

HEADLINES FOR CITY COUNCIL MINUTES
OF 19 APRIL 1989

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

Council Chamber
City Hall
Halifax, Nova Scotia
27 April 1989
8:00 p.m.

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

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

ALSO PRESENT: M.M. Royer, Acting City Manager; B.S. Allen, Acting City Solicitor; E.A. Kerr, City Clerk; and other members of staff.

The meeting commenced with members of City Council, led by Alderman Flynn, joining in the recitation of the Lord's Prayer.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on 13 April 1989, and the special Council meeting held 19 April 1989 were approved on a motion by Alderman Fitzgerald, seconded by Alderman Jeffrey.

APPROVAL OF THE ORDER OF BUSINESS, ADDITION & DELETIONS

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

20.1 Provincial Confirmation - Social Services Budget (Alderman Fitzgerald)

20.2 St. Stephen's Highland Park School (Alderman O'Malley)

20.3 Early Call-back of Seasonal Employees Local 108 (Alderman Downey)

20.4 Grant to the Nova Scotia Symphony Orchestra (Alderman Meagher)

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At the request of the City Clerk, Council agreed to delete the following agenda item because the application on this matter was withdrawn:

15.3 Case No. 5766: Amendment to the Municipal Planning Strategy - 5841-85 Victoria Road

MOVED by Alderman Stone, seconded by Deputy Mayor R. Grant that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS

Amend MPS & LUB - Auto Specialty Shops in Mainland South

A public hearing regarding this matter was held Wednesday, 19 April 1989.

MOVED by Deputy Mayor R. Grant, seconded by Alderman Hanson that the amendments to the Municipal Development Plan and Land Use Bylaw (Mainland Area), as attached to the staff report of 14 April 1989, to permit motor vehicle repair shops in the minor commercial zone be approved.

The City Clerk advised that Aldermen D. Grant, Pottie, Jeffrey, and Stone had been absent from the 19 April 1989 public hearing on this matter.

The motion was put and passed with Aldermen D. Grant, Pottie, Jeffrey, and Stone abstaining from the vote.

Case No. 5565 - Proposed Rezoning - Lands in the Vicinity of Purcell's Cove Road

A public hearing into the above was held on Wednesday, 19 April 1989.

MOVED by Alderman Hanson, seconded by Deputy Mayor R. Grant that the lands designated "Low Density Residential", being located in the vicinity of the Purcell's Cove Road as shown on Plan No. P200/17240 (attached to the supplementary report of 24 April 1989), be rezoned from R-1 (Single Family Dwelling) Zone to H (Holding) zone, with the exception that Parcel "A" of the lands of Gay Silverman along with the lands of the Nova Scotia Yacht Squadron shall remain R-1.

Alderman Hanson suggested that the matter was a housekeeping one and advised that the Holding Zone will

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allow someone who owns a piece of property in the area in question to build a house.

Responding to a question from Deputy Mayor R. Grant, Mr. Hanusiak (Development and Planning) advised that Council is guided by the Municipal Plan to the degree that the property is designated low density residential. He noted that it allowed only one alternative which would be back to a single family dwelling zone provided municipal water and sewer exists.

Alderman D. Grant noted that the residents in the area are anxious that the property remain R-1 if the Holding Zone was lifted. She noted a question had also been raised with respect to wells and concern with respect to water quality in the area. Alderman D. Grant questioned whether or not this concern had been addressed satisfactorily.

In response to Alderman D. Grant's concern, Mr. Hanusiak advised that the whole issue had been discussed with the Engineering Department before the recommendation was sent to Council. Mr. Hanusiak further advised that staff did not anticipate a lot of development and suggested that the situation would not become any worse or any better. Mr. Hanusiak reiterated that staff was fairly confident that the situation would not be aggravated any further.

The City Clerk advised that Aldermen Jeffrey and Stone were absent from the 19 April 1989 public hearing on this matter.

The motion was put and passed with Aldermen Jeffrey and Stone abstaining from the vote.

Appeal of Minor Variance Refusal - 6551-53 London Street

A public hearing into the above matter was held on Wednesday, 19 April 1989.

Correspondence dated 27 April 1989 from Mr. Peter Branny was submitted (a copy of which is contained in the official file of this meeting).

Responding to a question from Alderman Pottie, the Acting City Solicitor advised that the information provided may be relevant to another issue of whether or not the building has in it a non-conforming use. He advised that Council should still make a decision on the minor variance application based on the planning guidelines and, if Council approves the variance, advised that the property owner's problem would be solved. If Council should refuse Mr. Branny's application, the Acting City Solicitor advised that

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the applicant could still investigate the possibility that he may have a legal non-conforming use which will allow his basement apartment to remain.

Referring to the staff report dated 28 February 1989 regarding the location and variance, Alderman Pottie suggested that the area could be jeopardized if the variance was approved.

MOVED by Alderman Pottie, seconded by Alderman Fitzgerald that the appeal of minor variance approval at 6551-53 London Street be denied and the decision of the Acting Development Officer be upheld.

Motion passed.

MOTIONS OF RECONSIDERATION

Motion - Deputy Mayor R. Grant: Reconsideration of City Council Resolution of 15 March 1989 Re: Terms of Reference - Stipends Committee

Due to the lack of a full complement, it was MOVED by Deputy Mayor R. Grant, seconded by Alderman Hanson that this matter be deferred to the next regular City Council meeting scheduled for 11 May 1989.

Motion passed.

PETITIONS AND DELEGATIONS

Petition Alderman O'Malley Re: Proposed Rezoning from R-3 to R-2 - area surrounded by Bloomfield, Gottingen, Black, Fuller, North and Agricola Streets

Alderman O'Malley submitted a petition on behalf of approximately 255 names of residents asking that the zoning designation be changed from R-3 to R-2 for the area bounded by Bloomfield, Gottingen, Black, Fuller, North and Agricola Streets as outlined on the map attached to their petition.

Alderman O'Malley noted that this petition was similar to the one she tabled at the City Council meeting on 13 April 1989 and asked that it be circulated to all members of Council.

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Petition Alderman Downey Re: Proposed Rezoning from R-3 to R-2 - area surrounded by Bloomfield, Gottingen, Black, Fuller, North and Agricola Streets

Alderman Downey noted that he was submitting the same petition as Alderman O'Malley on behalf of approximately 230 names of residents asking that the zoning designation be changed from R-3 to R-2 for the area bounded by Bloomfield, Gottingen, Black, Fuller, North and Agricola Streets as outlined on the map attached to their petition.

Petition Alderman Fitzgerald Re: Northwest Arm Heritage Association

Alderman Fitzgerald submitted a petition signed by approximately 29 residents requesting that the City of Halifax implement Sub Area policy 8.2.3 in its Land Use Bylaw in order to help ensure continued public access and recreational opportunities of the public on the Northwest Arm.

Alderman Fitzgerald asked that this petition be forwarded to the appropriate staff persons so that action can begin on the debate of this amendment.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Motion - His Worship Mayor Wallace Re: Employment Equity in the Workplace

This matter was forwarded to Council without recommendation.

A report dated 25 April 1989 from His Worship Mayor Wallace was submitted.

MOVED by His Worship Mayor Wallace, seconded by Alderman D. Grant that the City of Halifax commit itself to the implementation of a policy and program to ensure equality in employment for all, and in particular for

1. visible minorities, with special attention being given to the Black Community
2. women
3. persons with disabilities
4. aboriginals

and, further, that a Steering Committee of senior management, to include the City Manager, the Director of Personnel, the Director of Education and the Director of Social Planning, be established to develop an implementation

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plan for approval by City Council, in consultation with representatives of the four designated groups, as well as government and business.

Alderman D. Grant addressed the matter and advised that she had received some information from the YWCA which talks about a four month research project which they have undertaken over the past four months and the results of which will be available the first week of May. Alderman D. Grant advised that the study was with respect to the integration of women into the non-traditional work environment. Alderman D. Grant suggested that it would be appropriate to have a person from the YWCA involved with the Committee which is being proposed at this time.

Alderman Flynn noted that the motion did not mention when the Committee would report back to Council.

Responding to Alderman Flynn's concern, His Worship advised that there should not be any delay in bringing a report back to Council on the matter.

Alderman Flynn further suggested that it would be helpful to have someone from the community, perhaps the Federal Treasury Board on matters associated with employment equity, also on this Committee.

Alderman Flynn indicated that he would like to see a time limit placed on an interim report to Council. Following a short discussion, it was agreed that a progress report would be forthcoming by the middle of June 1989.

In response to Alderman D. Grant's question with respect to including persons from the YWCA or the Status of Women on the Steering Committee, Mayor Wallace noted that the proposed Committee should consult with the community, business, and the four groups referred to in his motion.

Mayor Wallace went on to note that the City of Halifax is an Equal Opportunity Employer; however, he commented that it is recognized that present staff does not reflect the available work force. His Worship further noted that the objective of his motion was to eliminate any real or imagined barriers that exist. He noted that their approach will advance on the following two fronts: the community, and the City's administration. In concluding, Mayor Wallace pointed out that almost all Council members and management have encouraged him to advance this program.

The motion was put and passed unanimously.

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Proposed Forum Addition - Financial Viability

A supplementary staff report dated 26 April 1989 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Pottie that Council grant the wishes of the Halifax Forum Commission for the purchase of this multi-purpose building and that the financing be carried out for a five year term.

Alderman Flynn addressed the matter and advised that his only concern was with respect to allowing the proposed forum addition without holding a public hearing or meeting first.

With respect to Alderman Flynn's concern, the Deputy Mayor suggested that a public hearing into the matter was not necessary in this case due to the fact that it met the regular building regulations.

In response to a question raised by Deputy Mayor R. Grant, Mr. Smith advised that the knowledgeable outside adviser referred to in the supplementary report of 26 April 1989 was Mr. Keith Lewis who was the former Manager of the Forum and more recently the Manager of the Metro Centre.

A discussion ensued with Alderman D. Grant advising that she had received a call from a citizen questioning whether or not the Forum Complex with its proposed addition would be competing with the same events that were held in the Metro Centre.

In response to Alderman D. Grant's query, Alderman Jeffrey confirmed that the Forum Complex with its proposed addition would be in no way in competition with the Metro Centre.

Following a further short discussion, the motion was put and passed.

Report - Halifax Seniors Council Re: Senior Taxi Fare Reduction Program

MOVED by Alderman Flynn, seconded by Alderman D. Grant that this matter be deferred pending receipt of a staff report.

Motion passed.

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Lease of City Land to the Ashburn Golf Club

A supplementary staff report dated 24 April 1989 was submitted.

The Chairman noted that the supplementary report indicates that the Ashburn Golf Club has decided not to proceed with the matter of leasing City-owned land for Club expansion for the time being.

It was, therefore, MOVED by Alderman D. Grant, seconded by Alderman Fitzgerald that no action be taken regarding this matter at this time.

Motion passed.

Task Force on Financing of Homemaker/Home Care Agencies

This matter was forwarded to Council without recommendation.

MOVED by Alderman D. Grant, seconded by Alderman Flynn that this matter be deferred to the next regular Committee of the Whole Council meeting scheduled for Wednesday, 3 May 1989, for discussion.

Mr. Crowell addressed Council and briefly stated that the Task Force on Financing Homemaker/Home Care Agencies was appointed by the Union of Nova Scotia Municipalities. He noted that questionnaires had been sent out to the various municipalities and that the Union is requested that each questionnaire be returned by 30 April 1989. Mr. Crowell noted that staff have responded to the questionnaires as best they could.

The Chairman suggested that the deadline was not a rigid one, but indicated that the matter would be discussed with the Union.

The motion was put and passed.

File #40943 - Four (4) Front Mounted Diesel-Powered Rotary Lawn Mowers - Parks and Ground Division

This matter was forwarded to Council without recommendation.

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that authority be granted to purchase four front mounted diesel-power rotary lawn mowers from Eastern Turf Products, the lowest bidder, for \$45,200.00. Funds are

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available in account number 126104.E0404 titled Equipment Replacement.

Motion passed.

Tender #88-95 - Halifax Public Gardens Canteen Concessions

This matter was forwarded to Council without recommendation.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that authority be granted to enter into a three-year agreement for the concession at the Halifax Public Gardens with Beaver Foods Ltd. at a yearly fee of \$12,500.00 and in accordance with the terms and conditions outlined in the tender documents.

In response to a question from Alderman Pottie, the Chairman advised that the annual fees are payable in advance.

The Acting City Solicitor further confirmed that there would be remedies under the lease for the collection of the funds.

The motion was put and passed.

Gottingen Street - 1989-90 Mainstreet Program

A letter dated 26 April 1989 from the Community Planning Association of Canada/Nova Scotia addressed to Alderman Downey was submitted.

