

RECORD COPY

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

Council Chamber  
City Hall  
Halifax, Nova Scotia  
15 June 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, Hanson, Jeffrey, Leiper, Flynn, and Stone.

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

The meeting commenced with members of City Council, led by His Worship Mayor Wallace, joining in the recitation of the Lord's Prayer.

Presentation - Retirement Scroll - Mr. Thomas Spearns Halifax Police Department

His Worship Mayor Wallace, on behalf of the City, congratulated Mr. Thomas Spearns, S/Sgt., Halifax Police Department on his 34 years of service with the Department and wished him a happy retirement. His Worship then introduced Mr. Spearns family, who were sitting in the gallery, to members of Council.

Chief Blair Jackson, Halifax Police Department presented Mr. Spearns with his retirement scroll and wished him well in his retirement.

Deputy Mayor R. Grant then presented Mrs. Spearns with a gift of a corsage and wished her and Mr. Spearns a happy retirement.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on 25 May 1989, were approved on a motion by Alderman Fitzgerald, seconded by Alderman O'Malley.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

20.1 - Acquisition of Civic Nos. 97 - 97 1/2  
Herring Cove Road

Council  
15 June 1989

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

15.9 - Case No. 5006: Amendment to Stage II:  
Schedule "K" Agreement - Clayton Park West to the 29 June  
1989 City Council.

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

20.2 - 1990 World Figure Skating Championships.

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

20.3 - Case 5781 - Day Care Centres.

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

20.4 - Downtown Halifax Business Improvement  
District Commission Request.

MOVED by Alderman Jeffrey, seconded by Alderman  
Stone that the agenda, as amended, be approved.

Motion passed.

#### DEFERRED ITEMS

Case No. 5774: Amendment to Existing Development Agreement -  
Schedule "K", Farnham Gate Road

A public hearing into this matter was held on  
Wednesday, 17 May, 1989.

This matter was discussed last at the 25 May 1989  
meeting of City Council.

A supplementary staff report, dated 12 June 1989,  
was submitted.

Alderman Stone advised that the woman responsible  
for running the day care centre indicated to him that she  
would accept a maximum number of 28 children in the day care  
centre. Alderman Stone advised that he wanted to amend the  
supplementary staff report of 12 June 1989 to reduce the  
maximum number of children allowed to 28, rather than 41 as  
staff recommended. Alderman Stone added that he requested

Council  
15 June 1989

staff to consider a wooden fence rather than a chain link fence, and recommended leaving five feet of space between the streetline and the fence for landscaping. He pointed out that it would be more attractive and acceptable to the residents of that area.

MOVED by Alderman Stone, seconded by Fitzgerald  
that (1) Council approve the entering into of an amending agreement to amend the provisions of a previously approved and executed development agreement made pursuant to Section 68 of the Mainland portion of the Land Use Bylaw and registered at the Registry of Deeds in Book 3802 at Page 183; said amending agreement to permit the use of a portion of an existing apartment building at 185 Farnham Gate road as a day care centre, on the condition that the maximum number of children allowed in the day care centre would be 28, and that a wooden fence be built with approximately five feet between the street line and fence to allow for landscaping.

(2) 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 City Clerk advised that due to their absence at the public hearing on this matter, the following members should not vote: Alderman Deborah Grant, Alderman Meagher, Alderman Hanson, Alderman Leiper, and Alderman Flynn.

The motion was passed with Alderman Deborah Grant, Alderman Meagher, Alderman Hanson, Alderman Leiper, and Alderman Flynn abstaining from the vote.

Case No. 5784: Amendment to Height Precinct Map (ZM-17) - Mitchell Property, Tower Road

A supplementary staff report dated, 12 June 1989 was submitted.

The following correspondence was submitted:

15 June 1989, Mr. E.A. Coolen, 1074 Wellington Street, Halifax, N.S.

Alderman Deborah Grant informed Council that tomorrow afternoon, 16 June 1989, there was scheduled a special meeting of the Planning Advisory Committee to deal with this issue, and therefore, was requesting that this issue be deferred.

Council  
15 June 1989

MOVED, by Alderman Deborah Grant, seconded by Alderman Fitzgerald that this item be deferred.

Motion carried.

Case No. 5840: Amendment to Section 44F of the Land Use Bylaw (Peninsula)

A supplementary staff report dated, 12 June 1989 was submitted.

Noting that this item related to the previous agenda item, it was MOVED by Alderman Deborah Grant, seconded by Alderman Fitzgerald that this item be deferred.

Motion carried.

#### MOTIONS OF RECONSIDERATION

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

The above item was last considered by City Council at its 25 May 1989 meeting at which time it was deferred to this meeting.

Deputy Mayor R. Grant after giving his reason for his motion of reconsideration, which was that all members of Council were not present when the original resolution was approved, MOVED, seconded by Alderman Jeffrey that City Council's resolution of 15 March 1989, as follows, be reconsidered:

- (1) the Stipends Committee review the total remuneration received by the Mayor, the Deputy Mayor and the Alderman (including both the base salary and the expense allowance portion of the City's remuneration) and, in doing so, it take into consideration that there is already a procedure in place for increases of staff; based on the incremental increases of staff;
- (2) the Stipends Committee conduct the review in an independent manner;
- (3) the Stipends Committee submit a written report on "stipends" to Council as soon as it is ready;
- (4) the Stipends Committee, upon the presentation of the



Council  
15 June 1989

written report, will have fulfilled its mandate and all its members dismissed;

(5) Number 5 of the "Suggested Terms of Reference" for the Stipends Committee be deleted;

(6) Council rescind its motion of 25 August 1988 regarding the hiring of a consultant.

(7) Should an increase or increases be recommended by the Stipends Committee, they not be instituted until 1991 (the date of the next municipal election).

Motion passed.

The Chairman noted that Item No. 7 was an amendment to the resolution made at the 15 March 1989 meeting, and suggested that Council should first consider the amendment to the original motion, as follows:

"(7) Should an increase or increases be recommended by the Stipends Committee, they not be instituted until 1991 (the date of the next municipal election)".

Following a debate the question on the above amendment to the original motion was put and lost.

MOVED in amendment by Deputy Mayor R. Grant, seconded by Alderman Jeffrey that the resolution of 15 March 1989 be amended by the addition of Item No. 7 reading as follows:

"(7) Should an increase be recommended by the Stipends Committee, it be instituted as of November 1988.

Following a debate, the question on the amendment was put and passed with nine voting for it, and three voting against, as follows:

FOR: Aldermen D. Grant, Downey, O'Malley, Pottie, R. Grant, Hanson, Jeffrey, Leiper, and Stone.

AGAINST: Aldermen Fitzgerald, Meagher, and Flynn.

MOVED by Deputy Mayor R. Grant, seconded by Alderman Jeffrey that the motion as amended be approved as follows:

(1) the Stipends Committee review the total remuneration received by the Mayor, the Deputy Mayor and the Alderman

Council  
15 June 1989

(including both the base salary and the expense allowance portion of the City's remuneration) and, in doing so, it take into consideration that there is already a procedure in place for increases of staff; based on the incremental increases of staff;

(2) the Stipends Committee conduct the review in an independent manner;

(3) the Stipends Committee submit a written report on "stipends" to Council as soon as it is ready;

(4) the Stipends Committee, upon the presentation of the written report, will have fulfilled its mandate and all its members dismissed;

(5) Number 5 of the "Suggested Terms of Reference" for the Stipends Committee be deleted;

(6) Council rescind its motion of 25 August 1988 regarding the hiring of a consultant.

(7) Should an increase be recommended by the Stipends Committee, they be instituted as of November 1988.

Motion passed.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 7 June 1989 as follows:

#### Expropriation Settlement - 65 Main Avenue

MOVED by Alderman Leiper, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, City Council approve the recommendation that the claim of James D. Taylor and Associates Insurance Ltd. be settled for \$1,005.52, as settlement in full for all claims.

Motion carried.

#### Social Assistance Cost-Sharing

This matter was last discussed at a meeting of the Finance and Executive Committee, held on 7 June 1989.

Mr. Harold Crowell, Director of Social Planning addressed the matter.

Council  
15 June 1989

Mr. Crowell advised that the main reason for the proposed cutbacks in social assistance is because of an increasingly higher caseload, and as well, it is due to the fact that the Province has indicated that they will not be forwarding the expected amount of funds for cost-sharing for this year. Mr. Crowell explained that in early May of this year he had received a letter from the Province indicating the amount of money they would be receiving for cost-sharing for social assistance expenditures, and it was evident that the City would have a shortfall in revenue of approximately \$740,000. Mr. Crowell pointed out that once he was aware of this, he indicated to Council that there was going to be a serious budgetary problem.

Mr. Crowell noted that another factor determining these cutbacks was that last October the Province encouraged all municipalities to increase their social assistance rates to a level approximately the same as family benefits. Mr. Crowell pointed out that at the time he agreed that there was a need for an increase and forwarded this recommendation to City Council. Mr. Crowell indicated that as of November 1, 1988 the rates were increased and the City was one of 17 municipalities that went along with the Province's suggestion. Mr. Crowell advised that when he recommended this increase he was under the impression that he would receive 75 percent cost-sharing from the Province for this. He added that his department budgeted for less than the 75 percent cost-sharing for the full year, and for six months, budgeted for 62 percent instead of 75 percent. Mr. Crowell advised that they were informed that they will now get 50 percent for six months of the year rather than the 62 percent which they were budgeting for.

The following correspondence was submitted:

- 15 June 1989, Ms. Shirley Marryatt, Interim Co-Ordinator, Halifax Metro Welfare Rights Association, 2179 Gottingen Street, Halifax, NS.
- 15 June 1989, Halifax - Dartmouth and District Labour Council C.L.C., P. O. Box 1061, Halifax, NS.
- 15 June 1989, Hon. Guy LeBlanc, Department of Community Services, P. O. Box 696, Halifax, NS.
- 13 June 1989, Ms. Janis M. Leone, Executive Director, Phoenix House, P. O. Box 1211 North Halifax, NS.
- 13 June 1989, Ms. Jeanne E. Fay.

Council  
15 June 1989

- 14 June 1989, Mr. Vince Calderhead, Barrister & Solicitor, Metro Community Law Clinic, 2830 Agricola Street, Halifax, NS.

A discussion on this matter ensued.

Alderman Downey addressed the matter and advised that there were many people in the gallery tonight who have concerns regarding the social assistance cutbacks and would appreciate the opportunity to address Council and Staff with their concerns.

MOVED by Alderman Downey, seconded by Alderman Meagher that this matter be deferred to a Special Meeting of the Committee of the Whole Council.

His Worship indicated to members of Council and the people attending that a date for the Special Meeting of the Committee for the Whole Council regarding this matter would be decided and he added that for the benefit of the public, notice of the meeting would be advertised in the newspaper.

The motion was put and passed.

