O'Malley, Pottie, Hanson, Jeffrey, Leiper, and Stone.

ALSO PRESENT: M.E. Donovan, Representing the City Solicitor; City Clerk; and other members of staff.

Public Hearing Re: Case No. 5727 - Amendments to the Land Use Bylaw (Peninsula) Building Heights in the C-2 (General Business) Zone

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

A supplementary staff report dated 18 January 1989 was submitted.

Mr. C. J. Reddy, Planner, Development and Planning Department, addressed Council and outlined the proposed amendments to two sections of the Land Use Bylaw which govern the height and setback of buildings in certain C-2 Zone areas throughout the City's Peninsula (as illustrated in the staff report of 1 December 1988).

7:40 p.m. During staff's presentation, Alderman Meagher enters the meeting.

Mr. Reddy referred to City Council's decision of 12 January 1989 to forward the matter to the Planning Advisory Committee for discussion. He noted that the matter was before the Planning Advisory Committee yesterday, 17 January 1989, but was not discussed extensively. Mr. Reddy advised that the Planning Advisory Committee suggested, at that time, that it would be prepared to come forward with a report prior to Council making any decision on the matter.

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Public Hearing
18 January 1989

Mr. Reddy also reminded Council that at its meeting of 12 January 1989, it did authorize a second hearing on this matter but did not at that time set a date.

In closing, Mr. Reddy recommended approval of the proposed amendments.

Referring to the diagrams displayed, Mr. Reddy responded to a number of queries from members of Council.

7:45 p.m. Alderman Leiper retires from the meeting.

Mr. Phil Pacey, residing at 6269 Yukon Street, addressed Council and expressed concern with respect to the fact that the proposed amendments would eliminate the density control for commercial land. Mr. Pacey explained that the proposed amendments would limit the height of buildings to 80 ft. and additionally limit the height of a building to six storeys. He noted that limiting the number of storeys would not have a direct effect on the height of a building but would affect the density on the use of a particular piece of land. Mr. Pacey indicated that he was not in favour of eliminating density control over commercial land.

Mr. Pacey also noted that there was no parking required in the C-2 zone and therefore suggested that it was important to keep a density control in the C-2 zone. Mr. Pacey explained that a larger floor space in a commercial building would allow more customers and would cause a greater parking demand. Mr. Pacey further expressed the concern that the amendments would induce people to build on the areas in question.

Referring to Yale Street, Mr. Pacey expressed the concern that the proposed amendment seemed to encourage commercial development in an area where City Council's policy, through the Peninsula North Secondary Planning Strategy, indicates that it should become residential. Referring to the Pepperell Street area, Mr. Pacey noted that the proposed amendments were contradictory to the Municipal Development Plan where it states that "the City shall encourage the development of residential uses along Pepperell Street". Mr. Pacey also suggested that the proposed amendments would allow an increased density in the area of the Spring Garden Road near registered heritage properties and were therefore contrary to the Municipal Development Plan.

Mr. Pacey went on to refer to other cases where the proposed amendments would be contrary to the City's Municipal

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Public Hearing
18 January 1989

Development Plan and indicated that the proposed amendments would result in a number of negative implications.

Mr. Pacey urged that City Council hold a public hearing to consider the Peninsula North Secondary Planning Strategy and the comments made by the Minister respecting that Plan.

In closing, Mr. Pacey asked that City Council reject the proposed amendments which he suggested were not desirable for the City of Halifax.

Ms. Joyce McCulloch, residing at 1597 Dresden Row, addressed Council and advised that her home was a registered heritage property. Ms. McCulloch advised that she had spoken to a number of property owners in her neighbourhood today who have small businesses adjoining Spring Garden Road. Ms. McCulloch noted that these people are very concerned about the large developments occurring in the area. She expressed the concern that large development was occurring in an area which was very popular for the tourist who enjoyed the quaintness of the shops and of the street. Ms. McCulloch further expressed the concern that the whole atmosphere of Spring Garden Road was changing because of enormous developments. Ms. McCulloch urged Council not to approve the proposed amendments.

Mr. Gunn, residing on the west side of Edward Street between Binney and Bliss Streets, addressed Council and asked for clarification with respect to the changes which would occur in the area as a result of the proposed amendments.

Responding to Mr. Gunn's inquiry, Mr. Reddy advised that the proposal before Council would not rezone any of the lands surrounding Mr. Gunn's property.

Responding to a further question, Mr. Reddy advised that the zones presently in place on Artillery Place and on Dresden Road would not change as a result of the proposed amendments.

There were no other persons present wishing to address Council.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that this matter be adjourned to a future date.

Motion passed.

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The City Clerk advised that the date of the adjourned public hearing on this matter was scheduled for **Wednesday, 22 February 1989, at 7:30 p.m.**

8:25 p.m. There being no further business to discuss, the meeting adjourned.

HEADLINES

Public Hearing Re: Case No. 5727 - Amendments to the
Land Use Bylaw (Peninsula) Building Heights in the C-2
(General Business) Zone 41

DEPUTY MAYOR RICHARD GRANT
CHAIRMAN

/MMD

Record

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

Council Chamber
City Hall
Halifax, Nova Scotia
26 January 1989
8:00 P. M.