MOVED by Alderman Downey, seconded by Alderman D. Grant that Council:

1. authorize staff to make application to the Provincial Mainstreet Program for cost sharing of a major promotional project under the criteria listed on page 2 and 3 of the staff report dated 13 April 1989, with the City's contribution of \$66,500 to be made available from the Mainstreet Capital Account No. CK051; and upon approval by the Province of its funding contribution, to
2. authorize staff to hire a project co-ordinator and establish a co-ordinating committee to supervise and administer the Call for Proposals and,
3. authorize the City Manager to execute agreements with selected proponents to the Call, on

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advice of the Co-ordinating Committee, up to a maximum of \$10,000 per contract.

and, further, that Council:

4. endorse the use of Mainstreet Capital funds to cost share with the Gottingen Street Area Merchant's Association and the Province in funding a consultant study which will prepare recommendations on joint promotional activities and methods of enhancing the effectiveness of the Association, within the district. The City's contribution to be \$5,000 available from Mainstreet Capital Account No. CK051.

At the request of Alderman Downey, Mr. Crowell addressed Council and explained that he became involved in the Gottingen Street Mainstreet Program partly due to the fact that, over a year ago, the Provincial Department of Small Business entered into an agreement with HRDA (Human Resources Development Association) for a community economic development worker in the Gottingen Street area. As a result, Mr. Crowell noted that HRDA has hired J. Stern. He went on to advise that they have tried to involve the citizens in the immediate area in the Program.

Alderman D. Grant asked if it would be possible to include a member of the Art Allocation Committee when determining the type of art that should be placed in public areas on Gottingen Street.

Mr. Crowell indicated that Alderman D. Grant's suggestion was most appropriate and advised, if the motion was approved, that the Art Allocation Committee would be approached immediately.

Alderman D. Grant further asked that the Art Allocation Committee be included in the discussions when dealing with anything to do with artists.

Referring to the letter received from the Community Planning Association of Canada/Nova Scotia, Alderman Downey noted the Association have indicated their support for this proposal.

The motion was put and passed.

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REPORT - COMMITTEE ON WORKS

Captain William Spry Centre

This matter was forwarded to Council with the request that a staff report be submitted.

A supplementary staff report dated 26 April 1989 was submitted.

MOVED by Deputy Mayor R. Grant, seconded by Alderman Hanson that this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 3 May 1989 or to the following one pending receipt of the total files regarding the ventilation system and the deletion of the air conditioning system during the design of the building.

Deputy Mayor R. Grant requested that all correspondence relating to this matter be submitted so that Council could be made aware of the difficulties which had arisen. Deputy Mayor R. Grant suggested the Chairman of the Task Force for the Community Centre, the President Executive Director, the City Architect, and perhaps the Chairman of the Board of Directors could provide this information to staff.

The motion was put and passed.

Award of Tender: #89-28 - Sidewalk Renewal

This matter was forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman D. Grant that Tender No. 89-28 for sidewalk renewals be awarded to G. & R. Kelly Ent. Limited for the lowest tendered price of \$159,705.00 and a total project cost of \$192,000.00.

Motion passed.

Award of Tender: #89-25 - Sidewalk Renewal

This matter was forwarded to Council without recommendation.

MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that Tender No. 89-25 for sidewalk renewals be awarded to G. & R. Kelly for the lowest tendered amount of \$159,585 and an estimated total project cost of \$194,000.

Responding to a question from Alderman Flynn, Mr. Connell advised that the Alderman was correct in his

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conclusion that staff are at a peak period with tendering. He agreed that the approval of the capital budget in October or November would definitely save money.

Alderman Fitzgerald noted that he had spoken with the staff of the Engineering and Works Department who indicated that there would be no difficulties in having the capital budget brought forward no later than the 1st September.

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

Petition Requesting Curb and Gutter - Wenlock Grove

This matter was forwarded to Council without recommendation.

Alderman Hanson addressed the matter and advised that the project was initiated by the property owners on Wenlock Grove and suggested that the petition submitted by the residents on the matter was a reasonable one.

MOVED by Alderman Hanson, seconded by Alderman D. Grant that City Council:

1. Accept the petition of the property owners on Wenlock Grove and approve the installation of concrete curb and gutter and streets upgrading required. Local Improvement Charges to be amortized over a ten (10) year period.
2. Authorize staff to proceed with the installation of concrete curb and gutter and streets upgrading at a cost estimated at \$80,000.00.
3. Authorize staff to implement recommendations of Jacques Whitford and Associates Limited to alleviate groundwater problems in conjunction with the approved projects on Wenlock Grove and the Purcell's Cove Road.
4. Authorize staff to proceed with these extra works, subject to the identification of final costs, additional project authorizations and appropriate transfers when works are complete.

Motion passed.

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Bloomfield School - Elevator Installation

This matter was forwarded to Council with the request that staff of the Recreation Department provide an update report on the installation of the elevator at Bloomfield School.

A supplementary staff report dated 26 April 1989 was submitted.

Alderman O'Malley addressed the matter and expressed her disappointment about the fact that the installation of the elevator was not going ahead as requested. Alderman O'Malley expressed the concern that her motion which was duly passed by this Council does not appear to be carried out. Alderman O'Malley asked for a written report, as soon as possible, on the definite time when the elevator will be installed and where it will be located in the building.

Alderman Jeffrey concurred with the concerns expressed by Alderman O'Malley and pointed out that, when the motion had been passed on this matter, Council recommended that the work on the elevator be commenced immediately.

Alderman Meagher suggested that the report make reference to the normal time it takes for the installation of an elevator.

The Acting City Manager advised that it was her understanding that the Committee established to review the matter was meeting within the next few days to finalize a recommendation to go to the City Architect.

Alderman D. Grant suggested that it would be appropriate to look very seriously at installing the elevator during the summer months when programming would not be occurring with such frequency in the school system.

For Council's information, the Acting City Manager advised that the President of the Halifax Seniors Council has been appraised of the developments with respect to the matter and is part of the group making the recommendation as to the location of the elevator.

It was agreed that a report would be forthcoming at the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 3 May 1989.

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

**Report - Heritage Advisory Committee: Alteration -
2323 Princess Place (Registered Heritage Property)**

A report, dated 21 April 1989, from Ms. Barbara Watt, Chairman of the Heritage Advisory Committee, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the repair of the south wall of 2323 Princess Place with 4" clapboard painted a colour to match the existing facade (as shown on the plan attached to the report from the Heritage Advisory Committee dated 21 April 1989) be approved on the explicit understanding that the circumstances in this case are highly unusual, and that this recommendation is not to be regarded in any way as a precedent for approving the attachment of clapboard finish on any of the principal facades of the structures in this streetscape.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday 19 April 1989 as follows:

Case No. 4545: Langbrae Gardens

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, the alignment of Langbrae Drive remain in the location shown on the presently approved plan, and that no changes be made to the present Stage I, Schedule "K" agreement for Langbrae Gardens.

In putting forward this motion, Alderman Stone reiterated remarks made during the 19 April City Planning Committee, noting, in particular, that the proposed termination of Langbrae Drive would pose serious implications for the overall traffic patterns in Mainland North. He added that, in his opinion, if Council were to approve the request from Ailsa Construction Limited for this amendment to their development agreement, it would be setting a precedent for other developers to search out similar dead end streets, thus creating an accumulation of "roads to nowhere."

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

**Report - Heritage Advisory Committee: Alteration -
2323 Princess Place (Registered Heritage Property)**

A report, dated 21 April 1989, from Ms. Barbara Watt, Chairman of the Heritage Advisory Committee, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the repair of the south wall of 2323 Princess Place with 4" clapboard painted a colour to match the existing facade (as shown on the plan attached to the report from the Heritage Advisory Committee dated 21 April 1989) be approved on the explicit understanding that the circumstances in this case are highly unusual, and that this recommendation is not to be regarded in any way as a precedent for approving the attachment of clapboard finish on any of the principal facades of the structures in this streetscape.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday 19 April 1989 as follows:

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In putting forward this motion, Alderman Stone reiterated remarks made during the 19 April City Planning Committee, noting, in particular, that the proposed termination of Langbrae Drive would pose serious implications for the overall traffic patterns in Mainland North. He added that, in his opinion, if Council were to approve the request from Ailsa Construction Limited for this amendment to their development agreement, it would be setting a precedent for other developers to search out similar dead end streets, thus creating an accumulation of "roads to nowhere."

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The Alderman also emphasized that Langbrae Drive has been designed and will be maintained as a "residential collector road," intended to provide a residential opening for the remainder of the lands located to the northwest of Dunbrack Street.

The motion was put and passed.

Case No. 5785: Schedule "K" Application, Langbrae Gardens, Phase Two-C (Chelton Woods Lane)

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the City Planning Committee:

1. the application by Ailsa Construction Limited under Schedule "K," Section 68 of the Land Use Bylaw (Mainland Area) for Stage II approval of the Langbrae Gardens - Phase Two-C development, Chelton Woods Lane, be approved;
2. the requested front yard, side yard, parking and lot frontage modifications be approved, subject to the condition that parking be provided for two vehicles on each of the lots;
3. the time limit for completion of the Langbrae Gardens development be extended to 4 years from the date of approval of Phase Two-C;
4. funds in the amount of \$10,000 be placed in the 1989 Capital Budget for completion of the Rockingham Ridge portion of Chelton Woods Lane;
5. Council require that the contract shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council; otherwise, the Stage II approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

Case No. 5766: Amendment to the Municipal Development Planning Strategy: 5481-85 Victoria Road

This matter had been deleted at the request of the City Clerk during the setting of the meeting's agenda.

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While acknowledging the applicant's request for deletion of this item at the present time (the development application having been withdrawn), Alderman Deborah Grant noted that the individual in question had also asked that his revised proposal be brought forward by staff for Council's consideration as quickly as possible.

Case No. 5085: Development Agreement - Kearney Lake Road and Bicentennial Highway

MOVED by Alderman Stone, seconded by Alderman Flynn that, as recommended by the City Planning Committee, the development agreement between the City of Halifax and RGL Developments Limited, approved on 6 July 1988 for the purpose of permitting construction of 12 townhouses and 3 apartment buildings on lands adjacent to the intersection to Kearney Lake Road and Castle Hill Drive, be amended to incorporate the following provision:

The Developer, in satisfaction of the City's Subdivision Bylaw, construct the following items on lands identified in Schedule "B" of the staff report, dated 7 April 1989;

- two asphalt-type tennis courts, including appropriate fencing and netting; and
- a graveled walkway of at least 12 feet in width leading from Castle Hill Drive to the tennis courts.

The Developer shall construct the facilities to City standards and specifications, whereupon it shall deed to the City its portions of the lands described in Schedule "B" of the staff report dated 7 April 1989 prior to the issuance of any occupancy permits for the building;

and further, that the execution time for the signing of the agreement be extended to 31 May 1989.

The motion was put and passed.

Civic Number 5780 West Street

This matter had been raised by Alderman Meagher during "Question Period" at a regular meeting of Council held

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on 13 April 1989, and had been forwarded without recommendation from the 19 April meeting of the City Planning Committee.

An Information Report, dated 25 April 1989, was submitted.

Noting that he had not had an opportunity to review the contents of the 25 April report, it was moved by Alderman Meagher, seconded by Alderman Downey that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 3 MAY 1989.

In making this request, Alderman Meagher also indicated that he wished to be advised as to the present zoning of the property in question, as well as the zoning proposed under the Peninsula North Secondary Planning Strategy.

The motion to defer was put and passed.

9:40 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Richard Grant assuming the Chair.

MOTIONS

Motion - Alderman Flynn Re: Proposed Amendment to Administrative Order #20, The Emergency Measures Administrative Order (FIRST READING)

Notice of Motion regarding this matter had been given by Alderman Flynn during a regular meeting of City Council held on 13 April 1989.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that Council give FIRST READING to Administrative Order #20, the Emergency Measures Administrative Order, which sets out the functions, duties and responsibilities of the Emergency Measures Organization and Department; and further, that this matter be referred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 3 May 1989 for consideration and report.

The motion was put and passed.

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Motion - Alderman Flynn Re: Proposed Amendment to
Ordinance #133, The Emergency Measures Organization
Ordinance (FIRST READING)

Notice of Motion regarding this matter had been given by Alderman Flynn during a regular meeting of City Council held on 13 April 1989.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that Council give FIRST READING to an amendment to Ordinance 133, the Emergency Measures Organization Ordinance (the purpose of which is to clarify the functions, duties and responsibilities of the Emergency Measures Organization Department with those set out in the Ordinance), and further, that the matter be referred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 3 MAY 1989 for consideration and report.

The motion was put and passed.