#### Nova Scotia Power Corporation Rates

This matter was forwarded to Council without recommendation from a meeting of the Finance and Executive Committee, held 7 June 1989.

At Alderman Flynn's suggestion no action was taken on this matter.

#### Sewage Outfall - Historic Properties

This matter was last discussed at a meeting of the Finance and Executive Committee, held on 7 June 1989.

A supplementary staff report, dated 13 June 1989 was submitted.

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

(1) approve the appointment of CBCL Ltd. to undertake the design works for the extension of sewer outfall at Historic Properties at an estimated cost of \$60,000;

Council  
15 June 1989

(2) approve funds for the design works from Capital Account No. DD030;

(3) direct staff to approach the Province of Nova Scotia to request cost-sharing in an amount of 75 percent of the total project cost under the approved Harbour Clean-Up Program.

Alderman Fitzgerald expressed concern over the staff reports for this proposal and indicated that the reports suggest to him that the sewage outfall may not be practical if it cannot be incorporated into the overall sewer interceptor design.

Mr. Peter Connell, addressed the matter and assured Alderman Fitzgerald that in recent meetings with the Province on this issue, there was a more positive outlook on the proposal, and that no action would be taken until the study was completed and approved by Council.

Alderman Fitzgerald advised that he supported the idea of a study on this matter, but had reservations of allocating money for this proposal if it could not be used for anything other than a sewage overflow.

Alderman Leiper addressed the matter and advised that Halifax has a number of well qualified scientists and, currently, scientists were using an expensive robot to examine the floor of the harbour. She indicated that now would be the appropriate time, and requested that Staff consult these scientists with respect to the effects of the sediments on the floor of the harbour.

Alderman Meagher addressed the matter and suggested that Council has to start at some point to see if this proposal is feasible, and that the consultants study is the appropriate starting point.

The motion was put and passed.

Tender #89-105 - Four Combination Salt and Dump Bodies

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council approve purchase (under Tender #89-105) of four combination salt and dump bodies from Scotia Equipment, the lowest bidder meeting specifications, for a total of \$97,800.00 (funds to be made available from Account Number 126104.X1710 - Equipment Replacement Reserve Account).

Council  
15 June 1989

The motion was put and passed.

Revenue and Expenditure Statement

This matter was last discussed at a meeting of the Finance and Executive Committee, held on 7 June 1989.

MOVED by Deputy Mayor R. Grant, seconded by Alderman Hanson that as recommended by the Finance and Executive Committee City Council table the report entitled "Revenue and Expenditure Statement," dated 24 May 1989, and recommend that staff be directed to appeal the Minister's decision with regard to his refusal to grant the City 20 percent cost-sharing (relevant to the installation of sanitary sewer and watermain to the Halifax Bayers Lake/Ragged Lake Industrial Park and to the Northwest Interceptor Sewer); and further that staff be requested to report back to Council with any progress being made in this regard.

The motion was put and passed.

Nathan Green Square - Amendments to License: Mar II Sailing Tours

A private and confidential information report, dated 13 June 1989 was submitted.

Alderman Deborah Grant addressed the matter and indicated that the majority of people who have expressed their concern of Nathan Green Square desire to have this area remain as a park area. Alderman Deborah Grant added that, as well, the opinion of the business people located in this area is that a new business, whether permanent or temporary, would provide unfair competition. In summary, Alderman Deborah Grant advised that after reviewing the leases of the Mar II and the concerns expressed by the public, she suggested that at this time it would be inappropriate for Council to recommend approval of any business wishing to locate in Nathan Green Square.

The following correspondence was submitted:

- 12 June 1989, James S. Cowan, P. O. Box 997, Purdy's Wharf Tower One, Halifax, N.S.

MOVED by Alderman Deborah Grant, seconded by Deputy Mayor Richard Grant that Council refuse the application by

Council  
15 June 1989

Mar II Sailing Tours for an amendment to its' license for Nathan Green Square.

A discussion ensued and in reply to a question with respect to when staff were preparing to return to Council with a report concerning the rezoning of the area to Park and Industrial, Council was informed that Staff would present the report at the July 5, 1989 meeting of the Committee of the Whole.

Further discussion followed and the motion was put and resulted in a tie vote. Following a show of hands, the Chairman voted for the Motion and declared it passed.

MGL Consulting and Investments Limited Leased Premises Adjacent to Law Courts Building

A information report dated 13 June 1989 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Leiper that as recommended by the Finance and Executive Committee, City Council authorize the Mayor and the City Clerk to execute on behalf of the City of Halifax a consent to the Leasehold Mortgage and Assignment of Lease between MGL Consulting and Investments Limited and the Atlantic Trust Company of Canada in the form attached as Schedule "A" of the private and confidential staff report dated 1 June 1989.

The motion was put and passed.

Halifax Water Commission Lands

This matter was last discussed at a meeting of the Finance and Executive Committee on 7 June 1989.

MOVED by Alderman Leiper, seconded by Alderman Fitzgerald that as recommended by the Finance and Executive Committee City Council authorize the City Manager to notify the Halifax Water Commission that it does not wish to consider acquiring the Lady Hammond Road property and, further, that City Council strongly recommend that the Water Commission consider relocating its operations to the Halifax Industrial Park.

Alderman Flynn advised that he considers the Halifax Water Commission land public land and that although the City says it doesn't have any reason to acquire the land,

Council  
15 June 1989

Council should look at what the use of that land is going to be before it is sold. He added that if the City needs that land it should not be tendered out at full market value because that will inflate the price. Alderman Flynn suggested that Council should look at some of the options for that land.

His worship indicated that there would be a further staff report on this matter.

A short discussion on this matter ensued and His Worship informed that Council will inform the Public Service Commission that the property is not needed at this time; and request them to take a second look at this property for other uses.

The motion was put and passed.

#### REPORT - EXECUTIVE COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting on 7 June 1989 as follows:

##### Amendment to Ordinance #180, Respecting Streets

A supplementary report dated 14 June 1989 was submitted. A report from the City Solicitor dated 9 June 1989 was also submitted.

Alderman Meagher addressed the matter and explained his concerns as illustrated in his report submitted at the Committee on Works meeting of 7 June 1989. Alderman Meagher expressed the view that the existing ordinance does not adequately address the size of some current cars on the market that do not require a driveway of 9 feet by 20 feet. Referring particularly to the matter of a permit to construct a driveway ramp at 6280 Chebucto Road, the Alderman noted that the space available will accommodate certain types of vehicles. He further noted that a similar problem had existed at 6284 Yukon Street where Council supported the appeal although staff were recommending denial of the permit. Alderman Meagher went on to reiterate the concern with respect to limited parking in the older part of the City's Peninsula where many properties are unable to meet the 9 ft by 20 ft driveway specifications. Alderman Meagher suggested that the 9 ft by 20 ft requirement was not necessary and that the existing ordinance should be amended to accommodate the normal sized 1989/90 vehicles.



Council  
15 June 1989

Alderman Meagher proposed a motion that the property at 6280 Chebucto Road be given a permit to construct a driveway ramp at his property.

The Chairman referred to the City Solicitor's report of 9 June 1989 where it states that the foregoing motion was an improper one and that the only way to deal with the problem would be to amend Ordinance 180 and set new standards. The Chairman indicated that he therefore could not accept a motion as proposed by Alderman Meagher.

A discussion ensued with the City Manager pointing out that the present ordinance calls for 9' X 20'. He noted that staff has reported that they had carried out a survey of the majority of cars and subsequently recommended that the standards should be lowered to 9' X 18'. However, the City Manager noted that the property in question contained a smaller area and could not properly accommodate a vehicle.

Mr. Connell, Director of Engineering and Works, addressed the matter and reiterated the fact that the existing specifications were reviewed. He noted that staff agrees that a 9' X 18' driveway would accommodate about 90 percent of the cars that are on the road today. Mr. Connell indicated that he could not recommend the approval of this driveway. Mr. Connell provided pictures of the driveway in question illustrating the distance from the front of the property to the street line. He noted that a car parked in the area in question would encroach on the neighbour's property.

Following a further discussion, Alderman Meagher indicated that he would be bringing forth a notice of motion to amend the existing ordinance later in the meeting under Notices of Motion.

Alderman Fitzgerald expressed concern with regard to a similar situation in his Ward where a permit was granted for parking in front of a property approximately the same size of the property in question. Alderman Fitzgerald questioned why tickets are not issued to persons who destroy the nature of a residential district by parking on the front lawn.

The Chairman noted that a report would be provided in response to Alderman Fitzgerald's question.

11:05 p.m. His Worship Mayor Wallace retired from the meeting Deputy Mayor R. Grant assuming the seat of the Chair.

Council  
15 June 1989

Barrington Street - North Street and MacKay Bridge

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, the Mayor and City Clerk be authorized to enter into an agreement with J. Philip Vaughan Engineering Associates Limited to carry out an engineering study to determine the future routing and alignment of Barrington Street between North Street and the MacKay Bridge, in accordance with the terms of reference attached to the 19 May 1989 staff report and at a cost not to exceed \$70,000.00.

In response to Alderman O'Malley's question which was raised at the last Committee of the Whole Council meeting with respect to the wall along Barrington Street, the Director of Engineering and Works advised that the wall was owned by the C.N.R.

Alderman O'Malley requested that a letter be forwarded to the C.N.R. asking that the wall be repaired, to which Council agreed.

The motion was put and passed.

Award of Tender #89-01 - MacFatrige Road

MOVED by Alderman Jeffrey, seconded by Alderman Leiper that, as recommended by the Committee on Works, Tender #89-01 be awarded to Municipal Contracting Limited for the project, materials and services listed for the unit prices quoted at a tender price of \$365,879.00 and a total project cost of \$440,000.00.

Motion passed.

Emergency Sewer Rerouting - Gerrish Street

MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Committee on Works, authority be granted to pay G & R Kelly Enterprises Ltd. \$11,318.20 as payment in full for the emergency sewer rerouting on Gerrish Street.

Motion passed.

Council  
15 June 1989

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

Motion Alderman Fitzgerald Re: Proposed Amendments to the  
Dog, Taxi, Automatic Machines and Streets Ordinances -  
SECOND READING

MOVED by Alderman Fitzgerald, seconded by Alderman  
Leiper that, as recommended by the Committee of the Whole  
Council, Council give SECOND READING to the amendments  
proposed to the Taxi Ordinance, the Dog Ordinance, the  
Automatic Machines Ordinance, and the Streets Ordinance (as  
attached to the staff report, dated 11 April 1989), which  
would permit the Police Department to take a set penalty in  
payment of a ticket in lieu of prosecution of infractions to  
these bylaws where the issuing officer has identified the  
tickets as appropriate for payment in this way.

Motion passed.

**REPORT - CITY PLANNING COMMITTEE**

Council considered the report of the City Planning  
Committee from its meeting held on Wednesday, 7 June 1989, as  
follows:

Civic #5780 West Street

Alderman Meagher advised that he was still waiting  
for a further staff report on this matter and indicated that  
he hoped it would be submitted by the next Committee of the  
Whole Council meeting scheduled for **Wednesday, 21 June 1989.**

The City Manager suggested that staff meet with the  
individuals concerned.