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

PRESENT: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Richard Grant; and Aldermen Fitzgerald, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, Leiper, Flynn, and Stone.

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

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 12 January, and of a special meeting held on Wednesday, 18 January 1989, were approved on a motion by Alderman Downey, seconded by Alderman Pottie.

His Worship extended a welcome to the cubs and scouts in attendance from the St. Agnes School, expressing the hope that they would find Council's deliberations interesting and informative.

PRESENTATIONS

Retirement Scroll - Lieutenant J. A. Norman Forest,
Halifax Fire Department

Mayor Wallace presented Lieutenant J. A. Norman Forest with a Retirement Scroll in recognition of Lieutenant Forest's 31 years of service with the Halifax Fire Department. In his remarks, His Worship referred to the Lieutenant's contribution to the annual levees at City Hall and, on behalf of City Council, expressed the hope that his retirement will be a long and pleasant one.

Retirement Scroll - Lieutenant Gordon McIsaac
Halifax Fire Department

On behalf of Halifax City Council, Mayor Wallace presented Lieutenant Gordon McIsaac with a retirement scroll commemorating the Lieutenant's 34 years of faithful and

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distinguished service with the Halifax Fire Department. He noted that Lieutenant McIsaac (known as "Champ") had long been associated with baseball and hockey in the local area, and wished him the very best in his years of retirement from the Fire Department.

Retirement Scroll - Sergeant Donald Whittemore
Halifax Police Department

His Worship, in acknowledging Sergeant Whittemore's long and distinguished career with the Halifax Police Department, noted that both the Sergeant's father and brother had also served in that capacity, making a combined total of almost a century of service by the Whittemore family to the City of Halifax. Mayor Wallace emphasized that Sergeant Whittemore, having joined the Department in 1952, was noted for his work in the Department's motorcycle division, especially during the City's Natal Day festivities.

On behalf of the City of Halifax and the members of Halifax City Council, His Worship congratulated Sergeant Whittemore on his retirement and offered sincere best wishes.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

- 14.2 Report - Halifax Natal Day Committee
- 20.1 Homes for Special Care (Alderman Leiper)
- 20.2 Spring Garden BIDC - Parking Lots Budget
- 20.3 Authorization for Delay in Tabling the Operating Budget

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

- 20.4 Halifax Shopping Centre

MOVED by Alderman Hanson, seconded by Alderman Leiper that the agenda, as amended, be accepted.

Motion passed.

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DEFERRED ITEMS

Case No. 5729: Rezoning - 3326-34 Dutch Village Road:
R-2P to R-2AM

This matter had been deferred from a regular meeting of City Council held on 12 January 1989.

A report, dated 20 January 1989, was submitted from Mr. W. Nolan, Vice Chairman of the Planning Advisory Committee.

After some discussion and questioning of staff, it was moved by Alderman Jeffrey, seconded by Alderman Hanson that Council set a date for a public hearing to consider the rezoning of 3326-34 Dutch Village Road from R-2P (General Residential) to R-2AM (General Residential Conversion and Townhouse).

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, 5 APRIL 1989 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case No. 5734: Rezoning from R-2P to R-2AM -
3-5 Alma Crescent

This matter had been deferred from a regular meeting of City Council held on 12 January 1989.

A report, dated 20 January 1989, was submitted from Mr. W. Nolan, Vice Chairman of the Planning Advisory Committee.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that Council set a date for a public hearing to consider the rezoning of 3-5 Alma Crescent from R-2P (General Residential Zone) to R-2AM (General Residential Conversion and Townhouse Zone).

The motion was put and passed.

At Alderman Jeffrey's request, the City Clerk advised that the requested public hearing for the Alma Crescent properties would be held on the same evening as those under consideration for Dutch Village Road; namely, WEDNESDAY, 5 APRIL 1989 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 18 January 1989 as follows:

Sale of City Club/Khyber Building
to the City of Halifax

This matter had last been discussed during the 18 January meeting of the Finance and Executive Committee at which time staff had been requested to determine the actual interest in question relating to the purchase of the City Club/Khyber Building.

An Information Report, dated 26 January 1989, was submitted by Mr. D. F. Murphy, Q.C., City Solicitor.

MOVED by Alderman O'Malley, seconded by Alderman Jeffrey that the City of Halifax pay the interest in the amount of \$14,000 to Marathon Grill, which is the interest claimed by Marathon Grill for the City Club/Khyber Building for the period from 4 July - 5 August.

Alderman Flynn made reference to the Information Report dated 26 January only recently from the City Solicitor, and noted that he would appreciate an opportunity to review Mr. Murphy's comments, particularly with reference to Item #5 of the report.

It was therefore moved by Alderman Flynn, seconded by Alderman Leiper that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 8 February 1989.

The motion to defer was put and passed.

Mail Service for New Subdivision - City of Halifax

Moved by Alderman Jeffrey, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, the matter be referred to staff for recommendation and report to Council.