Motion - Alderman Hanson Re: Amendment to
Ordinance 116, the Taxi Ordinance (FIRST READING)

Notice of Motion regarding this matter had been given by Alderman Hanson during a regular meeting of Halifax City Council held on 13 April 1989.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that Council give FIRST READING to an amendment to Ordinance 116, the Taxi Bylaw (for the purposes of changing the license renewal requirements for taxi operators as well as to revise the title on the "Schedule of Rates"); and further, that the matter be referred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 3 MAY 1989 for consideration and report.

The motion was put and passed.

Motion - Alderman Fitzgerald Re: Requested Study by
the Nova Scotia Housing Commission Re: Need for
Senior Citizen Housing

Notice of Motion regarding this matter had been given by Alderman Fitzgerald during a regular meeting of Halifax City Council held on 13 April 1989.

Alderman Fitzgerald referred to comments made recently by representatives of the Halifax Housing Authority and by the statistics which indicate the extent of the City's

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aging population, and emphasized that, in his opinion, there is a definite need (in all areas of the City) for additional senior citizen housing.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Deborah Grant that City Council request the Nova Scotia Housing Commission to undertake a needs study in the City of Halifax with regard to the requirement for additional senior citizen housing projects.

On the recommendation of Alderman Downey, it was also agreed that, pending receipt of the requested study, Mr. Schofield from the Nova Scotia Housing Commission be invited to attend a future meeting of the Committee of the Whole Council in order to discuss its contents with members of Council.

The motion was put and passed.

Motion - Alderman Meagher Re: Amendment to
Ordinance 137, the Deferred Payment of Taxes
Ordinance (FIRST READING)

Notice of Motion with regard to this matter was given by Alderman Meagher during a regular meeting of Halifax City Council held on 13 April 1989.

MOVED by Alderman Meagher, seconded by Alderman Flynn that City Council give FIRST READING to an amendment proposed for Ordinance 137, the Deferred Payment of Taxes Ordinance (the purpose of which is to increase the level of total household income below which a taxpayer will qualify for tax deferral to \$18,750.00 from \$18,000.00); and further, that the matter be referred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 3 MAY 1989 for consideration and report.

The motion was put and passed.

QUESTIONS

Question Alderman Flynn Re: Mumford Road Streetline

Alderman Flynn referred to the current streetlines pertaining to Mumford Road (Romans Avenue to Dutch Village Road), noting that it was his understanding that they had been put in place several years ago in preparation for then-proposed street widening project.

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The Alderman indicated, however, that because the widening is no longer scheduled, residents of the area have questioned whether the current streetlines will be removed, particularly since several of these individuals wish to undertake various changes to their property. He therefore asked for a staff report on this matter as quickly as possible.

Question Alderman Flynn Re: Award of Tenders -
Mobile Street Vendors

As a member of the City's Streets Committee, Alderman Flynn indicated that he would very much appreciate receiving an information report regarding the recent award of tenders to mobile street vendors.

Question Alderman Flynn Re: Rugby Field

Alderman Flynn advised that he has recently received a request from various of the local high schools with regard to the provision of a rugby playing field for use during the Spring months.

In his remarks, the Alderman noted that before the maintenance responsibilities for school playing fields were turned over to the City, the School Board had undertaken to provide such facilities. He therefore suggested that staff of the Recreation Department review the situation to determine whether there is an area which could be used specifically for rugby playing.

The Deputy Mayor advised that, in terms of long-range planning, staff of the Parks and Grounds Division and of the Recreation Department (together with representatives of the Soccer League) are currently discussing the possibility of using a portion of Graves/Oakley Park for this purpose.

Question Alderman Flynn Re: Northwest Arm Patrol

Alderman Flynn made reference to a letter recently received from Mr. Peter Messenger, Purchasing Manager, indicating that patrols of the Northwest Arm will be undertaken by Ports Canada.

The Alderman asked for further information as to the level of service that can be expected from Ports Canada with regard to the Arm waters (e.g., will there be only one boat expected to patrol both the Arm and the Harbor?), adding that he is particularly concerned that the Arm be adequately

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patrolled during canoeing season when a considerable number of young people are using these waters.

9:55 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Richard Grant assuming his usual seat on Council.

Question Alderman Pottie Re: Demolition of
3300 Oxford Street

Alderman Pottie requested information from staff as to whether the conditions of the demolition permit issued with regard to 3300 Oxford Street had included the removal of the structure's foundations. The Alderman expressed concern that the foundations have been left standing (approximately 3-4 feet above ground) and that young people are now using what remains of the structure for motorcycle stunts.

Question Alderman O'Malley Re: Death in Police Lock-Up

Alderman O'Malley referred to recent media reports that an individual (who she understood to be a resident of her ward) had died while being incarcerated at the Halifax Police Department. The Alderman therefore asked if she could have a report on the matter from the Chief of Police.

Question Alderman O'Malley Re: Property at the
Corner of Bilby and Agricola Streets

Alderman O'Malley expressed her appreciation to Mr. H. A. MacEachern, Manager of Inspection Services, for his response to her request for information regarding the property located at the northeast corner of Bilby and Agricola Streets.

Alderman O'Malley noted that, in Mr. MacEachern's report, there is mention of the fact that staff are attempting to make an appointment to gain entry in order to examine the condition of the building's interior. In this regard, the Alderman asked for further information as to whether entry has, in fact, been gained and, if so, the results of the subsequent inspection. She also referred to the fact that the owner has advised he intends to refurbish both the interior and exterior of the structure as his personal residence/office, and asked for information as to whether any permits have yet been taken out with regard to these renovations.

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Alderman O'Malley also asked to bring to staff's attention that the election sign placed on the side of the building in question has not yet been removed.

Question Alderman Deborah Grant Re: Industrial
Uses Adjacent to Residential Areas

Alderman Deborah Grant referred to her repeated requests (made during Planning Advisory Committee meetings and independently) to staff of the Planning and Development Department with regard to a report on industrial uses located adjacent to residential areas. In her remarks, the Alderman advised that this information is of some concern to residents in her ward, and while acknowledging that staff have been busy with other things, emphasized that she wished to receive this report within the next 1-2 months.

Question Alderman Deborah Grant Re: Petition -
McLean, Brussels and South Bland Street (Rezoning)

Alderman Deborah Grant referred to a petition previously submitted from residents of the McLean/Brussels/South Bland Street area with respect to a change in zoning, emphasizing that she has yet to receive a report from staff as to whether this matter could be pursued through the auspices of the Planning Advisory Committee.

The Alderman therefore requested information as quickly as possible as to when she might expect a report on this matter.

Question Alderman Deborah Grant Re: Dalhousie Arts Centre

Alderman Deborah Grant made reference to a report which she had requested on several occasions with respect to the Dalhousie Arts Centre, noting that she had previously recommended that a member of City staff be involved in discussions with the Province and Dalhousie Arts Centre concerning the future of the Arts Centre facility.

The Alderman further noted that there have recently been rumors that the Province intends to construct a new cultural centre somewhere in the metropolitan area, emphasizing that, in her opinion, it would be very helpful to members of City Council to be kept apprised of any developments in this regard.

Alderman Grant also made reference to the ongoing discussions regarding the continuation and/or expansion of

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the existing Neptune Theatre facilities, indicating that, in her opinion, this matter and that of the rumored cultural centre both have implications with regard to the Arts Centre at Dalhousie University.

The Alderman therefore requested that this matter be added to the agenda of the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 3 May 1989) and that a staff report be submitted detailing the type of discussions which have taken place with City staff regarding the Dalhousie Arts Centre and including an update on the expansion plans for Neptune Theatre. The Alderman added that she would also appreciate receiving any information staff might have with regard to Provincial plans for a new cultural centre.

Question Alderman Deborah Grant Re: Farmers Market

Alderman Deborah Grant referred to a report received on 17 March 1989 indicating that a committee would be established to look at a location for the Halifax Farmers Market. Noting that that committee has been struck, the Alderman asked for information from the Acting City Manager as to when the first meeting would be scheduled.

Question Alderman Downey Re: Provision of Chain Link Fence - George Dixon Centre (Brunswick Street)

Noting that work is scheduled to begin shortly on the installation of a chain link fence around the George Dixon Centre on Brunswick Street, Alderman Downey indicated that it had been his understanding this project was to be undertaken in conjunction both with the installation of a crosswalk at Arts and Brunswick and with the creation of a walkway leading from Gottingen Street to Brunswick (which would be adjacent to that crosswalk).

The Alderman asked for information in this regard from Mr. Peter S. Connell, Director of Engineering and Works.

Question Alderman Downey Re: Overhead Crosswalk Signs - Gottingen Street

Alderman Downey referred to earlier discussions he had had with Mr. B. N. Kennedy, Traffic Authority, indicating that it had been his (Alderman Downey's) understanding that modified overhead crosswalk signs would be cost-shared by the Province of Nova Scotia and, in addition, that several of these signs would be installed along Gottingen Street.

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The Alderman made reference to a recent accident at the corner of Gerrish and Gottingen Streets, and asked that he be provided with a status report on these signs as quickly as possible.

Question Alderman Fitzgerald Re: False Alarms

Alderman Fitzgerald made reference to a report submitted by the Halifax Fire Department pertaining to the large number of false alarms to which that Department and the Halifax Police Department must respond each year. He subsequently requested that a report be submitted outlining the steps currently being taken to address this problem.

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

Alderman Fitzgerald asked for a report from the City Solicitor's Department regarding the City's legal responsibility vis a vis the return of the St. Mary's Boat Club to the Church and the condition of the property at that time (i.e., what is the City's legal responsibility to repair the Club House facility?).

Question Alderman Fitzgerald Re: Recycling Program

Responding to a question from Alderman Fitzgerald, His Worship Mayor Wallace advised that information regarding the City's proposed recycling program will be brought forward during the next regular meeting of Committee of the Whole Council scheduled for 3 May 1989.

Question Alderman Fitzgerald Re: Buskers Festival

With reference to a question from Alderman Fitzgerald, His Worship Mayor Wallace advised that the financial report previously requested from organizers of the Buskers Festival has been received and assessed by the Directors of Finance and Tourism.

Mayor Wallace added that, on the basis of the report's contents, a recommendation for a grant to the Buskers Festival will be submitted to Council.

Question Alderman Fitzgerald Re: Scheduling -
1990 Capital Budget Review

Alderman Fitzgerald made reference to concerns raised during the recent budget deliberations with regard to the development of two-year Capital Budget projections. The

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Alderman strongly recommended that Council schedule a meeting (to be held, possibly, in early September) as quickly as possible with regard to the capital budget proposed for 1990.

His Worship Mayor Wallace indicated that this matter would be brought forward at the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 3 May 1989.

Question Alderman Stone Re: Crosswalk --
Intersection of Birkdale Crescent and Dunbrack Street

Alderman Stone requested that staff look at a crosswalk at the intersection of Birkdale Crescent and Dunbrack Street. In his remarks, the Alderman noted that, not only is Dunbrack Street a very heavily travelled area, there would also appear to be a visibility problem (particularly for northbound traffic) in terms of school children stepping off the curb at this location.

The Alderman asked to be provided with a staff report on this matter.

Question Deputy Mayor R. Grant Re: Stained Glass Murals

Deputy Mayor Richard Grant referred to the stained glass murals used in the City's entry in the 1988 Natal Day Parade, and noted that it was his understanding (from speaking with Mr. S. King of the Parks and Grounds Division) that these panels will not be required for the City's 1989 float.

Under the circumstances, the Deputy Mayor suggested that staff might discuss the matter with the City's Art Allocation Committee and develop a recommendation to Council as to where these murals might be publicly displayed, rather than maintain them in storage as is presently the case.

Question Deputy Mayor R. Grant Re: Parking - Grand Parade

Deputy Mayor Grant referred to previous discussions concerning the use of the Grand Parade area, noting that at that time he had suggested that lateral parking spaces (for approximately 15-20 cars going in a southerly direction) could be considered off the moat.

The Deputy Mayor asked if this suggestion has been considered by the consultant and, if not, that it be included in any design considered for the Grand Parade area,

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particularly since it would eliminate vehicular parking on the "top."

Question Deputy Mayor R. Grant Re:
Re: Billboards (Fairview Cove)

Deputy Mayor Richard Grant made reference to the large billboards installed in the vicinity of Fairview Cove (visible as one proceeds from Joseph Howe Drive to Windsor Street). He referred to the criteria contained in Ordinance 166, and asked if staff could investigate the situation as to whether these billboards conform with the height restrictions contained therein.

Question Deputy Mayor R. Grant Re: Lighting
- Council Chamber

Deputy Mayor Richard Grant advised that he personally found the heat radiated by the overhead lights installed in the Council Chamber very uncomfortable, and asked if staff could undertake to see that their illumination levels are more appropriately adjusted. He added that the lights appear to be concentrated over his desk in the Council Chamber, and asked that the matter be addressed as quickly as possible.