Alderman Meagher agreed to set up a meeting with  
staff and the persons concerned with this matter.

MOVED by Alderman Meagher, seconded by Alderman  
O'Malley that this matter be deferred pending receipt of a  
further staff report.

Motion passed.

Mary's Restaurant - 2828 Windsor Street

A letter was submitted from the Solicitor for  
Mary's Restaurant dated 15 June 1989 asking that the matter  
be sent back to the Committee of the Whole Council meeting in

Council  
15 June 1989

order to give the owner an opportunity to express her concerns.

MOVED by Alderman Pottie, seconded by Alderman Fitzgerald that this matter be deferred to the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 21 June 1989.

Motion passed.

Review of Implementation Policy 10 (Report from PAC) -  
(SET DATE FOR PUBLIC HEARING)

A supplementary staff report dated 14 June 1989 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the City Planning Committee, Council set a date for a public hearing to delete Implementation Policy 10 from the Municipal Development Plan.

Motion passed.

The City Clerk advised that the hearing date would be set for **Wednesday, 6 September 1989**, in the Council Chamber.

Redesignation and Rezoning: Graves Oakley Memorial Park and Tremont Plateau Park (Report from PAC) -  
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Hanson, seconded by Alderman D. Grant that, as recommended by the City Planning Committee, City Council set a date for a public hearing to amend the Municipal Development Plan and Land Use Bylaw to redesignate and rezone Graves-Oakley Memorial Park and Tremont Plateau Park to "Major Community Open Space" and "P" (Park and Institutional) Zone, as set out in Appendix "A" of PAC report, dated 17 May 1989.

Motion passed.

The City Clerk advised that the hearing would be set for **Wednesday, 6 September 1989**, in the Council Chamber.

Mainland North Branch Library

This matter was forwarded to Council without recommendation.

Alderman Flynn addressed the matter and advised that guidelines had been presented to Council for approval

Council  
15 June 1989

with regard to a naming contest for the new Library. Alderman Flynn noted that some of the names which have been received are mentioned in the staff report of 25 May 1989. During discussions at the Library Board meeting, Alderman Flynn noted that some members of the Board including himself felt that it would be inappropriate to name the Library after a street. However, based on the criteria that the Board presented to Council, Alderman Flynn suggested that the mention of other names was restricted. Alderman Flynn went on to advise that the naming of the new Library gives Council an opportunity to name a public building after a haligonian who has served the City well.

MOVED by Alderman Flynn, seconded by Alderman Meagher that this matter be referred back to the Halifax Regional Library Board and the Selection Committee for further consideration and recommendation of names of prominent historical deceased haligonians for the Library.

Alderman Stone expressed opposition to the motion. Alderman Stone pointed out that both the Selection Committee and the Board agreed by a majority vote that the Library should be named the Lacewood Dunbrack Public Library. Alderman Stone noted that the recommended name indicates the location of the Library.

Alderman Leiper rose in support of the motion. She suggested that it was most unimaginative to call the Library "The Lacewood Dunbrack..." Alderman Leiper indicated that the Library could probably be named after a number of haligonians. She further noted that a number of persons in the area are in favour of re-running the contest to seek another name.

Alderman Fitzgerald also agreed that the recommended "Lacewood Dunbrack" name was unimaginative and that more imagination in the future should be given to the naming of the City's public buildings.

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

Case No. 5755: Development Agreement to Authorize the Use of 5651 Macara Street as a Rooming House

A staff report dated 13 June 1989 was submitted.

Referring to the staff report of 13 June 1989, Alderman O'Malley noted she had recommended refusal of the application. However, the Alderman indicated that a staff report (dated 13 June 1989) has come forward indicating that

Council  
15 June 1989

the owner is requesting an opportunity to appear at the next Committee of the Whole Council meeting.

It was therefore MOVED by Alderman O'Malley, seconded by Alderman Downey that this matter referred to the next Committee of the Whole Council meeting scheduled for Wednesday, 21 June 1989.

Motion passed.

Case No. 5868: Rezoning of 7179 Andrew Street (Lots 18 & 20) from R-2 (General Residential Zone) to C-2A (Minor Commercial Zone) - SET DATE FOR A PUBLIC HEARING

MOVED by Alderman Leiper, seconded by Alderman Flynn that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the rezoning of 7179 Andrew Street (Lots 18 and 20) from R-2 (General Residential Zone) to C-2A (Minor Commercial Zone).

Motion passed.

The City Clerk advised that the hearing date would be set for 19 July 1989 in the Council Chamber.

Case No. 5886: Rezoning from R-3 and C-2 to R-2: Area bounded by Charles Street, Agricola Street, Cunard Street, and Robie Street - SET DATE FOR PUBLIC HEARING

A letter was submitted from Mr. David Blenkarn regarding the proposed rezoning on West Street.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that Council set a date for a public hearing to consider the following:

- 1) The rezoning from R-3 (Multiple Dwelling) and C-2 (General Business) to R-2 (General Residential) for the properties in the area bounded by Charles Street, Agricola Street, Cunard Street, and Robie Street identified for rezoning in the staff report of 1 June 1989 (Case Number 5886) and illustrated therein;
- 2) The residential properties on the north side of West Street, namely civic numbers 5835, 5837, 5845, 5847, 5849, and 5853 West Street, which were proposed on Map 4 to remain C-2.

Motion passed.

Council  
15 June 1989

The City Clerk advised that the hearing would be set for 19 July 1989 in the Council Chamber.

11:25 p.m. His Worship Mayor Wallace returns to the meeting with Deputy Mayor R. Grant taking his usual seat in Council.

Case No. 5006: Amendment to Stage II: Schedule "K" Agreement - Clayton Park West - SET DATE FOR PUBLIC HEARING

This matter was deferred to the 29 June 1989 City Council meeting during the setting of the agenda.

Case No. 5742 - Land Use Bylaw Consolidation

MOVED by Deputy Mayor R. Grant, seconded by Alderman Leiper that, as recommended by the City Planning Committee, City Council adopt the review and adoption process pertinent to the Land Use Bylaw Consolidation as set out in Appendix "A" of the staff report, dated 25 May 1989.

Motion passed.

Case No. 5741: 16 Dentith Road - Spryfield Town Centre

MOVED by Deputy Mayor Richard Grant, seconded by Alderman Hanson that, as recommended by the City Planning Committee:

- (a) Clause 7 of the development agreement dated 31 July 1981 between The Rocca Group Limited and the City of Halifax be discharged as per the amending agreement attached as Appendix "C" of the staff report dated 31 May 1989; and
- (b) That City Council enter into the license agreement attached to the staff report of 31 May 1989.

Motion passed.

#### MOTIONS

Motion - Deputy Mayor R. Grant Re: Proposed Administrative Order #21 - The Office of Aldermanic Services - FIRST READING

Notice of Motion regarding this matter had been given by Deputy Mayor R. Grant during a regular meeting of City Council held on 25 May 1989.

Council  
15 June 1989

MOVED by Deputy Mayor R. Grant, seconded by Alderman Hanson that this matter be deferred to the next regular City Council meeting scheduled for 29 June 1989.

Motion passed.

In response to a question raised by Alderman Flynn, the Deputy Mayor confirmed that a report on the matter would be submitted to all members of Council in the near future.

Motion - Alderman Meagher Re: Amendments to Ordinance #170  
Respecting Partial Tax Exemption for Certain Properties -  
FIRST READING

Notice of Motion regarding this matter had been given by Alderman Meagher during a regular meeting of City Council held on 25 May 1989.

MOVED by Alderman Meagher, seconded by Alderman Hanson that Council give FIRST READING to various amendments to City Ordinance #170, Respecting Partial Tax Exemption for Certain Properties.

Motion passed.

#### MISCELLANEOUS BUSINESS

##### Captain William Spry Center

A staff report dated 31 May 1989 was submitted.

MOVED by Alderman Hanson, seconded by Deputy Mayor R. Grant that All-Energy Engineering Ltd. be awarded a consultancy to design the air conditioning system for the Captain William Spry Centre at a fee not to exceed \$20,000.00.

Motion passed.

##### Annual Report - City Auditor General

The City Auditor General's Annual Report 1988 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Leiper that the Annual Report be deferred to the Audit Committee.

Motion defeated.



Council  
15 June 1989

Following a short debate, Mr. E. Kirby, C.A., City Auditor General, addressed Council and presented his report in compliance with Section 165(5) of the Halifax City Charter. Mr. Kirby noted that it was his overall opinion, subject to the audits conducted for 1988, that the City's business affairs were conducted in an efficient manner. Mr. Kirby commented on two areas as illustrated in his report to Council. One area being the "Performance Measures" and the second being the "Pay-As-You-Go" as outlined in the report submitted.

Alderman Pottie questioned whether or not the practice of borrowing would be a feasible one. Alderman Pottie noted that a number of citizens have expressed the concern to him that the services provided by the City have not been as good as in previous years. The Alderman suggested that perhaps the practice of borrowing might be one area that could be considered.

MOVED by Deputy Mayor R. Grant, seconded by Alderman Flynn that the 1988 Annual Report of the City Auditor General be tabled and referred to the Audit Committee for a review and recommendation back to City Council.

Responding to a question from Alderman Flynn, Mr. Kirby advised that he was certainly not advocating that Council abandon the Pay-As-You-Go policy. Mr. Kirby advised that the long-term savings by avoiding interest will definitely be a major benefit to the City.

Motion passed.

#### Appointments

MOVED by Deputy Mayor R. Grant, seconded by Alderman Leiper that this matter be deferred.

Motion passed.

#### QUESTIONS

Question Alderman Jeffrey Re: Flooding Problem at 290 Main Avenue

Alderman Jeffrey addressed the matter and advised that he had received a number of calls regarding a flooding problem which is occurring at 290 Main Avenue. The Alderman indicated that he did not know whether the problem was caused by the blasting taking place at the Industrial Park. Alderman Jeffrey asked that staff review the situation and

Council  
15 June 1989

submit a report on the matter. He noted that there was a small playground in this area which is constantly being flooded by water.

Question Alderman Jeffrey Re: Removal of Equipment at the Springvale Elementary School

Alderman Jeffrey advised that a piece of play equipment "the Jungle Gym" had been removed from the Springvale Elementary School last year and never replaced. The Alderman asked that the equipment be returned to this site.

Question Alderman O'Malley Re: Paper Recycling Program

Alderman O'Malley advised that she had received a number of calls from condominium owners and apartment dwellers questioning whether they were going to be afforded the same services that the individual homeowners are with regard to the recycling program. Alderman O'Malley asked for a staff report indicating when the recycling program will be implemented for the condominium and apartment owners.