Deputy Mayor Richard Grant recommended that a letter be forwarded to Canada Post, advising that, despite the fact the City of Halifax is being forced to accept the installation of supermailboxes, Council does not agree with

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the concept, being of the conviction that all residential streets should have door-to-door mail delivery.

The Deputy Mayor also referred to instances in which several new houses in the midst of a large and established residential area (the latter with door-to-door mail delivery) are issued with group mail boxes. He emphasized that this process seems questionable, particularly when there is a mailman circulating in the area, and asked for clarification as to the definition (as used by Canada Post) for the word "subdivision."

Alderman Jeffrey suggested that both the MLA's and MP's representing the City of Halifax should be involved in this matter, and strongly recommended that staff, during their review, take steps to communicate with those politicians.

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

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on 18 January 1989 as follows:

Crosswalk Safety Program

A memorandum, dated 25 January 1989, was submitted from His Worship Mayor Ron Wallace.

Alderman Fitzgerald commended Mayor Wallace and staff on their initiative in meeting with Provincial representatives to attempt to improve the overall safety of both pedestrians and motorists in the City of Halifax.

It was subsequently moved by Alderman Fitzgerald, seconded by Alderman Leiper that Council confirm the seven-point crosswalk safety program approved during its meeting on 15 December 1988; and, as recommended by the Safety Committee, that staff be directed to review the proposals put forward in a previously-submitted letter from Professors Van Houten and Malenfant of Mount Saint Vincent University, and to present a report on the feasibility of those suggestions.

The motion was put and passed.

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Establishment of a Separate Emergency Measures Organization

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Safety Committee, the Emergency Measures Organization become a separate entity of the City with the following functions:

- (a) develop policies and programs for achieving a proper state of preparedness for emergencies;
- (b) provide education and training related to preparedness for emergencies;
- (c) increase public awareness and understanding of matters related to civil preparedness for emergencies;
- (d) analyze and test civil preparedness for emergencies;
- (e) develop and test emergency plans of various City departments and agencies.

and further, that Mr. Thomas Abraham be appointed a Director of E.M.O. with the following duties and responsibilities:

- (1) coordinate the development of an emergency plan in cooperation with all departments and agencies of the City of Halifax;
- (2) provide emergency plans from guidelines laid down by the Emergency Measures Control Committee;
- (3) coordinate all activities of those persons and organizations involved with Halifax E.M.O.;
- (4) ensure that a continuous program of training for the E.M.O. personnel is carried out either by local training classes or attendance at Provincial or Federal Government training schools;
- (5) cooperate with the Mutual Aid Area on all matters related to planning and operation;
- (6) act as Chairman of the Emergency Measures Planning Committee;

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- (7) ensure timely presentation of the annual budget of the Emergency Measures Organization;
- (8) other related duties as assigned;
- (9) report to the City Manager.

The motion was put and passed.

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

Report - Streets Committee Re: Amendments to
Ordinance 180 (Street Vendors)

A report, dated 20 January 1989, was submitted by His Worship Mayor Ron Wallace, Chairman of the Streets Committee.

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that the report (dated 20 January 1989) submitted by the Streets Committee be referred for discussion to the FEBRUARY 22 meeting of Committee of the Whole Council.

In putting forward this motion, Alderman Flynn (a member of the Streets Committee) advised that the report in question contains proposals for various amendments to Ordinance 180, the Streets Ordinance, with specific reference to the location of street vendors. He added that a tendering system (which, he suggested, would ensure fairness in the selection of vendors for these prespecified locations) is also being submitted for Council's recommendation. The Alderman also noted that, later in this evening's agenda, a motion for First Reading of the proposed amendments will be proposed.

Alderman Flynn also indicated that with the matter being proposed for the February 22 meeting, there will be ample opportunity to advertise the fact that the amendments to Ordinance 180 will be considered at that time.

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

Report - Halifax Natal Day Committee

Two pieces of correspondence, both dated 26 January 1989, were submitted from Mr. Douglas Steel, Festival Chairman (Halifax Natal Day Committee).

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At the request of the Halifax Natal Day Committee, it was moved by Alderman Pottie, seconded by Deputy Mayor Richard Grant that MONDAY, 7 AUGUST 1989 be scheduled as the official civic holiday celebrating Halifax's 240th birthday.

The motion was put and passed.

On another but related matter, Alderman Pottie (a member of the Halifax natal Day Committee) moved, seconded by Deputy Mayor Richard Grant that a total of \$8,500 be advanced to the Halifax Natal Day Committee (prior to budget approval) in order to provide for various start-up expenses such as promotional brochures, telephone expenses, etc.

Alderman Flynn expressed concern that the Committee is proceeding with the Natal Day program without allowing members of Council an opportunity to review the schedule of events or to provide input in any way. He added that, in his opinion, both the Committee's budget and its 1989 program (including the details of why the \$8,500 is being requested) should be submitted to Council for a comprehensive review. In making these comments, Alderman Flynn emphasized that information pertaining to the Natal Day celebrations are especially useful to other municipal departments (e.g., the Police Department, Engineering and Works) who must include funding in their own budgets to accommodate the impact of these festivities.