Question Alderman Meagher Re: Hazardous Wastes Campaign

Alderman Meagher referred to the very considerable success of the Hazardous Wastes program undertaken in 1988, and asked for information as to whether there is a possibility that a similar event might be scheduled for 1989.

Question Alderman Meagher Re: Returnable Bottles

Alderman Meagher strongly recommended that, as part of its recycling efforts, the City approach the Province (perhaps through the auspices of the Union of Nova Scotia Municipalities) with regard to returnable bottles. In this remarks, the Alderman indicated that, in his opinion, the problems caused by broken glass (from non-returnable bottles) is becoming excessive, and that a policy concerning bottle refunds would be of considerable help in this regard.

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Question Alderman Meagher Re: Crosswalk -
Welsford and Robie Streets

Alderman Meagher asked for information from staff as to when the new crosswalk standard will be placed at the intersection of Welsford and Robie Streets.

ADDED ITEMS

Provincial Confirmation - Social Services Budget
(Alderman Fitzgerald)

Alderman Fitzgerald made reference to an article carried in the 18 April edition of the Halifax Mail Star entitled "Halifax is Gambling with Its Budget," and emphasized that, because of the deficit position in which Council found itself in 1988 (owing to unforeseen developments particularly with regard to Provincial cost-sharing on homes for special care), it had been resolved that measures would be taken in 1989 to prevent occurrences of a similar nature. The Alderman added that, as a group, City Council must be prepared (in the event of further Provincial cutbacks) to make its own reduction in services and/or programs.

In this context, Alderman Fitzgerald urged that Council and staff develop a contingency plan to counteract any shortfalls (perhaps in the vicinity of \$800,000) in Provincial assistance which might take place during the remaining months of 1989. He suggested, for example, that a request be made for information from the City's Director of Social Planning as to how the necessary funds could be saved or, failing that, how the City's overall budget can be reduced.

Mr. H. D. Crowell, Director of the City's Social Planning Department, addressed Council, advising that, to date, no word has been received from the Province as to what the cost-sharing arrangements will be in terms of the social assistance budget. He added that this information will not be received until after when 5 May when the Provincial budget is released.

Concurring with the concerns expressed previously by Alderman Fitzgerald, Mr. Crowell emphasized that already his Department has received an increase in applications for social assistance over 1988 and that if the Province decides to cap the amount of social assistance that they will cost-share at 75 percent, the City will be in "serious difficulty." He added that, should this happen, a report

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will be submitted in time for the 17 May meeting of Committee of the Whole Council with regard to the kinds of cuts that will have to be made in social assistance programs if the revenue from that budget is to be achieved.

St. Stephen's Highland Park School (Alderman O'Malley)

This matter was added to the agenda at the request of Alderman Marie O'Malley who expressed appreciation, on behalf of the members of the PTA and area residents, to the Chairman, members and staff of the Halifax District School Board for the reinstatement of the position of Vice Principal at the St. Stephen's Highland Park School for the current school year.

Callback for Seasonal Employees (Local 108)
- Alderman Downey

This matter was added to the agenda at the request of Alderman Downey who asked for information regarding the callback of seasonal employees of Local 108.

Responding to the Alderman's concerns, the Acting City Manager advised that the Engineering and Works Departments anticipates that its callback of seasonal employees will be completed by mid-May (which, in her opinion, represents one of the earliest finalizations of callback over the last three years).

Ms. Royer also emphasized that the City is forced to balance the desire to bring the employees back with the reality of the kinds of work that is available during the Spring months. She added that, as the Director of Labor Relations, she is confident that the Department has reviewed the situation very carefully and is satisfied that the matter is being handled appropriately.

Ms. Royer also noted that with regard to the recent changes in the Unemployment Insurance Regulations, staff are optimistic that the new legislation (because it is based on regional disparity and regional economic development) will not have an adverse impact on the City's seasonal employees. She advised, however, that the Labor Relations Department will continue to monitor the situation, particularly in light of the recently released Federal budget.

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Nova Scotia Symphony Orchestra (Alderman Meagher)

This matter was added to the agenda at the request of Alderman Meagher who, as Chairman of the City's Tax Concessions and Grants Committee, submitted a report dated 27 April 1989.

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Tax Concessions and Grants Committee, Council approve an interim grant of \$10,000 to be made payable to Symphony Nova Scotia with respect to assistance in the 1989 year.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 10:40 p.m.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR RICHARD GRANT
CHAIRMEN

mmd*K

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**SPECIAL COUNCIL
PUBLIC HEARING
MINUTES**

Council Chamber
City Hall
Halifax, Nova Scotia
03 May 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: His Worship Mayor Wallace, Chairman; Deputy Mayor R. Grant; and Aldermen D. Grant, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Jeffrey, Leiper, Flynn, and Stone.

ALSO PRESENT: Mr. W. Anstey, Acting City Solicitor; City Clerk, and other members of Staff.

DEFERRED ITEMS

The following items had been forwarded to this Special Meeting of City Council from a meeting of Committee of the Whole Council held earlier in the day:

F. & S. Offshore Limited - Old Dartmouth Ferry

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Council approve a one-year extension of the dockage arrangement at the Ferry Terminal with Mr. Ronald Donovan, and authorize the Mayor and City Clerk to execute the license attached to the staff report dated 17 April 1989.

The motion was put and passed.

Replacement - Sea Cadet Building

It was moved by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works the following be approved by Council that:

- a) a contract in the amount of \$270,675 be entered into with First Urban Builders Limited to undertake all phases of their design/build proposal submitted for the Parks and Grounds Maintenance Depot on Bell Road as per their

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initial submission in response to Proposal #88-166 and revisions as detailed in their subsequent letter of 24 January 1989;

- (b) funding transfers in the total amount of \$124,325 be authorized to Capital Account Z0330-CK080, as individually identified below:

<u>Capital Account #</u>	<u>Amount</u>	<u>Total</u>
Z0330-CK017	\$ 7,200	
Z0330-CK064	\$ 4,340	
Z0330-CK069	\$ 14,000	
Z0330-CK077	\$ 21,000	
Z0330-CK063	\$ 77,785	\$124,325

The motion was put and passed.

Elevator Location: Bloomfield Centre

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Committee on Works, the Council recommend staff be instructed to proceed with the installation of an elevator in Bloomfield Centre at proposed location 1, as outlined in the report attached to the staff report dated 2 May 1989, subject to a detailed structural review.

Alderman Jeffrey addressed Council suggested that the sight preparation for the elevator be commenced as soon as possible in order that the the elevator can be installed as soon as it arrives.

The motion was put and passed.

Mobile Canteens and Carts (His Worship Mayor Wallace)

MOVED by Alderman Flynn, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Council approve the following as requirements with regard to the tendering process for mobile street vendors: (1) an insurance certificate; (2) a City of Halifax health certificate; and (3) the cash or certified cheque for the amount required by the tender.

The motion was put and passed.

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Public Hearing Re: Case No. 5797 - Rezoning - Dickson Avenue

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

A staff report, dated 22 February 1989 was submitted.

Mr. Stephen E. Feist, Planner, addressed Council and outlined the reasons why the application from the residents of Dickson Avenue to rezone Dickson Avenue from R-2 to R-1 was recommended for refusal, as illustrated in the staff report dated 22 February 1989.

Mr. Feist then responded to questions from Council.

In response to a question by Alderman Stone Mr. Feist advised that one house on Dickson Avenue is zoned R-1.

Mr. Stephen Dodge of 12 Dickson Avenue addressed Council and advised that he was representing a group of people who supported the rezoning from R-2 to R-1. Mr. Dodge then introduced the members of the group to Council and added that he would be speaking on their behalf.

Mr. Dodge advised that the group had problems with the survey done by Staff. He suggested that when the Planning Division did their survey, they considered the whole area of Birch Cove, and all that they were asking to be rezoned was Dickson Avenue. Mr. Dodge added that they are aware of the building code problems which would arise if an area was zoned from R-2 to R-1. Mr. Dodge suggested that these problems would not arise on Dickson Avenue because it is the only street that has all single family dwellings, whereas, the other streets in this area are a mixture of single family dwellings, semi-detached dwellings, and duplexes.

Mr. Dodge then presented reasons why they believe the street should be rezoned to R-1. He suggested that traffic congestion is a primary concern they have. With the aid of photographs he indicated that the street was extremely narrow and that large trucks and snowplows had to back out of the street because there wasn't enough room for turning. Mr. Dodge also informed Council that there isn't enough room for vehicles to park on the street and that each year for the last five years, snowplows have smashed a retaining wall on the street. Mr. Dodge added that this should indicate to Council that if the street remains zoned R-2, there is a very real possibility that an additional 14 vehicles could be travelling on this street.

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Mr. Dodge suggested that their second reason for wanting the rezoning is that since all the houses built over the past years have been single family homes, rezoning would ensure the continuity of the Street. As a third reason, Mr. Dodge pointed out that Falcon Place, a street in the neighborhood which is zoned R-1, has become know as an attractive place to build. Therefore, Mr. Dodge suggested, the tax base is greater for the City than if semi-detached homes and duplexes were built in this area. In summary, Mr. Dodge, added that the fourth reason they support the rezoning is that it would maintain the rural type atmosphere which the residents of Dickson Avenue enjoy.

Mr. Allan Turner of 11 Dickson Avenue addressed Council and advised that he was the owner of the property on Dickson Avenue that is zoned R-1. Mr. Turner indicated that when he considered buying this property he was advised that it was zoned R-1, and seeing that the other houses on this street were single-family dwellings as well, he assumed that the entire street was zoned R-1. He added that at the time he bought the property it did not occur to him, and he suggested that it would not occur to most people, to find out if the rest of the street was zoned R-2.

Mr. Eric D. Kay of 8 Dickson Avenue addressed Council and advised that if the area in question was zoned R-1 the value of the properties on Dickson Avenue would increase and, therefore, he was in full support of the proposed application to rezone Dickson Avenue from R-2 to R-1.

Mr. James O'Connor of 17 Lanigan Court addressed Council and advised that along with himself he was also representing Mr. Boyd Hunter at tonight's public hearing and they are in opposition to rezoning the area to R-1. Mr. O'Connor informed Council that he and Mr. Hunter purchased lots adjacent to each other on Dickson Avenue two years ago. with the assurance from the City that this area was zoned R-2. He indicated that he and Mr. Hunter are interested in maintaining the area as R-2 because it gives them development options. As well, Mr. O'Connor suggested that the property value is greater if zoned R-2 than R-1, and that any development of semi-detached wouldn't devalue the property as greatly as the residents are expecting. Mr. O'Connor advised that the history of Dickson Avenue has shown that it has been built up as R-1, although it is zoned R-2, and it is unlikely that there will be any heavy construction of semi-detached houses.

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On a second point Mr. O'Connor suggested that he believes that extra traffic would not present a problem if semi-detached homes were built on Dickson Avenue. He added that he lives on a cul-de-sac with approximately 20 semi-detached homes and he or anyone else on this street have never had any complaints about traffic.

In summary, Mr. O'Connor advised that the role of the City should be to ensure the development of R-2 homes within the City. He added that there are people who cannot afford homes in an R-1 zone, and that R-2 zoning gives these people access to affordable and attractive homes.

Mr. Gerry Millar of 14 Dickson Avenue addressed Council and advised that the residents of Dickson Avenue were not concerned so much with the devaluation of their properties, but rather, they do not feel that Dickson Avenue is equipped to handle a doubling of its residents.

Mr. Alfred Hamshaw addressed Council and advised that he had been asked to speak on behalf of Mr. Joe Fraser of 16 Dickson Avenue. Mr. Hamshaw informed that Mr. Fraser would like to request that Council recommend that Dickson Avenue remain zoned as R-2. Mr. Hamshaw indicated that Mr. Fraser has owned and paid taxes on two lots on Dickson Avenue for approximately 50 years, and if the area was down-zoned to R-1 and Mr. Fraser wanted to sell his lots, he would not get the price he would be entitled to.

There were no further persons wishing to address Council.

MOVED by Alderman Stone, seconded by Alderman Flynn
that this item be forwarded to Council without
recommendation.

The motion was put and passed.

Public Hearing Re: Case No. 5812 - Contract Development -
Clayton Park Shopping Centre

Alderman Pottie retires from the meeting.

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

Mr. M. Hanusiak, Planner II, addressed Council and outlined the application, as illustrated in the staff report dated 19 April 1989, of the First City Shopping Centre Group for contract development to permit construction of a free-

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standing "Jumbo Video" store at the Clayton Park Shopping Centre, located at the intersections of Willett Street, Lacewood Drive and Dunbrack Street

On behalf of the applicant, Mr. Ronald Richards, Vice-President, First City Shopping Centre Group addressed Council and advised that there were two points he would like to emphasize to Council. First, Mr. Richards pointed out that as mentioned in the staff report there will not be any new driveways put in with the proposed addition; and secondly, that they are pleased to provide the landscaping across the front of the proposed centre. On a final point, Mr. Richards indicated that although the staff report shows that a "Jumbo Video" will be the occupant of the expansion, their proposal is not necessarily concerned with who the tenant is but rather with the development of a 7500 sq. ft. expansion to the Shopping Centre. He added that the fact that they know who the tenant will be is why it is presented in the staff report.