Question Alderman O'Malley Re: Bloomfield Seniors Centre

Alderman O'Malley questioned when the City Solicitor's report with regard to the Bloomfield Seniors Centre might be expected.

Question Alderman O'Malley Re: The Hydrostone

Alderman O'Malley advised that she had received a call concerning the back lanes in the Hydrostone and noted that it was her understanding that they would be resurfaced this year. The Alderman questioned when the resurfacing might begin.

Alderman O'Malley also advised that the boulevard section in the Hydrostone area had been cut but had not been cleaned up. The Alderman asked that the situation be looked into and a report on the matter be submitted.

Question Alderman O'Malley Re: Shelter for Stray Animals

Alderman O'Malley questioned whether there was a place in the City where persons could bring stray animals, namely stray cats, to be cared for. Alderman O'Malley asked for a report addressing this matter.

Council  
15 June 1989

Question Alderman Pottie Re: Gazebo at Ardmore Park

Alderman Pottie questioned as to what could be done with the gazebo at the Ardmore Park. He expressed the concern that the gazebo was dark and asked that more lighting be installed so that persons on the outside could see inside.

Question Alderman Fitzgerald Re: Camp Hill Cemetery

Alderman Fitzgerald expressed concern with regard to the destruction of the head stones in the Camp Hill Cemetery. The Alderman asked that the superintendent of the cemetery be requested to comment on the damages which have occurred during the last six months to the headstones in the cemetery. He noted that it was his understanding that signs have been erected and that one gate has been installed. The Alderman questioned when the remaining gates will be installed and locked and if the Halifax Police Department could be contacted with regard to policing this area.

Question Alderman Fitzgerald Re: Halifax Harbour Clean Up

Alderman Fitzgerald asked for an up-date with regard to the Harbour Clean Up. The Alderman also questioned whether any work with regard to this clean up will be started in the near future.

Question Alderman Fitzgerald Re: Pollution Control Fund

Alderman Fitzgerald noted that a notice of motion was given and subsequently passed with regards to the pollution control fund. The Alderman asked for a report on this matter.

Question Alderman Fitzgerald Re: Saint Mary's Boat Club

Alderman Fitzgerald advised that a motion had been passed by Council regarding the Saint Mary's Boat Club. He noted that the club was still in limbo and questioned whether the building was going to be repaired. The Alderman asked for a general up date on the situation.

Question Alderman Fitzgerald Re: Repairs to City Hall

Alderman Fitzgerald noted that he had received a number of questions with regard to the repairs to the exterior of City Hall. The Alderman asked for a report outlining the costs of these repairs.

Council  
15 June 1989

Question Alderman Fitzgerald Re: Ramp - Bicentennial Drive

Alderman Fitzgerald referred to the ramp coming off the Bicentennial Drive. He noted that the concrete on the ramp seems to be deteriorating and asked for an update on this matter.

Question Alderman Fitzgerald Re: Recycling Program

Alderman Fitzgerald noted that the recycling program is underway and questioned whether City schools and departments were going to participate in this program. The Alderman suggested that consideration be given to establishing a recycling committee consisting of citizens from each Ward in order to get more people involved.

Question Deputy Mayor R. Grant Re: Accessibility to Public Buildings

Deputy Mayor R. Grant advised that he had received queries from persons with regard to the accessibility of commercial and public buildings. The Deputy Mayor noted that the question was raised on whether or not it was possible that building permits for new development require that automatic door opening devices be installed in at least one entrance way. Deputy Mayor R. Grant also questioned whether an incentive program could be established to accommodate these automatic door opening devices in existing buildings.

Question Deputy Mayor R. Grant Re: Pedestrian Pedway from Argyle Street to Scotia Square

Deputy Mayor R. Grant questioned whether or not it would be possible to build a pedestrian pedway similar to the one from the Bank of Montreal building to the Court House from Argyle Street over to Scotia Square.

Question Alderman Meagher Re: Quality of Sod

Alderman Meagher advised that he had asked for a report approximately one month ago concerning the quality of sod which is being put down when sidewalks are renewed. The Alderman noted that he had not received a response to that request. Alderman Meagher suggested that money should be set aside to restore lawns back to their original quality before they had been destroyed by the sidewalk renewal. Alderman Meagher requested a report on the matter as soon as possible.

Question Alderman Meagher Re: Supermarket Bags for Garbage

Alderman Meagher advised that he had received a number of calls concerning a recent article in the newspaper

Council  
15 June 1989

with regard to restricting the use of supermarket bags as garbage bags. The Alderman agreed that a large number of these supermarket bags could create a problem, but suggested that perhaps the number should be restricted rather than restricting them entirely. Alderman Meagher referred to the situation where two seniors living in a house would not accumulate too much garbage. In this situation, the Alderman suggested that these smaller supermarket type bags should be allowed. Alderman Meagher asked for a report on the matter.

Questions Alderman D. Grant Re: Smoking

Alderman D. Grant referred to a memorandum dated 30 April 1986 concerning non-smoking in the work place. Alderman Grant noted that Council had addressed the matter with respect to smoking in restaurants. She noted that Council at that time asked that a review be undertaken after one year of the approval of the legislation with respect to designated smoking areas in restaurants. Alderman D. Grant questioned whether or not that review had been undertaken and, if so, what the results of the review were.

Alderman D. Grant asked for a further report on what action has been taken since the report of 1986 with respect to smoking in the work place.

Alderman D. Grant questioned whether or not the City should permit bill boards advertising smoking in light of all the recent events that have taken place at the Federal level. The Alderman asked for a report from the City Solicitor addressing this matter.

Question Alderman D. Grant Re: The Noise Ordinance

Alderman D. Grant noted that discussion had taken place in the past with regard to the Noise Ordinance and the fact that Council could not deal with that Ordinance effectively until new legislation was put in place. The Alderman questioned whether or not it was appropriate to review the Noise Ordinance and this time.

Question Alderman D. Grant Re: Delivery of Bags for Recycling

Alderman D. Grant advised that she had received a number of calls from citizens who are concerned with the delivery of bags for recycling. She noted that they were very supportive of the recycling program, but were concerned with regard to the fact that the bags were delivered on the weekends when a number of people were away which made it apparent to everyone that the home was vacant. The Alderman suggested that a review be undertaken as to whether or not

Council  
15 June 1989

delivery should be allowed on days when citizens are apt to be away.

Question Alderman D. Grant Re: The Reduction of Speed in Certain Zones of the City

Alderman D. Grant noted that Council had discussed the matter with respect to reducing speed in school zones. She noted that the Province had indicated that the City had not provided a valid reason for reducing the speed limit in school zones. The Alderman suggested that the response from the Province was unfortunate and asked that a report be provided addressing not only the reduction of speed in school zones but also in other areas of the City. Alderman D. Grant advised that a serious problem existed on Young Avenue and Point Pleasant Drive with regard to speeding.

Question Alderman Stone Re: Forest Hill Sewer Project

Alderman Stone advised that he had received a number of calls from persons concerning the safety of children in the area of the Forest Hill Sewer project. The Alderman requested that staff approach the construction company for this project to see if someone could supervise the area while children are walking to and from school.

Question Alderman Stone Re: Rosebushes on Dunbrack Street

Alderman Stone noted that a strip of rosebushes were missing from Dunbrack Street between the IGA store and the Northcliffe Recreation Centre. He explained that this empty strip has become a well travelled path and is creating a safety problem. Alderman Stone expressed the concern that pedestrians are walking out from the boulevard into the traffic. Alderman Stone asked that staff consider replacing the rosebushes on this path.

Question Alderman Hanson Re: Sewer and Water Project - St. Margaret's Bay Road

Alderman Hanson indicated that he was pleased to receive the letter from the Department of Municipal Affairs regarding the cost sharing for the sewer and water extension along Purcell's Cove Road. Keeping this in mind, the Alderman asked for a similar report on the St. Margaret's Bay Road project.

Question Alderman Hanson Re: Relocation of the Shaft - Halifax Explosion

Alderman Hanson advised that he had received correspondence pertaining to the relocation of the shaft in

Council  
15 June 1989

relation to the Halifax Explosion into the Regatta Point area. The Alderman asked for a report on the status of this situation.

NOTICES OF MOTION

Notice of Motion Alderman Fitzgerald Re: Circulation of Information to the Public and Media

Alderman Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for 29 June 1989**, he proposes to introduce for FIRST READING a recommendation that City Council agendas and information items sent to the Aldermen be made available to the public the following day and that a special folder of this material be prepared for the press and electronic media.

Notice of Motion Alderman Meagher Re: Amendments to Ordinance #180

Alderman Meagher gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for 29 June 1989**, he proposes to introduce certain changes to Ordinance #180.

Notice of Motion Deputy Mayor R. Grant Re: Amendment to Ordinance 101

Deputy Mayor R. Grant gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on **29 June 1989** he proposes to move the FIRST READING of an amendment to Ordinance 101, the Seal, Arms and Flag Ordinance, the purpose of which is to make the ordinance consistent with the recent decision of City Council.

ADDED ITEMS

Acquisition of Civic Nos. 97 - 97 1/2 Herring Cove Road

A confidential staff report dated 8 June 1989 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Stone that Civic Nos. 97 - 97 1/2 Herring Cove Road be acquired from Brian Mosher for \$93,000. Funds are available in Account No. CK019, the Sundry Land Acquisitions Account.

Motion passed.

Council  
15 June 1989

1990 World Figure Skating Championships - Alderman Flynn

Alderman Flynn addressed the matter and submitted a report from Mr. Smith, Director of Finance, dated 6 June 1989 pertaining to the 1990 World Figure Skating Championships. Alderman Flynn asked that the City Clerk circulate this item of correspondence to all members of Council.

Case 5781 - Day Care Centres - Alderman Leiper

On behalf of Alderman Leiper, Alderman Fitzgerald asked that the report on Day Care Centres received from the City Solicitor be placed on the agenda for the next regular meeting of the Committee of the Whole Council scheduled for Wednesday, 21 June 1989, to which Council agreed.

Downtown Halifax Business Improvement District Commission Request - Alderman Fitzgerald

Alderman Fitzgerald addressed the matter and advised that the Downtown Halifax Business Improvement District Commission has for a number of months been attempting to find ways to display their goods in front of their stores. The Alderman went on to advise that the Commission has suggested that on Friday of every week the participating stores be allowed a small 2' X 6" or 3' X 6' space to vend their goods. Alderman Fitzgerald proposed that, in his opinion, this was a reasonable request.

MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that Council request staff to take every possible action to make the display of goods on the sidewalks in the Downtown Business Improvement District possible on Fridays during the months of July, August and September on a trial basis AND, further, that staff be requested to monitor the experiment and prepare the necessary amendments to Ordinance 180 should these trials on Fridays be successful.

Motion passed.

12:10 p.m. There being no further business to discuss, the meeting adjourned.