Alderman Hanson recommended that the Committee, in future, prepare a two-year budget which, in his opinion, would avert many of the problems identified by Alderman Flynn.

Alderman Meagher asked that the Natal Day Committee consider scheduling the annual parade on a day other than Saturday when, in his opinion, many are prevented from attending owing to the nature of their work. He reminded Council that a "gentleman's agreement" used to exist between Halifax and Dartmouth, whereby one city would hold its parade on the holiday Monday one year, with the situation being reversed the following year.

The Deputy Mayor indicated that he would ask the Committee to consider Alderman Meagher's request.

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

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on 18 January 1989 as follows:

Building Permit Application No. 88-173: 1051 Tower Road

MOVED by Alderman Flynn, seconded by Alderman Leiper that, as recommended by the City Planning Committee, Council's motion of 29 September 1988 (as follows) be upheld:

that Council accept the recommendation of the Heritage Advisory Committee; namely, that the original street (west) facade of the building located at 1051 Tower Road be retained, and that Council direct the owner to remove the new vinyl siding, soffits, insulation and cover strips, and to reinstate the street facade to its original design and materials, subject to the issuance of the necessary building permits.

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

Case No. 5221: Contract Development -
5820-30 South Street

On behalf of Alderman Deborah Grant, it was moved by Deputy Mayor Richard Grant, seconded by Alderman Stone that, as recommended by the City Planning Committee, City Council set a date for a Public Hearing to consider the entering into of a development agreement between the City of Halifax and the Canadian Cancer Society and Her Majesty the Queen in right of the Province of Nova Scotia, to permit construction of a mixed residential/office building at 5820-30 South Street and on a portion of the Gorsebrook lands, provided that the development is in substantial conformity with Plans No. P200/15599, 15601, 15604-06 and 16287-89 of Case No. 5221.

Motion passed.

The City Clerk advised that the requested public hearing would be scheduled for WEDNESDAY, 22 FEBRUARY 1989 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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MOTIONS

Motion Alderman Flynn Re: Amendment to Ordinance Number
180, the Streets Ordinance - FIRST READING

Notice of Motion concerning this matter was given by Alderman Flynn during a regular meeting of Halifax City Council held on 12 January 1989.

MOVED by Alderman Flynn, seconded by Alderman Leiper that Council give First Reading to the amendments proposed to Ordinance 180, the Streets Ordinance, attached as Appendix "B" to the report from the Streets Committee dated 20 January 1989; and further, that the matter be referred to the 22 FEBRUARY meeting of Committee of the Whole Council for consideration and report.

The motion was put and passed.

Motion Deputy Mayor Richard Grant Re: Amendment to Ordinance
Numbers 105, 169 and 174 - Membership on Boards and
Commissions - FIRST READING

An Information Report, dated 23 January 1989, was submitted from Mr. D. F. Murphy, Q.C., City Solicitor.

MOVED by Deputy Mayor Richard Grant, seconded by Alderman Fitzgerald that Council give FIRST READING to the proposed legislation (outlined in the Information Report dated 23 January 1989 and pertaining, in particular, to the Recreation Committee, the Police Commission, and the Heritage Advisory Committee) to provide for two-year terms for all appointees to City-regulated boards, committees, and commissions; and further, that the matter be referred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 8 FEBRUARY 1989.

The motion was put and passed.

MISCELLANEOUS BUSINESS

Appointments

A memorandum, dated 25 January 1989, was submitted by His Worship Mayor Wallace.

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MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the following individuals be appointed to the Spring Garden Road Business Improvement District Commission, with terms to expire as follows:

David McIlveen (31 January 1991)
Jessica MacNeil (31 January 1991)
Susan Malone (31 January 1991)
Francine Cosman (31 January 1990)
Michael Wilkes (31 January 1990)
Ronald Vaughan (31 January 1990)
John Arnold (31 January 1991)

The motion was put and passed.

Alderman Flynn declared a conflict of interest with regard to the following tender awards and subsequently abstained from voting.

Tender #88-201 - Electrostatic Plotter
(Deputy Mayor Richard Grant)

This matter had originally been deferred (during the 18 January meeting of Committee on Works) to the next regular meeting of Committee of the Whole Council scheduled for 8 February, but was added to this evening's agenda at the request of Deputy Mayor Richard Grant.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that Tender #88-201 for an Electrostatic Plotter for the Engineering and Works Department be awarded to Norman Wade Company for a tender price of \$43,400 (funds to be made available in the Digital Mapping Account Number 222402.20330.CK023).

The motion was put and passed with Alderman Flynn abstaining.

Tender Call Re: Traffic Signals at Scot Street

This matter was last discussed during the 18 January meeting of the Committee on Works and had been deferred to the next regular meeting of Committee of the Whole Council scheduled for 8 February 1989.

It was included on this evening's agenda in error, with no action being taken.

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Tender #88-199: Towing and Storage Services
(Deputy Mayor Richard Grant)

This matter had originally been deferred (during the 18 January meeting of the Finance and Executive Committee) to the next regular meeting of Committee of the Whole Council scheduled for 8 February, but was added to this evening's agenda at the request of Deputy Mayor Richard Grant.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that authority be granted to award Tender #88-199 for towing and storage services to the only bidder, Ace Towing Limited, for a two-year period in accordance with all terms and conditions of the tender documents.