In response to a question by Alderman Leiper, Mr. Richards suggested that the landscaping they have proposed would start the same time as construction would start, and that it would probably be this summer.

MOVED by Alderman Stone, seconded by Deputy Mayor Grant that City Council approve the entering into of a development agreement between the City of Halifax and First City Shopping Centre Group, to permit construction of a 7500 sq. ft. "Jumbo Video" store at the Clayton Park Shopping Centre, provided that the development is in substantial conformance with Plans No. P200/17169, 17170, 17092 and 17180 of Case No. 5812.

The motion was put and passed.

Public Hearing Re: Case No. 5794 - Appeal Minor Variance - 5955 Inglewood Drive

Alderman Pottie returns to the meeting.

Alderman Stone leaves the meeting.

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

Mr. M. Hanusiak, Planner II, addressed Council and outlined, as illustrated in the staff report dated 10 April 1989, the appeal of a minor variance approval of a reduction of the 25 ft. building line at 5955 Inglewood Drive. The

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variance will permit the repair of the existing deck and an 8 ft. by 14 ft. addition to the same. The dwelling is located at the end of the cul-de-sac of Inglewood Drive and the existing deck presently encroaches on the 25 ft. building line. The proposed extension will locate the deck 17 ft. from the street line.

Alderman Stone returns to the meeting.

The appellant, Mr. David Silverman, addressed Council and expressed his concern that this minor variance may end up being a substantial addition. Mr. Silverman indicated that the minor variance approval was for an open deck, but when he questioned his neighbor about the minor variance she informed him that her plans were to repair her deck, enlarge and enclose it. Mr. Silverman advised that he does not object to repairs being made to the deck, but is concerned that the addition of an enclosed deck to his neighbor's property will obstruct his view of the Northwest Arm. Mr. Silverman added that the people of his neighborhood are very considerate of one another and go so far as to cut the tops of their trees in order to allow each other a view of the Northwest Arm. In summary, Mr. Silverman suggested that he values highly the view he has of the Northwest arm and his only concern is in preserving it.

In response to a question by Alderman D. Grant, Mr. Hanusiak advised that the minor variance approval has been for an open deck, and that no approval has been granted for an enclosed deck. He added that if the owner chose to enclose the deck, a minor variance approval may have to be granted for this as well.

Mr. Silverman again expressed his concern that at some point in the future either a permanent or temporary enclosure may be built around the deck.

Alderman Pottie addressed Council and suggested that there are safety requirements which ensure that the deck must be closed to some degree.

In response Mr. Hanusiak advised that he did not have the particulars on this but indicated that he would consult with the building inspector and have a report forwarded to Council.

Ms. Miriam Guptill, the applicant, addressed Council and suggested that the appellant's concerns were not well founded. She advised that she has not yet reached the point of deciding on the details of the enclosure for her deck. She advised Council that her contractor pointed out to

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her that the minimum guidelines for an enclosure on a deck require that a railing be built high enough so that small children can't fall over the deck, and that the open spaces between the railings are narrow enough that children can't put their heads through.

Ms. Guptill then, using photographs, illustrated to Council the present state her deck was in and what the proposed addition would entail. Ms. Guptill advised that the repairs to the deck were necessary, and the reason she wanted the addition was that it would enable her to have family gatherings outside. She added that the reason she wanted an enclosure around the deck was for the privacy it would provide between her deck and Mr. Silverman's.

Ms. Guptill then responded to questions from Council.

In response to a question by Alderman Fitzgerald, Mr. Hanusiak advised that the application they received from Ms. Guptill did not show the deck to be entirely enclosed. Mr. Hanusiak suggested that staff finds no difficulty in having an intermediate handrail in the middle. He also advised Council that, in the future, if staff received an application for a request of a deck to be enclosed at 36 or 48 inches in height, they would still look favorably on this.

Ms. Guptill then responded to further questions from Council.

MOVED by Alderman D. Grant, seconded by Deputy Mayor R. Grant that this matter be forwarded to Council without recommendation, and request that Staff prepare a report for Council on the particulars of deck construction.

The motion was put and passed.

Aldermen Jeffrey and Leiper retire from the meeting.

Public Hearing Re: Case No 5579 - Appeal Minor Variance - 6357-59 Norwood Street.

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

Mr. M. Hanusiak, Planner II, addressed Council and outlined, as illustrated in the staff report dated 6 April 1989, the application of Mr. Brian Molloy for a minor variance of the lot frontage, lot area, and side yard

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requirements to allow the conversion of the existing duplex at 6357-59 Norwood Street to three units, and why this application was refused.

Mr. Wilfred Moore, Q. C., addressed Council and advised he was appearing on behalf of the appellant, Mr. Molloy and his company. Mr. Moore then submitted and read a brief (a copy of which can be found in the official file of this hearing) in support Mr. Molloy's appeal for the minor variance refusal. Mr. Moore concluded by saying that in addition to his reasons stated in the brief, Mr. Molloy also has the support of the abutting neighbors of his property for this appeal, therefore, he was asking Council to grant this appeal.

Alderman Fitzgerald expressed his concern of the two parking spaces in front of the building, suggesting that there wasn't enough room between the sidewalk and the building to park two cars.

In response to this Mr. Hanusiak advised that the issue of this hearing is the conversion of the interior of the building to three units, and if Council approves this, then by law Mr. Molloy has to provide, and has already made arrangements to have three parking spaces at the rear of the building.

Alderman Fitzgerald indicated that if Council does not grant this appeal then the two parking spaces in the front of the building will remain.

In response to this Mr. Hanusiak indicated that he is concerned with the front yard parking of this property, adding that it does not conform with the Land Use Bylaw and advised that he will check with staff and report back to Council on this.

Mr. Brian Molloy, the appellant, addressed Council and in response to a question by Alderman Fitzgerald, he advised that in regards to parking, in 1985 he applied to building inspection, and was subsequently granted, a curb cutting permit to allow for these two parking spaces.

Mr. Molloy and Mr. Moore then answered questions from staff.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that this matter be forwarded to Council without recommendation.

The motion was put and passed.

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Deputy Mayor R. Grant addressed Council and advised that just prior to tonight's meeting he had received a call from a resident of Purcell's Cove regarding tear gas which seeped out of the Navy Fire School in Sandwich Point today. Deputy Mayor Grant informed that he was told that this gas went over Purcell's Cove and as far as the Yacht Squadron and that some of the residents of Purcell's Cove were affected by it. He added that the residents have contacted the appropriate people regarding this but, as yet, have not received any answers, and therefore, he is requesting that someone from EMO investigate this.

The Committee agreed that Staff be requested to investigate this matter and report back to Council.

There being no further business to discuss, the meeting adjourned at 9:20.

HEADLINES FOR CITY COUNCIL MINUTES
of 05/03/89

F. & S. Offshore Limited - Old Dartmouth Ferry Replacement - Sea Cadet Building 235 265
Elevator Location: Bloomfield Centre 235 265
Mobile Canteens and Carts 234 266
Public Hearing Re: Case No. 5797 - Rezoning - Dickson Avenue 234 266
Public Hearing Re: Case No. 5812 - Contract Development - Clayton Park Shopping Centre 235 267
Public Hearing Re: Case No. 5794 - Appeal Minor Variance - 5955 Inglewood Drive 237 269
Public Hearing Re: Case No. 5579 - Appeal Minor Variance - 6357-59 Norwood Street 238 270
 240 272

HIS WORSHIP MAYOR WALLACE

CHAIRMAN

/sm

10 May 1989

TO WHOM IT MAY CONCERN:

With reference to the Minutes from the Special Meeting of City Council (Public Hearings) held on 3 May 1989, it has been brought to our attention that the page numbering is incorrect.

To rectify the situation, we would ask that you renumber (by hand) existing pages 233 to 242 inclusive as 265 to 274, discard existing page 243 ("Headlines") and replace it with the attached page 275.

We sincerely apologize for this inconvenience.

OFFICE OF THE CITY CLERK

Attach.

HEADLINES FOR CITY COUNCIL MINUTES
of 05/03/89

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CITY COUNCIL
MINUTES

COUNCIL CHAMBER
City Hall
Halifax, Nova Scotia
11 May 1989
8:00 p.m.

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

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

ALSO PRESENT: City Manager, City Solicitor, Karen F. Swim (Acting City Clerk), and other members of staff.

The meeting commenced with members of City Council, led by Alderman Flynn, joining in the recitation of the Lord's Prayer.

His Worship Mayor Wallace, on behalf of members of Council, extended a welcome to the First Clayton Park Cub Pack and their leaders who were present in the gallery.

PRESENTATIONS

Julie Stanhope - Gold Medalist (International Winter Special Olympics)

On behalf of the members of Council and all Haligonians, His Worship Mayor Wallace presented Ms. Julie Stanhope, in recognition of her gold medal in 1989 at the International Winter Special Olympics in Reno, Nevada, with the City of Halifax Award for Athletic Merit. Before presenting the award of merit, a short video portraying Ms. Stanhope's talent was presented.

During the presentation, Mayor Wallace also recognized Julie's mother and her coach who had contributed so much to her success. Mayor Wallace also recognized Betty Flemming who, he noted, was the founder of the program. Special recognition was also given to Sherry Martin, who had attended the 1985 International Olympics in Utah, and to her mother who were present in the gallery.

Mary Anne Crowley, Julie's coach, addressed Council and described their adventures and successes. Ms. Crowley noted that the "Learn to Skate Program" was a success owing to the support received from the Recreation Department of the

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City of Halifax and from the Nova Scotia Special Olympics. In closing, Ms. Crowley noted that Sherry Martin and Julie Stanhope have paved the way for the skaters of the future.

Constables Michael Sullivan, Mark Young, and Ian MacKay -
Rescue, Halifax Harbour

On behalf of Halifax City Council, Mayor Wallace recognized Constables Michael Sullivan, Mark Young, and Ian MacKay of the Halifax Police Department in attendance with Superintendent David MacKinnon. Mayor Wallace presented each Constable with a scroll in recognition of their remarkable and decisive action, courage, and team work during the rescue of an individual from the Halifax Harbour.

On behalf of the Chief of Police, Superintendent David MacKinnon extended compliments to these three constables.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on 27 April 1989, and the Special Council meeting held on 3 May 1989 were approved on a motion by Alderman Fitzgerald, seconded by Deputy Mayor R. Grant.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

5.4 - Motion His Worship Mayor Wallace
Re: Policy 1.8 of the Peninsula Centre
Plan

20.1 - UNSM Executive Appointments
(Deputy Mayor Richard Grant)

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

15.5 - Civic #5780 West Street (The
Acting City Clerk noted that this matter
was proposed as an item for the 17 May
1989 Committee of the Whole Council
agenda).

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17.2 - Task Force on Traffic Improvements

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

Motion passed.

DEFERRED ITEMS

Case No. 5797 - Rezoning - Dickson Avenue

A public hearing regarding this matter was held Wednesday, 3 May 1989.

Alderman Stone addressed the matter and, based on the predominance of single family uses and the fact that the majority of the residents living on the street in question prefer R-1 zoning, MOVED, seconded by Alderman Flynn that Dickson Avenue be rezoned from R-2 (Two-Family Dwelling) to R-1 (Single Family Dwelling).

Motion passed.

Case No. 5794 - Appeal Minor Variance - 5955 Inglewood Drive

A public hearing regarding this matter was held Wednesday, 3 May 1989.

A supplementary staff report dated 5 May 1989 was submitted.

Alderman D. Grant addressed the matter and advised that, after visiting the site in question, she was of the opinion that no view planes would be affected by the addition of a sun deck.

MOVED by Alderman D. Grant, seconded by Deputy Mayor R. Grant that the decision of the Development Officer to approve a minor variance at 5955 Inglewood Drive be upheld, and further, that the appeal against that approval be refused.

Motion passed.

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Case No. 5579 - Appeal Minor Variance Refusal - 6357-59
Norwood Street

A public hearing regarding this matter was held
Wednesday, 3 May 1989.

A letter dated 11 May 1989 from Wilfred P. Moore,
Q.C., was submitted.

Alderman Fitzgerald addressed the matter and after
visiting the site in question and reading the staff report of
6 April 1989, MOVED, seconded by Alderman Flynn that the
decision of the development officer to refuse a minor
variance approval at 6357-59 Norwood Street be upheld, and
further, that the appeal of the minor variance approval be
refused.