HEADLINES FOR CITY COUNCIL MINUTES  
of 06/15/89

MINUTES

	.... 348
APPROVAL OF ORDER OF BUSINESS	.... 348
DEFERRED ITEMS	
Case No. 5774: Amendment to Existing Development Agreement Schedule "K", Farnham Gate Road	.... 349
Case No. 5784: Amendment to Height Precinct Map (ZM-17) Mitchell Property, Tower Road	.... 350
Case No. 5840: Amendment to Section 44F of the Land Use Bylaw (Peninsula)	.... 351
MOTIONS OF RECONSIDERATION	
Deputy Mayor R. Grant: Reconsideration of City Council Res 15 March 1989 Terms of Reference - Stipends Comm.	.... 351
REPORT - FINANCE AND EXEC COMM	
Expropriation Settlement - 65 Main Avenue	.... 353
Social Assistance Cost-Sharing	.... 353
Nova Scotia Power Corporation Rates	.... 355
Sewage Outfall - Historic Properties	.... 355
Tender #89-105 - Four Combination Salt and Dump Bodies	.... 356
Revenue and Expenditure Statement	.... 357
Nathan Green Square - Amendments to License: Mar II Sailing Tours	.... 357
MGL Consulting and Investments Limited Leased Premises Adjacent to Law Courts Building	.... 358
Halifax Water Commission Lands	.... 358
REPORT - COMMITTEE ON WORKS	
Amendment to Ordinance #180, Respecting Streets	.... 359
Award of Tender #89-01 - MacFatrige Road	.... 361
Emergency Sewer Rerouting - Gerish Street	.... 361

HEADLINES FOR CITY COUNCIL MINUTES  
of 06/15/89

Barrington Street - North Street and MacKay Bridge	.... 361
REP.- COMM. OF WHOLE COUNCIL	
Motion Alderman Fitzgerald Re: Proposed Amendments to the Dog, Taxi, Automatic Machines and Streets Ordinances - SECOND READING	.... 362
REPORT - CITY PLANNING COMM. Civic #5780 West Street	.... 362
Mary's Restaurant - 2828 Windsor Street	
	.... 362
Redesignation and Rezoning: Graves Oakley Memorial Park and Tremont Plateau Park (Report from PAC) - Hearing Date	.... 363
Mainland North Branch Library	.... 363
Review of Implementation Policy 10 (Report from PAC) - (Set Date for Public Hearing)	.... 363
Case No. 5755: Development Agreement to Authorize the Use of 5651 Macara Street as a Rooming House	.... 364
Case No. 5886: Rezoning from R-3 and C-2 to R-2: Area bounded by Charles, Agricola, Cunard, and Robie Streets	.... 365
Case No. 5006: Amendment to Stage II: Schedule "K" Agreement - Clayton Park West - Set Date for Hearing	.... 366
Case No. 5742 - Land Use Bylaw Consolidation	.... 366
Case No. 5714: 16 Dentith Road - Spryfield Town Centre	.... 366
Motion - Alderman Meagher Re: Amendments to Ordinance 170 Respecting Parital Tax Exemption for Certain Properties	.... 367
MOTIONS	
	.... 366
Motion - Deputy Mayor R. Grant Re: Proposed Administrative Order #21 - The Office of Aldermanic Services - 1st Reading	.... 366
MISCELLANEOUS BUSINESS	
Annual Report - City Auditor General	.... 367
Captain William Spry Center	
	.... 367
Appointments	.... 368
QUESTIONS	
Question Alderman Jeffrey Re: Flooding Problem at 290 Main Avenue	.... 368
Question Alderman O'Malley Re: Shelter for Stray Animals	.... 369

HEADLINES FOR CITY COUNCIL MINUTES  
of 06/15/89

Question Alderman Jeffrey Re: Removal of Equipment at the Springvale Elementary School	.... 369
Question Alderman O'Malley Re: Bloomfield Seniors Centre	.... 369
Question Alderman O'Malley Re: The Hydrostone	.... 369
Question Alderman O'Malley Re: Paper Recycling Program	.... 369
Question Alderman Pottie Re: Gazebo at Ardmore Park	.... 370
Question Alderman Fitzgerald Re: Repairs to City Hall	.... 370
Question Alderman Fitzgerald Re: Camp Hill Cemetary	.... 370
Question Alderman Fitzgerald Re: Halifax Harbour Clean Up	.... 370
Question Alderman Fitzgerald Re: Pollution Control Fund	.... 370
Question Alderman Fitzgerald Re: Saint Mary's Boat Club	.... 370
Question Alderman Fitzgerald Re: Ramp - Bicentennial Drive	.... 371
Question Alderman Meagher Re: Supermarket Bags for Garbage	.... 371
Question Alderman Fitzgerald Re: Recycling Program	.... 371
Question Deputy Mayor R. Grant Re: Accessibility to Public Buildings	.... 371
Question Deputy Mayor R. Grant Re: Pedestrian Pedway from Argyle Street to Scotia Square	.... 371
Question Alderman Meagher Re: Quality of Sod	.... 371
Question Alderman D. Grant Re: Smoking	.... 372
Question Alderman D. Grant Re: The Noise Ordinance	.... 372
Question Alderman D. Grant Re: Delivery of Bags for Recycling	.... 372
Question Alderman Stone Re: Rosebushes on Dunbrack Street	.... 373
Question Alderman Hanson Re: Sewer and Water Project - St. Margaret's Bay Road	.... 373
Question Alderman Hanson Re: Relocation of the Shaft - Halifax Explosion	.... 373
Question Alderman D. Grant Re: The Reduction of Speek in Certain Zones of the City	.... 373
Question Alderman Stone Re: Forest Hill Sewer Project	.... 373
 NOTICE OF MOTIONS	
	.... 374
Notice of Motion Alderman Fitzgerald Re: Circulation of Information to the Public and Media	.... 374
Notice of Motion Alderman Meagher Re: Amendments to Ordinance #180	.... 374

HEADLINES FOR CITY COUNCIL MINUTES  
of 06/15/89

Notice of Motion Deputy Mayor R. Grant Re: Amendment to Ordinance 101	.... 374
ADDED ITEMS	
Acquisition of Civic Nos. 97 - 97 1/2 Herring Cove Road	.... 374
1990 World Figure Skating Championships - Alderman Flynn	.... 375
Case 5781 - Day Care Centres - Alderman Leiper	.... 375
Downtown Halifax Business Improvement District Commission Request - Alderman Fitzgerald	.... 375

HIS WORSHIP MAYOR RON WALLACE  
AND  
DEPUTY MAYOR RICHARD GRANT  
CHAIRMEN

EDWARD A. KERR  
CITY CLERK

SH/MMD

H. 2001

**SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
21 June 1989  
7:30 p.m.

A special meeting of Halifax City Council, Public Hearings was held at this time.

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 Richard Grant, and Aldermen Deborah Grant, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Hanson, Jeffrey, and Stone.

**ALSO PRESENT:** Mr. Barry Allen, Acting City Solicitor, City Clerk and other members of staff.

3271-73 Robie Street

This matter had been deferred to this Special Meeting of City Council from a regular meeting of the Committee of the Whole held earlier in the day.

MOVED by Alderman O'Malley, seconded by Alderman Downey that as recommended by the Finance and Executive Committee, City Council approve the initiation of proceedings in the Supreme Court to ensure that the use of the building at 3271-73 Robie Street is in accordance with City bylaws and that the building is maintained in accordance with City standards.

The motion was put and passed.

Heritage Hearings

His Worship referred to a supplementary report dated 21 June 1989 and advised that due to inadequate notice, the first three items on the agenda, recommended heritage hearings, were deferred as follows:

Public Hearing Re: Heritage Hearing - 2438 Gottingen Street

Public Hearings  
21 June 1989

Public Hearing Re: Heritage Hearing - 1260 Queen Street

Public Hearing Re: Heritage Hearing - 2534 Oxford Street

Public Hearing Re: Heritage Hearing - 2031 Creighton Street

A supplementary staff report, dated 21 June 1989 was submitted.

Mr. Simpson McLeod, Supervisor with the Real Estate Department addressed Council and with the aid of photographs outlined the reasons why the Heritage Advisory Committee recommended this property be registered with the Halifax Registry of Heritage Property.

Mr. McLeod advised that the owner, Mr. Hal Forbes, has agreed to the heritage designation of this property, and has chosen not to appear at tonight's hearing.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that 2031 Creighton Street be registered as a Heritage Property.

The motion was put and passed.

Public Hearing Re: Appeal - Minor Variance 996 Bellevue Avenue

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

Mr. Michael Hanusiak, Acting Development Officer addressed Council and outlined the reasons, as stated in the report of 16 May 1989, why the application for a minor variance of the side yard requirement for the property located at 996 Bellevue Avenue was refused.

Mr. Alastair Reekie, owner of the property in question, addressed Council and explained that he did not deliberately attempt to circumvent the rules to build his deck. He added that he found out that the deck was in violation of the Land Use Bylaw when he obtained a permit to do other repairs on his house. Mr. Reekie noted that at the time when he built the deck he did not think a permit was required.

In summary, Mr. Reekie requested that since his deck causes no problems with his neighbors and that it is

Public Hearings  
21 June 1989

built structurally correct, that Council approve his application for a minor variance and allow his deck to remain as constructed.

Mr. John Gratwick, 984 Bellevue Avenue, addressed Council and advised that he is the next door neighbor to Mr. Reekie and that he has no objections to Mr. Reekie's deck. Mr. Gratwick indicated that Mr. Reekie's deck faces his garage and therefore causes no problem to him.

Alderman Deborah Grant addressed the matter and suggested that although the deck was not built the required six feet from the lot line, Mr. Reekie should be granted his appeal in this instance because the deck was built structurally correct and it has not caused a disturbance within the neighborhood.

MOVED by Alderman Deborah Grant, seconded by Alderman Pottie that the appeal of decision of the Development Officer be granted and the application for a minor variance of the side yard requirement for the property located at 996 Bellevue Avenue be granted.

The motion was put and passed.

Public Hearing Re: Appeal - Minor Variance 8-8 1/2 Main Avenue

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

Mr. M. Hanusiak, Acting Development Officer addressed Council and outlined the reasons, as stated in the staff report dated 15 May 1989, why Mr. George LeBlanc's application for a minor variance of the lot frontage, lot area, and one side yard for the property located at 8 - 8 1/2 Main Avenue, Halifax, N.S. was refused.

Mr. Cliff Leighton, 10 Main Avenue addressed Council and advised that he opposed Mr. LeBlanc's application for a minor variance of this property. Mr. Leighton indicated that his driveway, which abuts this property, has been used by the tenants of 8-8 1/2 Main Avenue as a short cut. Mr. Leighton added that an old storage building on the property has been in very poor condition for some time, and that the present owner has done nothing to try and improve it. Mr. Leighton advised that he is concerned with the problems which will arise if this minor variance is granted, and he added, that he opposes any more apartment buildings being built in this area.