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-169: One Articulated One-Half Yard Loader
c/w Backhoe (Engineering & Works/City Field)

A staff report, dated 9 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with regard to Tender #88-169 for one articulated one-half yard loader c/w backhoe, authority be granted to purchase this loader from Central Equipment Limited, the lowest bidder meeting specifications, for a tender price of \$43,495.00 (funds to be made available in the Equipment Replacement Account Number 126104.X1710),

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-171: Two 4-WD Articulated Municipal Tractors
c/w Snow Blowers, Plows and Mowers (Engineering
and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with regard to Tender #88-171 for 4-WD articulated Municipal tractors c/w snow blowers, plows and mowers, authority be granted to purchase this equipment from LaHave Equipment, the lowest bidder meeting specifications, for a price of \$132,695.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

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The motion was put and passed with Alderman Flynn abstaining.

Tender #88-172: One Front End Loader (Rubber Tire Mounted)
- Engineering and Works/City Field

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with regard to Tender #88-172 for one front-end loader (rubber tire mounted), authority is granted to purchase this equipment from Atmus Equipment, the lowest bidder meeting specifications, at a price of \$104,032.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-173: Three 1989 Model 4-Door Compact Sedans
(Engineering and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with regard to Tender #88-173 for three 1989 Model 4-Door Compact Sedans, authority be granted to purchase this equipment from MacLellan Lincoln/Mercury Sales, the lowest bidder meeting specifications, for a price of \$32,238.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-175: One Model Truck Chassis with Body
(18,000 G.V.M.), Engineering and Works/City Field

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-175 for one model truck chassis with body, authority be granted to purchase this equipment from Bob McDonald Chev Olds, the lowest bidder meeting specifications, for a price of \$30,737.00 (funds to

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be made available in the Equipment Replacement Account Number 126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-177: One Four-Wheel Street Sweeper
(Engineering and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-177 for one four-wheel street sweeper, authority be granted to purchase this equipment from Standard Machinery and Equipment, the only bidder, at a price of \$112,645.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-178: One 1989 Model Truck Chassis with
Combination Dump and Salt Body with Plows (Engineering
and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-178 for one 1989 Model truck chassis with combination dump and salt body with plows, authority be granted to purchase this equipment from Nova Enterprises and Wilson Equipment, the lowest bidder in each instance, for a total price of \$77,950.00 and \$36,533.00 respectively (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-170: Four 1989 Model Truck Chassis with
Combination Salt and Dump Bodies c/w Plows - 27,500
G.V.W. (Engineering and Works/City Field)

A staff report, dated 9 January 1989, was submitted.

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MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-170 for four 1989 Model truck chassis with combination salt and dump bodies c/w plows (27,500 G.V.W.), authority be granted to purchase this equipment from Chebucto Ford Sales (chassis) and LaHave Equipment Limited (bodies and plows), the lowest bidder in each instance, for a total price of \$159,833.08 and \$91,500.00 respectively (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-182: Two 1989 Model 4 x 4 Dump Trucks with Plows (10,500 G.V.W.) - Engineering & Works/City Field

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-182 for two 1989 Model 4 x 4 dump trucks with plows (10,500 G.V.W.), authority be granted to purchase this equipment from MacLellan Lincoln/Mercury Sales, the only bidder, for a total price of \$70,590.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-183: Six 1989 Model Pick-Up Trucks (Engineering and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-183 for six 1989 Model pick-up trucks, authority be granted to purchase this equipment from Bob McDonald Chev Olds., the lowest bidder meeting specifications, for a total price of \$74,544.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

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Tender #88-186: One 1989 Model Forward Control Chassis
and Step Van (Engineering and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-186 for one 1989 Model Forward Control Chassis and Step Van, authority be granted to purchase this equipment from Bob McDonald Chev Olds., the only bidder, at a price of \$33,640.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-187: Two 1989 Model Truck Chassis with
Body and Crane (Engineering and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-187 for two 1989 Model truck chassis with body and crane, authority be granted to purchase this equipment from Bob McDonald Chev Olds., the lowest bidder meeting specifications, at a price of \$102,760.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-188: Three 1989 Model 4-WD Vehicles with
Plows (Crew Cab) - Engineering and Works/City Field

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-188 for three 1989 model 4-WD vehicles with plows (crew cab) for the Engineering and Works Department, authority be granted to purchase this equipment from Bob McDonald Chev Olds., the lowest bidder meeting specifications, at a price of \$64,248.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

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Tender #88-189 - Five 1989 Model 4-WD Vehicles with
Plows (Engineering and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-189 for five 1989 Model 4-WD vehicles with plows for the Engineering and Works Department, authority be granted to purchase this equipment from Bob McDonald Chev Olds., the lowest bidder meeting specifications, at a price of \$88,085.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Tender #88-190 - One 1989 Model Forward Control Chassis with
Cab (Engineering and Works/City Field)

A staff report, dated 10 January 1989, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that, with reference to Tender #88-190 for one 1989 model forward control chassis with cab for the Engineering and Works Department, authority be granted to purchase this equipment from Bob McDonald Chev Olds., the only bidder, at a price of \$27,321.00 (funds to be made available in the Equipment Replacement Account #126104.X1710).