Motion passed.

Motion His Worship Mayor Wallace Re: Policy 1.8 of the
Peninsula Centre Plan

Notice of Motion on this matter was given by His
Worship Mayor Wallace during a regular meeting of Halifax
City Council held on 15 March 1989.

This matter was deferred from the Finance and
Executive Committee meeting held 3 May 1989 pending receipt
of further information.

His Worship Mayor Wallace submitted a copy of his
motion as well as a brief explanation of the matter. In his
remarks, His Worship referred to the fact that, during the
review of the Plan amendment relevant to the Police Club,
staff had advised that the Plan is not entirely clear as to
whether townhouses can be considered by development agreement
in low-density residential areas of the North West Arm Sub-
Area. He added that various members of Council had expressed
the opinion that townhousing was not appropriate for this
sub-area and had therefore suggested that something should be
done to ensure that the Plan policy is absolutely clear on
this point.

It was subsequently moved by Mayor Wallace,
seconded by Alderman Fitzgerald that City Council consider
repealing the ability to consider development agreements for
townhousing in Low-Density Residential areas of Peninsula
Centre as provided by Policy 1.8 of the Municipal Development
Plan; and further, that City Council forward this to the
Planning Advisory Committee for the necessary staff report,
public meeting and recommendation.

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Mayor Wallace advised that the motion dealt only with the North West Arm sub-area policy and not the whole of Peninsula Centre.

Deputy Mayor R. Grant noted that there are similar circumstances in other areas of the City where contract ability exists in low density residential areas. The Deputy Mayor requested that the Planning Advisory Committee, during its review of the matter, also address these other areas of the City in addition to the North West Arm sub-area where townhouse development ability exists in low density residential areas, to which Council agreed.

Alderman Fitzgerald advised that the North West Arm Heritage Association, at the last City Council meeting held on 27 April 1989, had forwarded a petition requesting that the City of Halifax implement Sub Area Policy 8.2.3 in its Land Use Bylaw in order to help ensure continued public access and recreational opportunities for the public on the Northwest Arm. Alderman Fitzgerald requested that the Planning Advisory Committee also consider this matter during its review, to which Council agreed.

Following a further short discussion, the motion was put and passed.

MOTIONS OF RECONSIDERATION

Motion - Deputy Mayor R. Grant: Reconsideration of City Council Resolution of 15 March 1989 Re: Terms of Reference Stipends Committee

This matter had been deferred from a regular meeting of Halifax City Council held on 27 April, 1989.

In the absence of Alderman Hanson, it was MOVED by Deputy Mayor R. Grant, seconded by Alderman Meagher that this matter be deferred to the next regular meeting of City Council scheduled for Thursday, 25 May 1989.

The motion to defer was put and passed.

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PETITIONS AND DELEGATIONS

Petition Alderman Meagher Re: 5780 West Street (Econo Inn)

An Information Report dated 9 May 1989 was submitted regarding 5780 West Street.

Alderman Meagher submitted a petition containing approximately 117 names of persons requesting a public hearing concerning the development of the Econo Inn at 5780 West Street. The Alderman also submitted a report which suggested that the following steps should be taken immediately:

- 1) A public hearing concerning the development of the proposed Econo Inn at 5780 West Street.
- 2) A full disclosure to residents of the plans for development of the area, including details on building permits which have been issued and those which have been applied for.
- 3) The rezoning of this area to R-2.

The report also suggested that staff consider placing an immediate freeze on building permits issued for this area and a withdrawal of permits which have been issued until such time as the area has been rezoned to R-2.

Alderman Meagher further asked that staff comment on the possibility of removing the Agricola/Robie/Charles/Cunard Street area from the Peninsula North Plan, adding that he would like to have this matter referred to the Planning Advisory Committee once the requested staff report is received.

Alderman Meagher went on to note that it was his understanding that the developer for this property had applied to the Nova Scotia Liquor Licensing Board for a permit to sell liquor at the location in question. The Alderman asked that this matter also be investigated to determine if any permits have been applied for or issued with regard to this property.

Acknowledging that this matter has already been placed on the Committee of the Whole Council agenda for Wednesday, 17 May, Alderman Meagher advised that a number of concerned residents would be in attendance at that time. He therefore requested that he be provided with a staff report on the matter within the next day or so.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 3 May 1989 as follows:

Provincial Courts

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize that a request be sent to the Premier, the Attorney General, and City Members of the Legislature that the Province assume full responsibility for the administration of justice in the City of Halifax; and further, that a copy of this resolution be forwarded to the UNSM in an effort to receive their endorsement.

The motion was put and passed.

UNSM Objectives and Priorities

This matter was forwarded to Council without recommendation.

MOVED by Alderman Leiper, seconded by Alderman Flynn that this matter be placed on the agenda for the next Committee of the Whole Council meeting scheduled for **Wednesday, 17 May 1989**, and that each member of Council, in the meantime, give some consideration to what they feel should be the goals and objectives of the Union.

The motion was put and passed.

Cultural Policy for the City of Halifax

This matter was forwarded to Council with the request that a staff report be submitted on the procedure, costs, and time involved to develop a cultural policy for the City of Halifax.

A staff report dated 10 May 1989 was submitted.

Alderman D. Grant addressed the matter and emphasized the need to define a cultural policy for the City of Halifax. She noted that it was her understanding that practically every other major City across Canada either has or is in the process of developing a cultural policy. The Alderman further commented that she had received cultural polices from a number of other cities during the past few

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weeks, and suggested that Halifax could learn a great deal from the experiences of other cities in this regard. Alderman Grant further suggested that the citizens of Halifax should be consulted during the process of developing such a policy.

MOVED by Alderman D. Grant, seconded by Deputy Mayor R. Grant that City Council establish a Committee of Council for the purpose of formulating a draft policy on arts and culture, and that staff be instructed to provide the necessary support within approved budgetary provisions.

In response to a question from Alderman Flynn, the Chairman advised that it is usual procedure for the Mayor (at some future date) to provide Council with the names of those Aldermen who would be prepared to serve on this Committee.

The motion was put and passed.

Award of Tender #89-33 - Cracksealing Streets

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Tender #89-33 be awarded to Eastern Cracksealing Limited for the unit prices quoted until the allocated funds of \$65,000.00 in Account No. D1626 have been expended.

Motion passed.

Award of Tender #89-34 - Upgrading of Streets (Resurfacing)

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

1. City Council approve the streets program proposed by the Engineering and Works Department shown in Appendix "A" and "B" of the staff report dated 21 April 1989 and funded in the 1989 Approved Operating Budget;
2. Authority be granted to award Tender #89-34 to Municipal Contracting for the unit prices quoted;
3. Authority be granted to proceed with the upgrading (resurfacing) the indicated streets until the allocated funds of \$475,250.00 in Account No. D1626 have been expended, and

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4. Authority be granted under Section 201(1) of the City Charter to make additional expenditures for Halifax Water Commission work, such as the lifting of valves, which will be recovered from the Commission.

Motion passed.

Award of Tender #89-32 - Surface Sealing of Paved Streets

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee:

1. City Council approve the streets program proposed by the Engineering and Works Department shown in Appendix "A" and "B" of the staff report dated 21 April 1989 and funded in the 1989 Approved Operating Budget;
2. Authority be granted to award Tender #89-32 to Atlantic Colas Limited for the unit prices quoted, and;
3. Authority be granted to proceed with the slurry sealing of the indicated streets until the allocated funds of \$128,000.00 in Account No. D1626 have been expended.

Deputy Mayor R. Grant referred to problems on Lyons Avenue with respect to a special kind of treatment for its type of surface.

In response to the Deputy Mayor's concerns, the City Manager advised that it was his understanding that the situation was to be remedied under normal maintenance. However, Mr. Calda indicated that he would pursue the matter with staff.

The motion was put and passed.

Award of Tender #89-07 - Auburn Avenue - Paving, Curb & Gutter and Forcemain Renewal

MOVED by Deputy Mayor R. Grant, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, City Council award Tender #89-07 for paving renewal, curb and gutter renewal and forcemain on Auburn Avenue at the unit prices quoted for Alternative I at a total project cost of \$130,000.00 to Municipal Contracting Limited.

Motion passed.

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Award of Tender #89-08 - Sackville Street Combined Sewer
Rehabilitation (Bedford Row to Brunswick St.)

MOVED by Alderman Fitzgerald, seconded by Alderman
Downey that, as recommended by the Finance and Executive
Committee:

1. City Council increase the gross funding for the Sackville Street sewer project, in Account No. DA058, by \$32,000.00 to \$607,000.00, with no increase in the net City cost and with appropriate recoveries to be executed from the Halifax Water Commission and Maritime Tel & Tel Limited;
2. City Council approve \$70,000.00 from Capital Account No. CK026 and transfer to Capital Account No. DA058;
3. City Council award Tender 89-08, for project materials and services listed at the Unit Prices quoted, at a Total Construction Cost of \$642,000.00, to L.J. Casavechia Contracting Limited;
4. Funding for this project be authorized from Capital Account Number DA058.

Motion passed.

Award of Tender #89-04 - Forest Hill Drive Storm Sewer

MOVED by Alderman Stone, seconded by Alderman Flynn
that, as recommended by the Finance and Executive Committee,
Tender #89-04 for the project, material and services listed
for the unit prices quoted at a tender price of \$469,000.00
and a total project cost of \$563,000.00 be awarded to W. Eric
Wheby Limited.

Motion passed.

Award of Tender #89-26 - Sidewalk Renewals

MOVED by Alderman Downey, seconded by Alderman
Fitzgerald that, as recommended by the Finance and Executive
Committee, Tender #89-26 for the projects, materials and
services listed for the unit prices quoted at a tender price
of \$85,449.50 and a total project cost of \$103,000.00 be
awarded to Armdale Construction Ltd.

Motion passed.

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UNSM Resolutions

MOVED by Alderman Leiper, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, Council endorse the following resolutions for discussion at the forthcoming regional meeting of the Union of Nova Scotia Municipalities (UNSM):

1. **WHEREAS** an unnecessary amount of Police time is taken up collecting parking tickets;

AND WHEREAS municipalities suffer losses in revenue as a result of unpaid traffic tickets,

BE IT RESOLVED THAT the UNSM approach the Provincial Government to initiate changes in legislation to provide that vehicle licenses and permits only be reissued if violation tickets are not outstanding against the individual and to qualify the serving of mail summonses by Certified Mail.

2. **WHEREAS** municipalities receive revenues from the Nova Scotia Liquor Commission as a result of incarceration of persons with respect to offenses committed under the Liquor Control Act;

AND WHEREAS Section 163 of the Liquor Control Act provides, in the case of a person in custody or committed to jail in respect to an offence against the Act, there shall be paid by the Commission to the Treasurer of the Municipality wherein said person is in custody or which maintains such jail, the sum of four dollars for each day such person remains in custody or in jail under such committal;

AND WHEREAS this amount in no way compensates for the cost of maintaining an apprehended person in such facility;

AND WHEREAS the fee was last changed in 1967,

BE IT RESOLVED THAT UNSM call upon the Provincial Government to undertake a review of the Liquor Control Act, to set a more realistic fee under Section 163, whereby the Municipalities would be more adequately compensated with the costs of incarceration of persons under the clause of the Act.

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3. WHEREAS arts and cultures are being recognized for their economic impact in addition to enhancing our quality of life; and

WHEREAS arts and culture is one of the fastest growing industries in Canada; and

WHEREAS an investment in arts and culture will stimulate industry, attract tourists, create jobs and generate revenues; and

WHEREAS Nova Scotia municipalities have an opportunity to further enhance the fabric and economy of their communities; and

WHEREAS an improved approach to funding arts and culture between members of the public and private sectors can be encouraged by municipalities,

BE IT RESOLVED THAT the Union of Nova Scotia Municipalities develop a position paper for a provincial direction of funding for arts and culture in Nova Scotia.

Alderman Leiper referred to a fourth resolution approved earlier this evening regarding administrative responsibility for the Provincial Courts, and noted that Council had suggested that that matter also be included with the list of resolutions to be forwarded to the UNSM in time for its 24 May regional meeting.

Motion passed.

Proposed Amendment to the Membership of the Halifax Police Commission to Add an Additional Council Member

This matter had been given First Reading during 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. At its meeting of 12 January 1989, City Council approved a motion to defer further discussion of the proposed amendment for a two-month period; the matter was later placed on the agenda of the 3 May Finance and Executive Committee meeting, and was subsequently forwarded to this meeting of City Council without recommendation.

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

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increase the Aldermanic representation by one on the Commission.