Public Hearings  
21 June 1989

Mr. Tom Bell, 35 Mcfatridge Road, addressed Council and advised that he was at tonight's meeting to express his opposition to Mr. LeBlanc's application for a minor variance. Mr. Bell indicated that he feels that there are too many apartments being constructed in this area and is concerned of the effect they will have on single-family homes. Mr. Bell advised Council that the property in question is not properly cared for and that the old storage building on site has been in a dilapidated condition for some time now.

Mr. Paul Dube, 32 Main Avenue, addressed Council and advised that he canvassed the people in the immediate area of the property in question, and their main concern was that if this minor variance was granted, then it would set a precedent for other minor variances of this type. Mr. Dube added that the people of this area wish to see single-family homes remain and that no more apartment buildings be built.

Alderman Jeffrey addressed the matter and indicated that this application is typical of some of the problems that have been existing in the area for a number of years that he and the residents have been trying to resolve.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that the appeal of the decision of the Development Officer to refuse the application for minor variance at 8-8 1/2 Main Avenue be denied.

The motion was put and passed.

Public Hearing Re: Case No. 5862 - Rezoning - R-3 and C-2 to R-2 - Lands Bounded by Bloomfield Terrace, Gottingen Street, Black Street, North Street and Agricola Street

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

Mr. Joe Gallivan, Planner with Development and Planning Department addressed Council and outlined, as presented in the staff report of 1 May 1989, the application to rezone lands now zoned R-3 (Multiple Dwelling) and C-2 (General Business) within the area bounded by Bloomfield Street, Gottingen Street, Black Street, North Street and Agricola Street, to R-2 (General Residential).

Ms. Jane Hart, a resident of Fuller Terrace, addressed Council and with the use of slides presented reasons why she supports the proposal for rezoning. Ms. Hart advised that the neighborhood consists mainly of families in single-family homes who have a very strong sense of community and would like to see it remain as such. Ms. Hart also



Public Hearings  
21 June 1989

added that the area in question is a very historic neighborhood and that rezoning to R-2 would help to preserve it.

Ms. Susan Sarvey, 2674 Fuller Terrace, addressed Council and advised that she purchased her house in this area because of the family-oriented type of area it is, and therefore she added, she supports the proposed rezoning.

Mr. Alan Cash, 2672 Fuller Terrace, addressed Council and advised that he didn't want to be viewed as being anti-development but was supporting the proposed rezoning to help keep the area residential. Mr. Cash then briefly outlined the history of the area. Mr. Cash suggested that if the zoning is left R-3, lots of the size of this area will eventually have high-density development, and by down-zoning this area the development will be more suitable to the lot and the area.

Ms. Jackie Barkley, 2650 Fuller Terrace, addressed Council and advised that she supported the statements previously given by other residents. She added that although she is a homeowner this area is a mix of both homeowner and rental accommodations. Ms. Barkley indicated that as a social worker she is aware of the problems that people with children have in finding suitable housing which allows children. Ms. Barkley added that her neighborhood welcomes children and has developed into a very family and community oriented area. Ms. Barkley concluded by saying that it is for this reason she supports the proposed rezoning.

Mr. Cliff White, 5563 Black Street, addressed Council and advised that he has lived at this address for nine years. Mr. White expressed his support of the proposed rezoning. He indicated that the neighborhood in question was a very strong community-minded and active neighborhood. He pointed out that the City should be very proud of this area because of the way it has developed from an area where there were once slum landlords to a good residential area.

Mr. Reid White, 2618 BelleAire Terrace addressed Council and advised that he has lived most of his life in the area in question and did a lot of work in renovations in this area. He suggested that the improvements which have been done to the area have left him and others with sense of a new community. Mr. White added that he feels that the proposed rezoning is advisable and supports it.

Mr. Kevin Ryan addressed Council and advised that he had an interest in a property at 2776 Isleville Street. Mr. Ryan advised that he believes the area in question has blossomed with the existing zoning. He suggested that the

Public Hearings

21 June 1989

worry of high-density development is unwarranted because the minimum standards, as outline by City staff, would make it impossible for such development to take place. Mr. Ryan noted that in his opinion the proposed rezoning would reduce property owner's options and would have the potential to reduce property values. He added that if the property he has an interest in was rezoned, then it would be almost impossible to convert the property into a residential type of property and, subsequently, could only be used for a small business or a cornerstore use.

Mr. Cyril Park, a pastor of the Church which is located in the old Bloomfield House addressed Council and informed that approximately a year and a half ago his church purchased the adjacent property to the Bloomfield House as an investment and put the double lot up for sale. Mr. Park advised that after the land was sold, and the community was made aware of the development which was going to occur, the community voiced strong opposition to the proposed development. He added that at the time he believed that the community would appreciate new development and he was completely unaware that they would object so strongly. Mr. Park pointed out that he sympathized with the community's concerns, but he was now in a very difficult position.

Mr. Park indicated that in trying to reach a compromise he then decided to keep the church in the Bloomfield House and sought to develop the adjacent property by selling an additional 24 feet which gives 90 feet of road frontage on Ontario Street. Mr. Park advised that he believed that if they could sell the adjacent property then they could at least regain their losses, but when the development officer surveyed the lot plans he determined that the new property line came within 4 feet of the building, violating a bylaw. Mr. Park pointed out that he is requesting that Council make an exception in this particular case and allow 5669 Ontario Street to remain an R-3 and be developed within reason. He added that if Council doesn't grant this request and allow a reasonable development to occur, then his church will suffer a great financial burden. Mr. Park concluded by saying that he could assure the people of the area around this property that any development that would occur would be reasonable and satisfactory to them and City Council.

His Worship suggested to Mr. Park that he talk with City Staff and see what could be accomplished by way of a development agreement.

Mr. Park agreed to investigate this and thanked His Worship for his concern in this matter.

Public Hearings  
21 June 1989

Mr. William Seranik, 26 C-D Gottingen Street addressed Council and advised that he has resided in this area since 1941 and was in opposition to the proposed rezoning. He added that since the time he has lived there, the only thing that has changed regarding the homes and properties has been the colors. Mr. Seranik indicated that the internal structure of the homes have not changed and therefore, there was no need to rezone the area in order to preserve a residential way of life which has always existed.

Mr. Ivan Miller addressed Council and advised that he was an owner of a property on Agricola Street. He informed that he was not notified formally of this public hearing. Mr. Miller advised he opposed the proposed down-zoning. He suggested that if the area is zoned to R-2 the properties will decrease in value. He then cited examples of this already having occurred in Halifax. Mr. Miller also advised that the City would benefit by rejecting the proposed rezoning and allowing commercial development to continue because commercial taxes are higher than residential taxes.

Ms. Carol Millett, 2678 Fuller Terrace addressed Council and advised that she supports the proposed rezoning and opposes having one lot in the area zoned differently.

Mr. Ken Porter, 5659 Bloomfield Terrace addressed Council and he advised that he was in opposition to the down-zoning. He pointed out that there were many other uses for R-1, R-2, and R-3 designations which have not been properly explored, and suggested that in order to keep the area as it exists now, the best recommendation would be to keep the zoning as it presently is.

Mr. Stephen Hart, 2709 Fuller Terrace addressed Council and advised that down-zoning as it has been suggested will not devalue the property of homes. He suggested that it is not the zoning that devalues properties but rather developments that have taken place with residences. In conclusion, Mr. Hart advised that the residents of the area in question wish to maintain their current way of life and this can be ensured by down-zoning to R-2.

Ms. Barbara Harris, 5531 Black Street addressed Council and suggested that the value of her property is not the monetary value but rather the value of the type of neighborhood she lives in. She added that unlike most parts of Halifax there is a real sense of community in this neighborhood and she feels that it is essential to preserve this.

Ms. Glenda Graham, 2737 Fuller Terrace, addressed Council and advised that she enjoys where she lives and

Public Hearings  
21 June 1989

doesn't want to be forced out of the neighborhood if development may occur. She added that the down-zoning would give the neighborhood the protection they want to keep the area as it is.

Ms. Kendra Burgess, 2750 Gottingen Street addressed Council and indicated that she supported the proposed rezoning.

Mr. John Yauss, 2703 Fuller Terrace addressed Council and pointed out that last year Council approved this area as an R-2 zone. He added that he wanted to reinforce to Council that their main objective of the down-zoning was to maintain the quality of life they currently enjoy.

Mr. Peter Lavell, 2628 BelleAire Terrace addressed Council and advised that he supported the proposed rezoning.

Ms. Judith Mayer, a resident of Black Street addressed Council and advised that she was in support of the proposed rezoning.

The following correspondence was submitted:

8 June 1989, Mr. Tom Creighton 2623 Fuller Terrace, Halifax, N.S., supporting the proposal.

21 June 1989, Mr. Paul N. Pittson, President of Canadian Realty Investments Ltd., opposing the proposal.

20 June 1989, Ms. Janet Monell, 5550 Black Street, Halifax, N.S. supporting the proposal.

20 June 1989, Ms. Anne Bishop, 5550 Black Street Halifax, N.S. supporting the proposal.

16 June 1989, G. Peter Lavell and Nancy Campbell, and Joanne Coffey, 2628 Belle Aire Terrace, Halifax, N.S.

Alderman Downey addressed the matter and advised that he would table a report regarding the number of children attending Joseph Howe School. He requested that this be circulated to Staff and Council

Alderman O'Malley addressed the matter and requested that staff respond to anything new pertaining to

Public Hearings  
21 June 1989

this matter and made a motion to MOVE, seconded by Alderman  
Debrah Grant that this item be forwarded to Council without  
recommendation.

The motion was put and passed.

HIS WORSHIP MAYOR WALLACE  
CHAIRMAN

HEADLINES FOR CITY COUNCIL MINUTES  
of 06/21/89

Public Hearing Re: Heritage Hearing - 2438 Gottingen Street	.... 380
Public Hearing Re: Heritage Hearing - 1260 Queen Street	.... 381
Public Hearing Re: Heritage Hearing - 2534 Oxford Street	.... 381
Public Hearing Re: Heritage Hearing - 2031 Creighton Street	.... 381
Public Hearing Re: Appeal - Minor Variance 996 Bellevue Avenue	.... 381
Public Hearing Re: Appeal - Minor Variance 8-8 1/2 Main Avenue	.... 382
Public Hearing Re: Case No. 5862 - Rezoning - R-3 and C-2 to Bl. Bloomfield, Gottingen, Black, North, Agricola Streets....	383

Halifax City

**CITY COUNCIL  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
29 June 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, O'Malley, Hanson, Jeffrey, Flynn, and Stone.

**ALSO PRESENT:** City Manager, Mr. B.S. Allen (representing the City Solicitor), City Clerk, and other members of City staff.