The motion was put and passed with Alderman Flynn abstaining.

Capital Budget Update

A staff report, dated 24 January 1989 and entitled "1989 Capital Budget Update," was submitted.

With reference to the 24 January report, Deputy Mayor Richard Grant requested clarification concerning improvements to the Herring Cove Road (Sussex to Greystone) which, he indicated, were approved by Council on 17 September 1987. The Deputy Mayor noted that, as part of that motion, he had requested that a letter be forwarded to the Province "as quickly as is feasible to ascertain whether or not cost-sharing will be made available." Emphasizing that contact with the Province in this regard was not made until the Fall

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of 1988 and that this project is not indicated in the proposed 1989 Capital Budget, the Deputy Mayor advised that he is assuming funds are available to undertake the Herring Cove widening project as approved by Council in September of 1987.

Responding to the Deputy Mayor's question, the City Manager advised that while he would investigate the matter, it was his understanding that the funds are not available at this time.

The Deputy Mayor referred to his previous presentation to Council on this matter in July of 1987 and emphasized that he and his constituents had been under the impression that, subsequent to Council's approval of the project, work would proceed. In this context, he strongly recommended that City funds be made available in 1989, should the Province agree to cost-share on this project.

Alderman Hanson, referring to p. A:2 of the 24 January report (St. Margarets Bay Road Sanitary Sewer/Storm Sewer), asked that, before Council is asked to make a decision on projects of this nature, staff provide them with information as to the Province's position with regard to cost-sharing.

10:00 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Richard Grant assuming the Chair.

Alderman O'Malley referred to her request (made during the 23 January Capital Budget meeting) that the Vestry Street sidewalks (St. Paul's to Acadia) be reevaluated, and noted that they had not been included in the 24 January report.

The City Manager suggested that staff might not have had an opportunity to undertake the review, but advised that, once the reevaluation has been done, the project would be added to the budget's "A" list.

After some further discussion, it was moved by Alderman Fitzgerald, seconded by Alderman Pottie that Council approve Appendix "B," as attached to the staff report dated 24 January 1989, for a total gross of \$6,883,000 and a net of \$4,947,000; and that the remaining capital works included in Appendix "A" be reviewed with the Operating Budget.

The motion was put and passed.

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QUESTIONS

Question Alderman Jeffrey Re: Sodding
- Corner of Willett Street and Main Avenue

Alderman Jeffrey made reference to construction which had previously taken place in the area around Willett Street and Main Avenue, and asked for information from staff as to when it is intended that the southeast corner of Willett Street (at Main) is sodded.

Question Alderman Pottie Re: Audible Traffic Signals
- Corner of Windsor/Almon Streets

Alderman Pottie advised that, during a recent Sunday walk through his ward, he had noticed that the audible traffic signals installed at the corner of Windsor and Almon Streets were not operating. He therefore asked for information from staff as to whether the signals had been installed on a trial basis only (and had now been removed) or whether the system required repairs.

Question Alderman Leiper Re: Meeting with MLA's

Alderman Leiper noted that the MLA's have once again cancelled their scheduled meeting with members of Council which was to have taken place on Friday, 27 January. The Alderman went on to note that, in light of the fact that "Provincial/municipal cost-sharing" had been a priority item for discussion, she would recommend that an invitation be extended as soon as possible to all MLA's representing the City of Halifax (not merely those from the majority party) to attend a meeting with members of City Council.

The Deputy Mayor indicated that this suggestion would be conveyed to the Mayor's Office.

Question Alderman Leiper Re: Site for Mainland
North Library

Alderman Leiper noted that the building being constructed on the border of Wards 10 and 12 (a portion of which is to house the new Mainland North Library facility) was originally planned as a "professional centre." She added, however, that residents are becoming very concerned about rumors that the building is now to house a 24-hour grocery store, a video outlet and a 24-hour cash stop, and asked that staff set up a meeting with the developers and the public so as to discuss the matter. In this context, the Alderman emphasized that the Library Board had intentionally voted to locate the library in a professional centre because

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it did not want the facility to be in close proximity to grocery stores, etc.

The City Manager advised that staff are reviewing the situation from the perspective of zoning and contractual requirements, adding that if the developer is no longer interested in pursuing the "professional centre" concept, the City may have to look for another location for the Mainland North Library.

Alderman Leiper asked that Aldermen for this area (namely, Aldermen Stone, Jeffrey and herself) as well as the Library Board be kept apprised of the situation.

Question Alderman Leiper Re: Public Meeting
- Day Care Centres

Alderman Leiper made reference to an forthcoming public meeting with regard to day care centres, and asked for information from staff as quickly as possible with regard to the five centres which are currently located in R-1 Zones.