In putting forward this recommendation, Alderman Jeffrey explained that the matter had been brought before Council some time ago but had been deferred on a number of subsequent occasions. Referring to the report of 5 April 1989 from Alderman Flynn to members of Council, Alderman Jeffrey acknowledged, as stated in the report, that the Commission on City Government had recommended (based on its interviews with various members of Council) a reduction of the number of Alderman appointed to the City's boards, committees and commissions. However, Alderman Jeffrey went on to explain that, at the time of this recommendation, the Five Year Plan for the Halifax Police Department (which includes the community policing project) had not been implemented nor was the crime rate at that time as evident as it is now.

Alderman Jeffrey also noted that the Aldermen of this Council serve on several commissions, a small percentage of which are management boards (for example, the Board of Health, Trade Centre, Halifax District School Board, and the Police Commission). The Alderman noted that all of these Boards, with the exception of the Halifax Police Commission, have four Aldermen serving on them. Alderman Jeffrey suggested that the addition of another alderman to the Commission would give Haligonians a positive message that City Council hears their concerns and responds to them.

Alderman Flynn addressed the matter and advised that, as a member on the Police Commission, he had responded to Council's request for a report regarding his feelings on the representation and the reporting method of the Halifax Police Commission and the Halifax Police Department. Alderman Flynn agreed that most Boards have four Aldermen serving on them, but noted that all other Boards, except for the Fire Department, do not report on a monthly basis to the full complement of Council through the Committee of the Whole. He emphasized, therefore, that the communication between Council and the Police Department is present on a continuous basis. Alderman Flynn went on to suggest that Council should not increase the Commission's membership unless a real problem exists and indicated that he could not support the motion.

A discussion ensued, with Deputy Mayor R. Grant stating that while most of the City's current population is centered in the Peninsula area, the Mainland area is increasing its population and will probably be the population base for the City of Halifax in another ten to fifteen years. Deputy Mayor R. Grant indicated that he

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would like to see the membership on the Police Commission include one Alderman from the Mainland, and two from the Peninsula, plus the Mayor.

Following a further discussion, the motion was put and lost.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 3 May 1989 as follows:

Recycling Program

Alderman Pottie addressed the matter and expressed difficulty with regard to the selection process for the company that was chosen by staff to undertake the recycling project. He went on to note that it had been brought to his attention that two companies were requested to submit proposals for the residential collection of newspapers. Alderman Pottie pointed out that it was his understanding that it was City policy to either tender or call for public proposals. Alderman Pottie expressed the concern that, in this case, a public proposal had not been called for this contract.

MOVED by Alderman Pottie, seconded by Alderman Jeffrey that Halifax City Council instruct City staff to advertise for public proposals for the curbside pick-up of newspapers.

The Chairman explained that only two firms had been considered because staff had been strongly advised to try and deal with the body that is now doing the City's garbage collection (B.F.I.) and, secondly, to consider a City agency (H.R.D.A.).

A discussion ensued with concern being expressed with regard to delaying the recycling program by calling for public proposals.

During the discussion, Deputy Mayor R. Grant suggested that the contract be entered into with H.R.D.A. for a one-year period and that, after that year, it be re-advertised in order to give all parties an opportunity to submit a proposal.

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Responding to a concern raised by Alderman Pottie, the City Manager advised that staff had approached B.F.I. to submit a proposal and had received a proposal from H.R.D.A. However, he noted that the recycling program had been publicized for some time.

Responding to a further query from Alderman Pottie, the City Solicitor confirmed that it was City policy to tender or to go to public proposal on matters such as these.

Following a further short discussion, the motion was put and lost.

It was subsequently moved by Alderman Flynn, seconded by Alderman Leiper that, as recommended by the Committee on Works:

1. staff be authorized to enter into a contract with H.R.D.A. for the period covering 5 June 1989 to 31 December 1990 for the provision of weekly residential collection of newspaper;
2. staff be authorized to enter into a contract with Teschus Inc. for the period covering 5 June 1989 to 31 December 1990 for the purchase of newspaper at \$12.50 a ton with a maximum weekly total of 40 tons;
3. funding be authorized from the approved 1989 Engineering and Works Department's Operating Budget for recycling and the balance of \$129,257.00 be committed for 1990's operating budget to cover the period of the contract.

MOVED in amendment by Deputy Mayor Richard Grant, seconded by Alderman Fitzgerald that, upon completion of the contract with H.R.D.A., there be a public advertisement for submissions for proposals, and that any information gathered during the collection period by H.R.D.A. be made available to the public.

The amendment to the motion was put and passed.

Alderman D. Grant noted that she had asked for a supplementary report the last time this matter was considered at the Committee on Works meeting held on 3 May 1989 with regard to the procedure followed by the City in its selection of a firm to direct the promotional aspect of the campaign. The Alderman noted that she has not received a report to date.

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Responding to Alderman Grant's comments, the Chairman advised that while it had not been intended that a public relations firm be hired to undertake a publicity campaign on an ongoing basis, the necessity to provide considerable initial advertising has been recognized. In this context, he noted that a letter had been received from the advertising firm of McArthur, Thompson, & Law who are doing the research for the Province on the recycling environment. The Chairman advised that whatever arrangements made with this firm will be brought to Council.

Alderman D. Grant emphasized that it was important to properly advertise the program in order to encourage the public to become involved.

The motion, as amended, was put and passed.

The City Manager advised that the following objectives had been previously identified by City Council with regard to this project: recycling, competitive pricing, and the provision of employment. Mr. Calda indicated that, even though the normal practice of tendering had been slightly departed from in this case, he did not think that, overall, staff had violated any of the City's practices in meeting these objectives.

Herring Cove Road Widening

This matter had been forwarded to Council without recommendation.

MOVED by Deputy Mayor R. Grant, seconded by Alderman Jeffrey that Council approve the additional amount of \$15,500.00 for the design of Herring Cove Road from Sussex Street to Greystone Road, to Whitman Benn and Associates Ltd., and that the approved authorized expenditures be adjusted to \$215,500.00 (funds to be made available in Capital Account No. CJ012).

Alderman Fitzgerald asked for a staff report indicating the sections of the Herring Cove Road which staff consider to be a design priority, as well as an explanation of the reasons for changing those priorities suggested by staff.

The motion was put and passed.

10:40 p.m. - His Worship Mayor Wallace retires from the meeting with Deputy Mayor Richard Grant assuming the Chair.

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

Motion Deputy Mayor Richard Grant Re: Ordinance #145,
Tax Collection Ordinance - SECOND READING

This matter had been given First Reading during a regular meeting of City Council held on 13 April, and was further considered during a meeting of the Finance and Executive Committee held on Wednesday, 3 May 1989.

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that Council give SECOND READING to an amendment to the Tax Collection Ordinance, being City of Halifax Ordinance 145, as enacted and approved by the Minister of Municipal Affairs on 1 March 1978 as amended, by adding the following section:

6. An officer executing a warrant issued under the authority of the Assessment Act is entitled to a fee of \$30.00 plus 2.25% of the outstanding taxes to a maximum of \$500.00 plus any actual expenses incurred in lieu of those fees set out in subsection 128(5) of the Assessment Act.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Case No. 5776: Development Agreement to Permit an Amusement Centre at 5228-30 Blowers Street
- SET DATE FOR PUBLIC HEARING

Correspondence, dated 9 May 1989, was submitted from Mr. D. Alan Snow, Transeastern Properties Limited, 3063 Lloyd Fox Avenue, Halifax; together with a letter, dated 7 May 1989, from Mr. D. C. McCurdy, Box 316, Chester, Nova Scotia.

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a public hearing be scheduled to consider the application to permit an amusement centre at 5228-30 Blowers Street.

The motion was put and passed.

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The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 21 JUNE 1989** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case No. 5781 - Day Care Centres
- SET DATE FOR PUBLIC HEARING

A supplementary staff report, dated 11 May 1989, was submitted, together with correspondence (dated 9 May 1989) from Peter and Georgina Dimock, Armdale, Nova Scotia.

MOVED by Alderman Leiper, seconded by Alderman Deborah Grant that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the following amendments to the Land Use Bylaw:

- (1) remove the ability to have day care centres larger than 16 children in the R-1 Zone;
- (2) require a separation distance of at least 500 feet between day care centres;
- (3) require that day care centres in the R-1 Zone be occupied by the owner of the building; and
- (4) provide off-street parking spaces for the day care drop-off and pick-up hours.

In putting forward this motion, Alderman Leiper made reference to the fact that she was omitting a previously-proposed amendment with regard to fencing, emphasizing that she had recently been advised by staff that this amendment could not be implemented through the Land Use Bylaw.

Alderman Flynn emphasized that other concerns (pertaining to day care uses in R-2 Zones as well as to the size and location of signage) had been raised during a public meeting on this matter, and indicated that, in his opinion, these matters should also be considered during the proposed public hearing. He added that he felt Council should consider all day care centres in the City, despite their zoning classification, in a uniform and comprehensive fashion.

After some discussion, it was moved by Alderman Flynn, seconded by Alderman Stone that the matter be deferred to the next regular meeting of the City Planning Committee (scheduled for Wednesday, 17 May 1989) so that the concerns raised by Alderman Flynn could be further discussed.

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

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Case No. 5829: Petition to Rezone Area Between
South Bland Street and Young Avenue From R-2A to R-2

MOVED by Alderman Deborah Grant, seconded by
Alderman Meagher that, as recommended by the City Planning
Committee, the matter be referred to the Planning Advisory
Committee for its review and comment.

The motion was put and passed.

Recommended Heritage Properties: 2031 Creighton Street,
2534 Oxford Street, 2438 Gottingen Street (Victoria
Hall), 1260 Queen Street (Collins/Archibald House)
- SET DATE FOR HEARING

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
including the buildings located at 2031 Creighton Street,
2534 Oxford Street, 2438 Gottingen Street (Victoria Hall),
and at 1260 Queen Street (Collins/Archibald House) in the
Halifax Registry of Heritage Property.

The motion was put and passed.

After some discussion, the Acting City Clerk
advised that the requested public hearing would be scheduled
for **WEDNESDAY, 21 JUNE 1989** at 7:30 p.m. in the Council
Chamber, Halifax City Hall.

Civic Number 5780 West Street

NOTE: Although this item had been deleted during
the setting of the agenda, it was briefly discussed under
Item No. 9 - "Petitions and Delegations." At that time, it
was noted that the matter would be added to the agenda of the
next regular meeting of the City Planning Committee,
scheduled for 17 May 1989.

MISCELLANEOUS BUSINESS

Voting Delegates - UNSM Regional Meeting (Alderman Leiper)

This matter had last been discussed during a
regular meeting of the Finance and Executive Committee held
on 3 May 1989.

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MOVED by Alderman Leiper, seconded by Alderman Flynn that the following members of Halifax City Council serve as voting delegates to the Regional Meeting of the Union of Nova Scotia Municipalities (UNSM) to be held on 24 May 1989:

Deputy Mayor Richard Grant
Alderman Graham Downey
Alderman Art Flynn
Alderman Pat Pottie
Alderman Deborah Grant

In putting forward this motion, Alderman Leiper asked that the above-mentioned members of Council acknowledge their ability to attend on 24 May; she added that her tenure on the UNSM Executive has expired and that a replacement will be sought.

It was suggested by Alderman Deborah Grant that with regard to future conferences of this nature, a memorandum be circulated to members of Council advising that delegates are being sought and asking for expressions of interest. She added that this would ensure that everyone is provided with an opportunity to participate.

The motion was put and passed.

Task Force on Traffic Improvements (Alderman Leiper)

This matter was deleted from the agenda at the request of Alderman Leiper.

10:55 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Richard Grant assuming his usual seat on Council.

Nominations - FCM Board (Deputy Mayor Richard Grant)

This matter had last been discussed during a regular meeting of the Finance and Executive Committee held on Wednesday, 3 May 1989.

Noting that Alderman Leiper has worked very diligently to promote the City's interests on the FCM Board, it was moved by Deputy Mayor Richard Grant, seconded by Alderman Deborah Grant that Halifax City Council nominate

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Alderman Moira Leiper to once more stand for election to the Board of the Federation of Canadian Municipalities (FCM).

The motion was put and passed.

Voting Delegates - FCM Conference (Alderman Leiper)

This matter was last discussed during a regular meeting of the Finance and Executive Committee held on Wednesday, 3 May 1989.

MOVED by Alderman Leiper, seconded by Deputy Mayor Richard Grant that the following members of Halifax City Council be selected as voting delegates to the 52nd Annual FCM Conference:

Alderman Graham Downey
Alderman Moira Leiper
Alderman Arthur Flynn

and further, that Alderman Deborah Grant be appointed as an alternate.

In putting forward this motion, Alderman Leiper noted that the first matter to be addressed at the Conference is a resolution proposing that all delegates in attendance will be voting delegates.

Reiterating her earlier remarks with regard to the voting delegates to the UNSM Regional Meeting, Alderman Deborah Grant strongly recommended that, in future, all members of Council be approached as to their interest in participating in conferences such as these.