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

**MINUTES**

Minutes of the last regular meeting of Halifax City Council, held on 15 June 1989, and the special Council meeting held on 21 June 1989 were approved on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

**APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS**

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

20.1 Motion: Deputy Mayor R. Grant - Clarification - Day Care Centre

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

20.2 Nathan Green Square

20.3 Crosswalk Week - School Board Motion

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

Council  
29 June 1989

20.4 Central Commons Pool

MOVED by Alderman Jeffrey, seconded by Alderman Flynn that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS

Case No. 5784: Amendment to Height Precinct Map (ZM-17) - Mitchell Property, Tower Road

This matter was discussed at the 15 June 1989 meeting of City Council.

A report dated 22 June 1989 from the Planning Advisory Committee was submitted.

The following submissions were received subsequent to the 15 June 1989 Council meeting:

- a letter dated 23 June 1989 from Mrs. Rose Wilson;
- a letter dated 27 June 1989 from Anita Diesel;
- a letter dated 27 June 1989 from James W. Drescher, President, Maritime Capital;
- a letter dated 27 June 1989 from Robert Salah;
- correspondence dated 27 June 1989 from F.V.W. Penick, McInnes Cooper & Robertson;
- a petition containing approximately 60 names in favour of low rise family style housing within the 35 foot height limitation on the site referred to as the Mitchell Property at 1044 Tower Road;
- letter dated 26 June 1989 from Graeme H. Bethune;
- a letter dated 29 June 1989 from Anne Marie, Morag, and Robert Carter;



Council  
29 June 1989

- and a letter dated 26 June 1989 from A. & R. Pisley.

**The above correspondence is contained in the official file for this item.**

Alderman D. Grant addressed the matter and advised that the Planning Advisory Committee agreed at its last meeting that, due to the sensitivity of this matter, a public meeting be held on the proposed amendment to the Height Precinct Map affecting the Mitchell property. Alderman D. Grant further advised that the public meeting on this matter was set for Tuesday, 25 July at 7:30 p.m.

Alderman D. Grant went on to advise that a public hearing on this matter was also recommended by the Planning Advisory Committee for late September or early October.

MOVED by Alderman D. Grant, seconded by Alderman Fitzgerald that a public hearing be scheduled to consider an amendment to the Height Precinct Map (ZM-17) as it relates to the Mitchell Property, located at the intersections of Wellington Street, Inglis Street and Tower Road.

Motion passed.

The City Clerk advised that the hearing would be scheduled for **Wednesday, 4 October 1989**, at 7:30 p.m. in the Council Chamber.

Case No. 5840: Amendment to Section 44F of the Land Use Bylaw (Peninsula)

This matter was discussed at the 15 June 1989 meeting of City Council.

Alderman D. Grant addressed the matter and advised that full discussion was not completed at the Planning Advisory Committee with respect to the proposed amendment, but suggested that the Committee would resolve to set a date for a public meeting at their next meeting.

MOVED by Alderman D. Grant, seconded by Alderman Fitzgerald that a date be set for a public hearing to consider an amendment to Section 44F of the Land Use Bylaw.

Motion passed.

Council  
29 June 1989

The City Clerk advised that the hearing would be set for **Wednesday, 4 October 1989**, at 7:30 p.m. in the Council Chamber.

Case No. 5006: Amendment to Stage II: Schedule "K" Agreement - Clayton Park West

This matter was discussed at the 15 June 1989 meeting of City Council.

Alderman Stone addressed the matter and advised that it was his understanding that staff had undergone discussions with the developer for this application subsequent to the last time this matter was discussed at Council.

The City Manager indicated that a supplementary staff report was prepared on the matter.

Alderman Stone advised that he had not received the supplementary report to date and, therefore, asked that the matter be deferred to the next Committee of the Whole Council meeting scheduled for **Wednesday, 5 July 1989**, to which the Council agreed.

Case No. 5852 - Rezoning from R-3 and C-2 to R-2: area bounded by Bloomfield Street, Gottingen Street, Black Street, North Street, and Agricola Street

A public hearing on this matter was held on 21 June 1989.

A letter dated 27 June 1989 from Kevin S. Ryan was submitted. A letter dated 23 June 1989 from Ken Porter was also submitted.

Alderman O'Malley advised, as indicated in the staff report of 1 May 1989, that the area in question was almost entirely residential and that 98 percent of the homes were either one or two unit dwellings. She went on to advise that the neighbourhood was a stable one and that there had been considerable renovations to most of these homes at great cost. Alderman O'Malley expressed the view that the rezoning of these properties to R-2 would promote the stability of the neighbourhood.

Council  
29 June 1989

MOVED by Alderman O'Malley, seconded by Alderman D. Grant that the area illustrated on Map 2 (attached to the staff report of 1 May 1989) be rezoned from R-3 (Multiple Dwelling) and C-2 (General Business) to R-2 (General Residential) excluding Civic Number 2776 Isleville Street which should retain its current C-2 zoning.

Alderman Downey addressed the matter and indicated that he would not be supporting the motion. The Alderman indicated that he had tabled a petition on behalf of the residents at the 13 and 27 April 1989 City Council meetings, along with Alderman O'Malley, concerning this item. Alderman Downey expressed the view that down zoning would be a backward step for this area. Alderman Downey suggested that problems would be created as a result of the proposed rezoning because the districts throughout the area have been designated as mixed use over the years. Alderman Downey noted that spot zoning would not be appropriate for this area and questioned as to how much development had taken place in the area being downzoned in the last ten or twelve years.

Mr. Gallivan, Planner, Development and Planning Department, addressed Council and advised that one R-3 apartment type development had been built in this area within the last ten years. He noted that the development was a ten unit apartment building located in the Bloomfield Street area.

Deputy Mayor R. Grant expressed concern with regard to the intrusion of the residential into the commercial area of Agricola Street. The Deputy Mayor questioned if there was any way of approving part of the proposal and leaving the commercial areas on Agricola Street as is.

Mr. Gallivan advised that the properties referred to by Deputy Mayor R. Grant on Agricola Street that were proposed for rezoning from C-2 to R-2 were currently residential properties with less than four units. He went on to explain that the only properties that have more than four units in the area were 5651 Bloomfield Terrace, 2470 Gottingen Street, and 2713 Northwood Terrace. Mr. Gallivan noted that there was one commercial property located at 2776 Isleville Street proposed for exclusion from the rezoning which is currently zoned C-2 and is a commercial use.

Deputy Mayor R. Grant advised that he realized the use of the properties referred to, but pointed out that they have been zoned a commercial use and that the owners of those properties consider them commercial. The Deputy Mayor

Council  
29 June 1989

suggested that the down zoning of these properties could possibly create a financial hardship for the owners. Deputy Mayor R. Grant questioned whether or not the owners of these properties fully supported the residential down zoning or whether they wished that their properties to remain commercial.

Alderman Downey pointed out that the development referred to by Mr. Gallivan was not located in the section of Bloomfield Terrace which he represents. He noted that no commercial development had taken place during the last 10 to 15 years in the area of his Ward in question. Alderman Downey noted that a commercial business exists on the corner of Bloomfield Terrace and Gottingen Street.

Mr. Gallivan agreed that there was a commercial use at the corner of Bloomfield Terrace and Gottingen Street. He noted that the property was currently a non-conforming use and that rezoning it to R-2 would affect its status. Mr. Gallivan further noted that Alderman Downey was correct in stating that the property referred to was located in Ward 4, but advised that the ten more units were added to the property in 1986.

Alderman D. Grant expressed the view that the motion was an appropriate one. She went on to point out that the area residents have indicated in all their information submitted to Council that they were in favour of the down zoning.

In response to a question from Deputy Mayor R. Grant, Mr. W.B. Campbell with the Development and Planning Department, suggested that just as Alderman O'Malley has excluded one property on Isleville Street that Deputy Mayor R. Grant could amend the motion to exclude the properties fronting on Agricola Street.

MOVED in amendment by Deputy Mayor R. Grant,  
seconded by Alderman Fitzgerald that the properties fronting  
on Agricola Street be excluded at this time for review of the  
economic impact of those properties.

Alderman Downey expressed concern with regard to the amendment. Alderman Downey went on to refer to the public hearing held on 21 June 1989 with regard to this matter. He noted that His Worship Mayor Wallace suggested at that time that Mr. Park talk with City staff to determine a way of developing his property possibly through a development agreement.

Council  
29 June 1989

Mr. W.B. Campbell advised that an information report had been prepared but had not yet been circulated to members of Council. Mr. Campbell noted that the Church property and the property adjacent to it could be developed under the Schedule C provisions that cover Peninsula North if this zoning was approved. Mr. Campbell went on to explain that any thing over four units that is permitted by the R-2 zone would have to proceed by a contract development and a public hearing. Mr. Campbell noted that Mr. Parks had submitted applications to develop the Church property and the property adjacent to it. He advised that they do not meet the provisions of the bylaw to construct what would be allowed under the R-3 zone up to 24 units.

Alderman Downey suggested that there were questions which needed to be answered. He further suggested that staff should be able to protect the neighbourhood without changing the zoning.

It was subsequently, MOVED by Alderman Downey, seconded by Deputy Mayor R. Grant that this matter be deferred to the next Committee of the Whole Council meeting scheduled for Wednesday, 5 July 1989 to give the residents an opportunity to meet with Mr. Parks and the Church in an effort to resolve the whole matter.

Following a further short discussion, the motion to defer was passed with Alderman Flynn abstaining due to non-attendance at the Public Hearing.

#### PETITIONS AND DELEGATIONS

##### Petition Alderman Jeffrey Re: Trucks on Central Avenue

Alderman Jeffrey submitted a petition on behalf of approximately 13 residents asking for assistance from Council in resolving an intolerable situation which exists on Central Avenue with regard to frequent operation of large heavy commercial vehicles and equipment at their premises at all hours of the day and night.

Alderman Jeffrey asked that the petition be circulated to all members of Council, the City Solicitor, and the Chief of Police. Alderman Jeffrey also submitted pictures of the situation and asked that the City Clerk try

Council  
29 June 1989

to duplicate the pictures so that they could be circulated to all persons receiving the petition.

Petition Alderman Flynn Re: Asphalt - Joseph Street

Alderman Flynn submitted a petition on behalf of the residents on Joseph Street pertaining to the asphaltting of the sidewalk in that area and the damage that it is doing to their carpets, cars, etc. The petition contained approximately 14 names.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 21 June 1989.

Education Centre

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

i) a portion of the Saint Andrews site of approximately 2.5 acres be set aside for School Board use, and

ii) the School Board in collaboration with City Staff prepare a more specific set of requirements and cost estimates for the proposed Education Centre, review alternatives for the financing of its construction, and report back to Council.

Deputy Mayor R. Grant addressed the matter and advised that he was concerned about setting aside a certain acreage of land and stipulating that the land be set aside for school board use. The Deputy Mayor indicated that he would prefer to approve recommendation (ii), but recommend in recommendation (i) that City Staff and the School Board review appropriate sites. Deputy Mayor R. Grant noted that Chebucto School already had a music centre and, according to the staff report of 13 June 1989, the appropriate acreage. The Deputy Mayor, therefore, asked that the Chebucto site not be excluded in any review to house an education centre.