Question Alderman Stone Re: Mainland North
Library Facility

Alderman Stone reiterated Alderman Leiper's concerns regarding the uses now proposed for the building in which the Mainland North Library is to be housed, noting that he had previously requested staff of the City Solicitor's Department and of the Development Control Division to investigate the matter.

10:15 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Grant assuming his usual seat on Council.

Question Alderman Stone Re: Publishing of
Council Agendas

Alderman Stone asked if steps could be taken to ensure that agendas for forthcoming Council meetings are published in the local newspapers on a regular basis.

His Worship advised that this information is now being published by The Mail Star and that an inquiry would be made to The Daily News in this regard during the coming week.

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Question Alderman Fitzgerald Re:
Harbor Clean-Up Project

Alderman Fitzgerald reiterated remarks made previously during the 23 January budget meeting; namely, that, in his opinion, it was improper for newly-elected Aldermen to vote on major capital expenditures without having first received detailed information regarding those projects. To that end, he requested that complete information concerning the Harbor clean-up project (i.e., specifics as to the proposal itself as well as the proposed funding) be made available to Council before it is asked to commit itself to these expenditures.

His Worship Mayor Wallace advised that this item will be included on the agenda of the next regular meeting of Committee of the Whole Council scheduled for 8 February.

Question Alderman Fitzgerald Re: Overall Transportation
System - City of Halifax

Alderman Fitzgerald indicated that it was his understanding a presentation had previously been made to Council with regard to the overall transportation system for the City of Halifax. In this context, he noted that, as a new Alderman, he was reluctant to approve large amounts of money on what he termed "bits and pieces" (e.g., improvements to the Bedford Highway, Titus Street, etc.) until he could see how these projects fitted with the overall transportation system.

Alderman Fitzgerald therefore requested that staff make information of this nature available to members of Council.

Question Alderman Fitzgerald Re: City's Recycling Program

With reference to a question from Alderman Fitzgerald, His Worship Mayor Wallace indicated that the final report on recycling will be discussed by the Metropolitan Authority at their next meeting and will subsequently be forwarded to Halifax City Council for review.

Question Alderman Fitzgerald Re: St. Mary's Boat Club

Alderman Fitzgerald asked for a report to be submitted within the next four weeks as to the status of the St. Mary's Boat Club.

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Mayor Wallace indicated that this item would be added to the agenda of the meeting of the Committee of the Whole Council scheduled for WEDNESDAY, 22 FEBRUARY.

Question Alderman O'Malley Re: Harbor Clean-Up Project

Alderman O'Malley concurred with Alderman Fitzgerald's earlier remarks on this subject, emphasizing that she, as a newly-elected Alderman, would appreciate a presentation on the Halifax Harbor clean-up in order to accurately respond to questions from her constituents.

Question Alderman O'Malley Re: Lighting - Bus Shelters

Alderman O'Malley referred to her previous remarks with regard to lighting around bus shelters in the vicinity of the City's seniors manors, noting that she has yet to receive all the requested information. The Alderman emphasized that she would like to address this matter as quickly as possible and urged the City Manager that the Metropolitan Authority be contacted with regard to their outstanding report.

Question Alderman Downey Re: Parking - Northwood Terrace

Alderman Downey referred to the "No Parking" signs erected in front of Northwood Manor (Northwood Terrace to Bloomfield Street), and asked that, in the absence of any major snowfalls this season, consideration be given to removing these signs at an earlier date to provide much-needed on-street parking in this area.

10:20 p.m. - His Worship Mayor Wallace retired from the Chair, taking a seat on Council.

NOTICES OF MOTION

Notice of Motion His Worship Mayor Ron Wallace Re: Program to Promote Equality in the Workplace

His Worship Mayor Ron Wallace gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Thursday, 16 February 1989, he proposes to introduce the following motion:

THAT the City of Halifax develop a program to promote equality in the workplace;

the program, to be developed over a three-year period, to include:

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- a commitment from management;
- a resolution by City Council;
- an educational program;
- a survey/analysis of our existing work force;
- a review of present hiring practices to identify barriers that may exist;
- a progress report to Management and City Council every six months.

The purpose of this program is to determine if City staff is a true reflection of the available workforce; the intention is to correct over time any inequities that may exist.

10:23 p.m. - Mayor Wallace resumes the Chair.

ADDED ITEMS

Homes for Special Care (Alderman Leiper)

Alderman Leiper noted that, during the last regular meeting of City Council, she had mistakenly indicated that advice had already been received from the Minister of Community Services to the effect that no special funding would be forthcoming to the City to cover the costs of homes for special care between the months of January-March, 1989. Referring to a letter, dated 20 December 1988 from the Honorable Thomas J. McInnis, the Alderman emphasized that, to the contrary, no mention is made in that correspondence of any adjustments to be made during that three-month period. She added that a recent report from Mr. H. D. Crowell, Director of Social Planning, indicates that the City will be able to pay only one-third of those bills until cost-sharing with the Province is restored, or until permission is granted by Council to over-expend its budget to pay the remaining two-thirds.

Emphasizing that this situation contributes heavily to the City's overall deficit, it was moved by Alderman Leiper, seconded by Alderman Fitzgerald that Council not authorize staff to pay the additional one-third of the costs related to homes for special care until such time as the City has received an answer from the Province to its request for a special grant to meet these needs.