The motion was put and passed.

Blasting - Bedford Basin at the Narrows
(Alderman O'Malley)

This matter had last been discussed at a regular meeting of the Committee on Works held on Wednesday, 3 May 1989.

Acknowledging the fact that the City of Halifax has little or no jurisdiction over matters which pertain to the Narrows/Bedford Basin water area, Alderman O'Malley expressed her extreme concern (on behalf of the residents of Ward 5)

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with regard to the blasting which has been taking place in that location over the last several weeks.

In her remarks, the Alderman noted that the blasting began on Friday, 25 April, with charges continuing on a 24-hour (daily) basis for almost two weeks. She emphasized that the situation was exacerbated by the fact that residents had been given no prior notice of this project nor were pre-blast surveys undertaken. Consequently, many of her constituents (particularly residents of Barrington, Albert, Lynch, Vestry and Rector Streets) had been rather unpleasantly surprised by the charges and furthermore have suffered damage to their property for which, there is reason to believe, they will never be adequately compensated.

Alderman O'Malley labelled this action on the part of the Port Corporation "a great act of irresponsibility," and urged that His Worship the Mayor forward a letter to the appropriate Federal Government Department expressing Council's very deep concern that pre-blasting surveys had not been undertaken. She strongly urged that, in future, residents be given adequate warning of any similar work which is proposed so as to avoid unnecessary fright and inconvenience.

In closing, Alderman O'Malley suggested that any Ward 5 resident, who has suffered property damage as a result of the recent blasting in Halifax Harbor, write to the contractor, Harbor Developments (a division of Atlantic Towing), P.O. 497, Dartmouth, Nova Scotia, B2Y 3Y8 (Attention: Mr. W. L. DeWolfe) and enclose a copy of their claim for blasting damages. It was further suggested that these individuals advise their own home insurance company of any damages with a copy of that letter being forwarded to Mr. Richard Pentland of the Port Corporation, P.O. Box 336, Ocean Terminals, Halifax, Nova Scotia, B3J 3P6.

His Worship Mayor Wallace noted that he had recently received a letter from Geraldine Pauley, Constituency Manager for Mary C. Clancy, MP (Halifax) in which it was advised that, as of 11:05 p.m. on 11 May, the blasting will be, for the most part, concluded. He assured Alderman O'Malley, however, that he **would** prepare a letter to the appropriate federal representative expressing her concerns and those of her constituents.

Alderman Flynn referred to the concerns raised previously by himself and other members of Council with regard to the detrimental effects of blasting undertaken within the City limits (particularly in residential areas), and urged that the report requested from the City Solicitor's

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Department at that time be submitted for Council's review as quickly as possible.

Task Force on Financing of Homemaker/Home
Care Agencies (Alderman Leiper)

The above matter had last been discussed during a regular meeting of the Finance and Executive Committee held on 3 May 1989.

Alderman Flynn observed that, owing to time constraints, this item has yet to be dealt with by Committee of the Whole Council, and strongly recommended that, with regard to the next regular meeting scheduled for **Wednesday, 17 May**, it be placed as close as possible to the beginning of the agenda.

Concurring with Alderman Flynn's suggestion, Mayor Wallace indicated that, if necessary, the matter could proceed from the Committee of the Whole Council meeting to the Special Meeting of Halifax City Council scheduled for the evening of 17 May, in order that Council's comments could be forwarded, as requested, to the UNSM.

QUESTIONS

Question Alderman Jeffrey Re: Letter
from Canadian Red Cross Society

Alderman Jeffrey made reference to a letter received some time ago from the Canadian Red Cross in which information had been requested as to whether space (in a City-owned facility) might be made available for the storage of various pieces of equipment such as wheelchairs and walkers. Noting that the request had been referred to the Director of Engineering and Works for a response, the Alderman emphasized that he would appreciate receiving this information as quickly as possible so that he might reply to the Society's inquiry.

Question Alderman Jeffrey Re: 72 Central Avenue

Alderman Jeffrey made reference to an earlier decision by City Council to refuse a proposal calling for the construction of a third unit in the building located at 72 Central Avenue. The Alderman noted that, since that time, the property has apparently been converted into a "group home" and asked for information from staff as to the name and

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objectives of the group using the building as well as whether all necessary permits have been applied for and granted.

Question Alderman Jeffrey Re: 117 Rosedale Avenue

Alderman Jeffrey referred to the approval of an application to construct a duplex at 117 Rosedale Avenue on what (in the Alderman's opinion) is an under-sized lot. He noted that, owing to on-site difficulties, the developers had subsequently found it necessary to apply to staff for a variance. He emphasized that residents of the neighborhood are greatly concerned about the appearance of the resulting structure, and asked for a full report on the matter from staff. Alderman Jeffrey also encouraged members of Council to visit the site to better acquaint themselves with the problem.

Question Alderman Flynn Re: Stakes for Utility Poles (Edward Arab and William Hunt Avenues)

Alderman Flynn advised that wooden stakes (marked "MT&T Pole") had recently been put in the ground on the sides of the street opposite to existing utility poles on Edward Arab and William Hunt Avenues, and asked for information as to what these stakes represent (i.e., is it, for instance, MT&T's intention that poles be located on both sides of these streets?).

The Alderman referred to previous negotiations with the Nova Scotia Power Corporation and MT&T regarding pole installations on Connaught Avenue, and emphasized that he wished to use "every method possible to prevent two rows of poles on William Hunt Avenue" or on any other residential street in the City. Alderman Flynn asked for assurances from City staff that no permits for these poles would be given out (unless the poles are merely intended for upgrading purposes), adding that, in future, he would like to be advised in advance of any such permits so that he can discuss the matter with area residents.

Question Alderman Flynn Re: Westmount Subdivision

Alderman Flynn referred to a lot located on Edward Arab/Peter Lowe/William Hunt Avenues in the Westmount Subdivision which had recently (within the last 6-8 months) been subdivided. The Alderman asked for assurances from staff that no minor variances will be approved for this site which will be used to facilitate the construction of a residence on this lot.

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In his remarks, Alderman Flynn emphasized not only the fact that a public pathway has been located on this site for the last several decades, but also the "park-like layout" of the Westmount Subdivision as a whole which, in his opinion, would be severely jeopardized by the construction of a building on this site. He expressed concern that the residents of the Subdivision must be protected from any action or modifications that might adversely affect their neighborhood.

Question Deputy Mayor Richard Grant Re:
Graves Oakley Park

Deputy Mayor Grant noted that for the last six summers fill has been delivered to the Graves Oakley Park site, with work commencing at 7:00 a.m. on weekdays and 9:00 a.m. on Saturdays. While acknowledging that space is extremely limited in the City in terms of landfill sites and that the Park will eventually require this fill for expansion purposes, the Deputy Mayor emphasized that area residents are badly in need of "a summer off" from the noise and disruption of dump trucks and bulldozers.

In this context, Deputy Mayor Grant asked if an alternate site could be located during the 1989 summer season, noting that perhaps the Industrial Commission could offer some suggestions. He emphasized that, if another site cannot be found, consideration be given to reduced deliveries (once or twice a week) to the Park site and the cessation of work on Saturdays.

Question Alderman O'Malley Re: Mobile Street Vendors

Responding to a question from Alderman O'Malley, His Worship Mayor Wallace advised that he has prepared a complete "recap" of the tendering process (including the successful bids) vis a vis the City's mobile street vendors, adding that this information would be distributed to members of Council shortly.

On another but related matter, Alderman O'Malley requested information with regard to the circumstances surrounding the awarding of a tendered site on Spring Garden Road.

The City Manager advised that a full written report on the matter would be provided to members of Council.

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Question Alderman Downey Re: McCully House

Responding to a question from Alderman Downey, His Worship advised that discussions regarding McCully House are currently underway and that once some decisions have been made, an update would be provided for Council's information.

The City Manager assured the Alderman that no contracts would be awarded in this regard without Council's prior knowledge.

Question Alderman Deborah Grant Re:
Marketing Subcommittee - Halifax District School Board

Alderman Grant referred to a suggestion made during Council's recent budget deliberations concerning the establishment by the Halifax District School Board of a "Marketing Subcommittee." She noted that, at that time, the Board's Chairman had indicated that he would follow up on the idea, and asked for a progress report on the matter.

Question Alderman Deborah Grant Re:
English-Language Teaching in French Immersion Schools

Alderman Deborah Grant noted the concerns raised by parents of French Immersion students with regard to the quality of the English language teaching program in those schools, and asked for a report on this matter from the Chairman of the Halifax District School Board.

Question Alderman Deborah Grant Re:
Dalhousie Arts Centre

Alderman Deborah Grant made reference to her previous requests for a report from staff with regard to the Neptune Theatre and the progress being made on that site. She added that, incorporated in that report, she would like to have an indication from staff as to what is happening with regard to the discussions concerning the future of the Dalhousie Arts Centre.

The Alderman noted that she had previously asked that this matter be placed on the agenda of the Committee of the Whole Council meeting scheduled for **Wednesday, 17 May**, and urged that a report on that matter be made available prior to that time.

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Question Alderman Deborah Grant Re:
Emergency Lighting - IWK Children's Hospital

Alderman Deborah Grant referred to a recent incident at the IWK Children's Hospital during which the emergency lighting system did not come on as was anticipated. As a result, the Alderman indicated, the Recovery Room at the Hospital was in darkness for a nine-hour period.

Noting that this had been a very frightening experience for all those involved, Alderman Grant asked that staff of the Halifax Fire Department investigate the matter and submit a report as to why the system had not functioned.

Question Alderman Fitzgerald Re: McDonald's
(Quinpool Road) - Traffic Problems

Alderman Fitzgerald expressed concern regarding the numerous traffic problems occasioned by the McDonald's location on Quinpool Road, and asked if staff could investigate the situation and submit a written report on this very disruptive and, at times, dangerous, situation.

Question Alderman Fitzgerald Re: Ambulance
Sirens - Robie Street

Alderman Fitzgerald advised that he had received numerous complaints from residents regarding the use of ambulance sirens on Robie Street during the early morning hours. The Alderman acknowledged that sirens should be by these emergency vehicles at times when traffic is likely to be heavy, but asked if staff could ask these individuals to refrain from using them on other occasions.

Question Alderman Fitzgerald Re: Licensing of
Amusement Arcades, Pinball Machines, Etc.

Alderman Fitzgerald noted that he has received a number of complaints from parents who have expressed concern with regard to the City's regulation of amusement arcades. He added that it has also been indicated to him that a good many of these machines have been "missed" during the licensing process, and may have resulted in a loss to the City of between \$60,000-100,000 in revenues.

The Alderman asked for a brief report from staff as to the regulations which are currently in place with regard to these machines/amusement centres and added that perhaps consideration should be given to hiring a student for the

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summer months to investigate whether all machines currently in use are appropriately licensed.

Question Alderman Fitzgerald Re: City Club Property

Alderman Fitzgerald referred to his earlier requests for an update on the progress being made with regard to the City Club property, noting that he has received no information to date on this matter.

Question Alderman Fitzgerald Re: Property Dispute
- Corner of Vernon and Cedar Streets

Alderman Fitzgerald referred to a dispute (partially involving the location of a City street line), which has been ongoing between two property owners at the corner of Vernon and Cedar Street for several months, and asked for a report from staff as to what action the City is prepared to take in this regard.

NOTICES OF MOTION

Notice of Motion His Worship Mayor Ron Wallace Re:
1989 Budgetary Commitments

His Worship Mayor Wallace gave Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, 25 May 1989, he intends to propose a motion that City Council request the City Manager to direct all Department Heads, Boards, Committees and Commissions to make every effort to avoid commitments in 1989 for additional staff, new projects or new programs that require initial funding approval during the 1990 budgetary process.

Mayor Wallace noted that the purpose of this motion is to inform all staff that Council, during its 1990 budget deliberations, will not be obliged to approve an expenditure because a pre-budgetary commitment has been made at the Department, Board, Commission or Committee level.

Notice of Motion Alderman Fitzgerald Re: Proposed
Amendments to the Dog Ordinance, the Taxi Ordinance,
the Automatic Machines Ordinance, and the Streets Ordinance

Alderman Fitzgerald give Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, 25 May 1989, he intends to move FIRST READING

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of amendments to the Dog Ordinance, the Taxi Ordinance, the Automatic Machines Ordinance and the Streets Ordinance, the purpose of which is to allow for a payment of voluntary penalties (at the Halifax Police Department) in lieu of prosecution.

ADDED ITEMS

UNSM Executive Appointments

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

MOVED by Deputy Mayor Richard Grant, seconced by Alderman Meagher that City Council recommend Alderman Deborah Grant for nomination to the UNSM Executive.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 11:55 p.m.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR RICHARD GRANT
CHAIRMEN

mmd*K

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