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In seconding the motion, Alderman Fitzgerald emphasized that he in no way wished to impose undue hardship on the residents of special care homes. He pointed out, however, that unless the City takes a stand and refuses to pay more than one-third of the costs until a definite response is received from the Minister of Community Services, a deficit, similar to the one with which the City was faced in 1988, is inevitable.

Alderman Pottie expressed concern that the action proposed would seriously jeopardize the residents of the City's homes for special care, and, from that perspective, indicated that he could not support the motion.

Alderman Flynn, concurring with Alderman Pottie's comments, suggested instead that a strong letter be forwarded to the Provincial Government, outlining once again their responsibilities in this situation.

Deputy Mayor Richard Grant indicated that while he could not support the motion, he felt very strongly that the City of Halifax (on behalf of all Nova Scotia municipalities) must keep this issue in the forefront and continue its arguments with the Province as to appropriate funding for homes for special care.

Following a lengthy discussion, it was moved by Alderman Stone, seconded by Alderman Flynn that the matter be deferred for a two-week period to provide an opportunity for His Worship Mayor Wallace to meet with the Minister of Social Services; the purpose of this meeting is to to obtain for Council's benefit a definite answer with regard to the funding arrangements for homes for special care for the three-month period January-March, 1989.

In putting forward this recommendation, Alderman Stone suggested that, should the Province fail to give the City an answer within that timeframe, it will show the public that the Government is renegeing on its responsibilities with regard to the residents of homes for special care.

Responding to a question from Alderman Leiper, Mayor Wallace indicated that the matter would be placed on the agenda at the next regular meeting of City Council **scheduled for THURSDAY, 16 FEBRUARY.**

The motion to defer was put and passed.

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Spring Garden BIDC - Parking Lots Budget

This matter was last discussed during a regular meeting of City Council held on 15 December, 1988.

A supplementary staff report, dated 24 January 1989, was submitted.

MOVED by Alderman Downey, seconded by Alderman Leiper that Council approve the annual operating budget for the Spring Garden Road Parking Lot (attached to the staff report dated 24 January 1989) submitted by the Spring Garden BIDC.

The motion was put and passed.

Authorization for Delay in Tabling Operating Budget

A staff report, dated 25 January 1989, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that Council authorize an extension of the period during which the Manager may table the 1989 Operating Budget on the understanding that an early tabling of proposed expenditures will take place.

Responding to a question from Alderman Fitzgerald, the City Manager advised that he is suggesting an extension to a maximum of 31 March 1989.

Alderman Fitzgerald indicated that he would prefer a deadline of 28 February, and it was so agreed.

The motion was put and passed.

Halifax Shopping Centre (Alderman Flynn)

This matter was added to the agenda at the request of Alderman Flynn who expressed concern regarding the blasting which is presently ongoing in conjunction with the expansion of the Halifax Shopping Centre.

In his remarks, the Alderman emphasized that apart from the usual noise and discomfort occasioned by the blasting process, area residents are now being bothered by excessive air pollution as well as damage to their homes'

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The motion was put and passed.

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foundations. He noted that, in his opinion, the developer is taking a very "cavalier" attitude with regard to these concerns, adding that he has also been given to understand that the level of blasting is often higher than what is permissible under the contractor's permit. Alderman Flynn emphasized that this construction is taking place in the midst of a residential neighborhood and asked for information from staff as to what authority the City has in matters such as this and the steps it could take to alleviate these problems.

The City Manager advised that, in his opinion, the root of the problem lies with the tender specifications issued by the developer to prospective contractors. He suggested that, in future, when awarding a contract development of this magnitude, the City should reserve the right to approve the developer's specifications for contracts. He emphasized, however, that the prime responsibility in matters such as these lies with the developer himself, not with the City.

Responding to a further question from Alderman Flynn, the City Solicitor indicated that he would review the terms of the blasting permit issued to the contractors in question and undertake prosecutions if appropriate.

Mr. Murphy emphasized, however, that Halifax City Council has no authority to interfere in the overall problems experienced by abutters of the Shopping Centre. He suggested that, if there is a common protagonist, residents should work together to resolve the situation, possibly by taking legal action.

Alderman Stone advised that blasting problems similar to those in Alderman Flynn's ward occur with regularity in Ward 12, and strongly urged that the City's blasting regulations be reviewed from the perspective of limiting the strength of the charge and imposing a considerable fine for offenders.

Responding to Alderman Stone's recommendations, the City Solicitor advised that such regulations are already in effect, and that the real problem lies in detection.

Deputy Mayor Grant strongly recommended that the matter also be taken up with the Inspector of Explosives for the Atlantic Region to ascertain whether he can take any action in this regard.

His Worship Mayor Wallace indicated that staff would contact the Inspector for his advice in this matter.

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Alderman Flynn closed the debate by requesting that staff review the Ordinance to see if there is anything the City can do to prevent future problems of this nature.

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

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR RICHARD GRANT
CHAIRMEN

EDWARD A. KERR
CITY CLERK

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