A discussion ensued with the City Manager pointing out that those sites listed in the staff report have been fairly thoroughly evaluated. He noted that the Chebucto School site was rated very low especially with regard to the

Council  
19 June 1989

Detrimental effect it would have on the neighbourhood. The City Manager assured Council that the School Board in collaboration with staff have done a fairly thorough evaluation of the sites.

8:55 p.m. Alderman Pottie entered the meeting.

At the request of Deputy Mayor R. Grant, the mover and seconder of the motion agreed to amend recommendation (1) of their motion to read:

1) that a portion of the Saint Andrews site be considered for School Board use.

Deputy Mayor R. Grant also asked that the School Board and City staff, in reviewing the matter, keep an open mind to the best utilization of the site.

Alderman Downey expressed the concern that the Gottingen Federal Building Site was not given a higher rating for the proposed Education Centre. Alderman Downey went on to refer to a letter received from Elizabeth Pacey, President of the Heritage Trust of Nova Scotia, concerning the historical nature of this building and questioned whether the matter would be forwarded to the Heritage Advisory Committee for comment.

9:00 p.m. Alderman Meagher enters the meeting.

Speaking in favour of reserving the land at Saint Andrews for School Board use, Alderman Fitzgerald suggested that the next step would be to address the problem of traffic at Bayers Road at Saint Andrews. Alderman Fitzgerald further suggested that staff take steps to prepare a report on the proposed use of those properties and their financial worth.

Alderman Stone spoke in favour of an education centre and suggested that a more detailed study was needed before a decision on the matter was reached. Alderman Stone noted that it was his understanding that the Maintenance Department was thinking about occupying the Saint Andrews facility as well. Alderman Stone questioned whether a second entrance into the Saint Andrews complex should be considered.

Following a short discussion, Alderman Downey advised that it was his understanding that there have been negotiations recently with regard to the development of the Gottingen Federal Building site. The Alderman suggested

Council  
29 June 1989

that the City should try and acquire that site from the Federal Government. Alderman Downey requested an update report on the plans for the Göttingen Street site.

The City Manager agreed to respond in a report to Alderman Downey's question regarding the Federal Government's plans for the Göttingen Federal Building site.

After a further discussion, the motion was put and passed as follows:

- i) that a portion of the Saint Andrews site be considered for School Board use, and
- ii) the School Board in collaboration with City Staff prepare a more specific set of requirements and cost estimates for the proposed Education Centre, review alternatives for the financing of its construction, and report back to Council.

#### Busker's Festival '89

Alderman Fitzgerald addressed the matter and reiterated his request from the Finance and Executive Committee meeting that an audited statement for the 1989 Buskers' Festival be carried out.

MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, City Council approve a grant of \$25,000.00 withholding 10 percent for an audited statement; and, \$20,000.00 worth of services to Buskers '89.

Alderman Meagher indicated that he had requested an up to date report on the costs associated with the clean up of this festival and noted that he had not received this report to date.

The City Manager advised that the figures requested by Alderman Meagher were shown in the original staff report on this matter.

The motion was put and passed.

#### Halifax Civic Hospital Board - Future Development of the Halifax Civic Hospital

A letter dated 27 June 1989 addressed to the Minister of Health & Fitness from the Chairman of the Halifax Civic Hospital was submitted. A letter dated 26 June 1989



Council  
24 June 1989

From the Minister of Health & Fitness to His Worship Mayor Wallace was also submitted.

MOVED by Alderman Meagher, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee:

- 1) Council agree to continue to own the Civic Hospital and advise the Province of Nova Scotia that any intent to close the institution is not acceptable.
- 2) Council along with the Civic Hospital Board be encouraged to discuss with the Province plans and support for a new facility on the existing site and support for a cost sharing agreement.
- 3) Council advise any group submitting proposals for development of City lands adjacent to the Civic Hospital that the property is required for future development of the Halifax Civic Hospital.

Motion passed.

#### VIA Rail Cutbacks

This matter was forwarded to Council without recommendation.

His Worship Mayor Wallace addressed the matter and suggested that this item be deferred to the next Committee of the Whole for a presentation from the VIA Rail representatives.

Alderman Fitzgerald noted that he had recently read a newspaper article with regard to the removal of grain subsidies which could cost the City of Halifax 450 jobs. The Alderman suggested that this matter should also be discussed during discussions about the VIA Rail.

MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that this matter be forwarded to the next Committee of the Whole Council meeting scheduled for Wednesday, 5 July 1989 and along with the matter regarding the removal of grain subsidies for discussion relating to the effect it would have on the Port of Halifax.

Council  
29 June 1989

His Worship indicated that the VIA Rail representatives as well as persons associated with the grain issue would be invited to attend the Committee of the Whole Council meeting.

Motion passed.

Award of Tender #89-41 - Sidewalk Renewals

MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that, as recommended by the Finance and Executive Committee, tender #89-41 be awarded to Basin Contracting Ltd. for the unit prices quoted for items 1 and 2 with a total tender price of \$144,977.65 and an estimated total project cost of \$175,000.00.

Motion passed.

Proposed Encroachment License - Dept. of National Defence

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council approve an Encroachment License with the Department of National Defence for the installation of an electrical cable duct back crossing Barrington Street at a current annual license fee of \$1,684.80.

Motion passed.

Employment Equity

MOVED by Alderman Fitzgerald, seconded by Alderman D. Grant that this matter be forwarded to the next Committee of the Whole Council meeting.

His Worship Mayor Wallace indicated that he would provide Council with a report on the matter prior to the next or subsequent Committee of the Whole Council meeting.

Motion passed.

Council  
29 June 1989

**REPORT - COMMITTEE ON WORKS:**

**Tender 189-11 - Traffic Improvement - Right Turn Bypass**

Alderman Fitzgerald addressed the matter and advised that he had visited the site with staff today. The Alderman noted that staff had indicated that the wall would be replaced in its original form, that the trees would be replanted, etc.

MOVED by Alderman Fitzgerald, seconded by Alderman  
Little that, as recommended by the Committee on Works, Tender  
189-11 be awarded to L.J. Casavechia for the project,  
materials and services listed for the unit prices quoted at a  
total project cost of \$58,000.00.

Motion passed.

**REPORT - SAFETY COMMITTEE**

**False Alarms**

MOVED by Alderman Fitzgerald, seconded by Alderman  
D. Grant that, as recommended by the Safety Committee, the  
proposal regarding false alarms be sent to staff for a  
detailed report, and the individual responsible for the  
proposal be replied to with the appropriate comments.

Motion passed.

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

**Motion - Alderman Meagher Re: Amendments to**  
**Ordinance Number 170, Respecting Partial Tax**  
**Exemptions for Certain Properties - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 15 June, and was further considered during a meeting of the Finance and Executive Committee held on Wednesday, 21 June 1989.

Council  
29 June 1989

MOVED by Alderman Meagher, seconded by Alderman Smalley that, as recommended by the Finance and Executive Committee, Council give SECOND READING to the amendments to Ordinance Number 170, Respecting Partial Tax Exemption for Certain Properties, as outlined in the staff report dated 24 May 1989.

The motion was put and passed.

#### REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee, from its meeting of Wednesday, 21 June 1989, as follows:

Case No. 5778: Accommodation for Extended Households (Inlaw Suites)

MOVED by Alderman Hanson, seconded by Deputy Mayor Richard Grant that, as recommended by the City Planning Committee, this matter be deferred until staff have reviewed it and have developed an approach to the Province to overcome the difficulties in the Planning Act that restrict Council's ability to develop legislation to govern these units.

The motion was put and passed.

McCully House - 2507 Brunswick Street

A supplementary staff report, dated 27 June 1989, was submitted together with the following correspondence:

- letter, dated 26 June 1989, received from Grant E. MacNutt, President, Gem Construction/Ian B. Logie, Vice President, Stonehedge Developments Limited/J. Douglas Miller, President, The Miller Group Architects Limited

- letter, dated 27 June 1989, from Elizabeth Pacey, President, Heritage Trust of Nova Scotia.

MOVED by Alderman Downey, seconded by Alderman Deborah Grant that, as recommended by the City Planning Committee, Council:

Council  
29 June 1989

- 1) enter into an agreement for the sale of the McCully House property to Salter Street Films Limited for the purposes of its renovation, restoration and commercial re-use, according to the conditions generally set out in the Call for Expressions of Interest issued by the City on 9 March 1989, and the submission received from Salter Street Films Limited on 31 March 1989 with supplementary material submitted on 29 May 1989;
- 2) instruct staff to prepare the appropriate documents for Council's approval,

on the understanding that all of the above is conditional on any necessary public hearing and approvals to permit the proposed development; and further, that the matter be referred to the City's Heritage Advisory Committee (HAC) for its comments prior to the public hearing.

Noting that the HAC have already discussed the matter on a preliminary basis, Alderman Deborah Grant advised that the Committee is extremely concerned that the structure (because of its historical significance to the City) be restored in the best possible way with no sacrifices whatever being allowed. She added that the HAC feels quite strongly that the McCully House restoration project must be undertaken in conjunction with its own recommendations on the matter, and that the work should be carefully supervised. In this context, Alderman Grant noted that both staff and the applicant have indicated their willingness to work very closely with the Heritage Advisory Committee in this regard.

After some discussion, the motion was put and passed.

Case No. 5755: Development Agreement to Authorize the Use of 5651 Macara Street as a Rooming House

This matter had been forwarded to Council without recommendation.

An Information Report, dated 26 June 1989, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Downey that City Council refuse to enter into a development agreement pursuant to Section 83 of the Peninsula portion of

Council  
29 June 1989

the Land Use Bylaw to authorize the use of 5651 Macara Street as a rooming house.

In putting forward this motion, Alderman O'Malley emphasized that because the predominant land use along Macara Street is composed of single-family and two-unit dwellings, it was her opinion that the rooming house in question could not be said to be in keeping with the neighborhood environment nor with the present character of the area in general.

The Alderman pointed out that this rooming house has been operating on Macara Street in an illegal capacity for the past eight years, adding that it has resulted in a decrease in property values for other residents of the neighborhood. She further noted that property does not meet various requirements of the Land Use Bylaw, namely those pertaining to frontage, lot area, minimum front, side and rear yards.

Alderman O'Malley also made reference to a petition (in opposition to the proposed development agreement) previously submitted by a considerable number of Macara Street residents, noting the concerns which had been raised at that time regarding the noise and disruption which they felt would result from such a large number of rooms being rented to transients.

The motion was put and passed.

Case No. 4586: Amendment to Development Agreement  
- Melville Ridge (Parking Requirements)

MOVED by Alderman Hanson, seconded by Deputy Mayor  
Richard Grant that, as recommended by the City Planning  
Committee:

- 1) City Council enter into an agreement thereby amending the existing agreement, known to the City of Halifax as Case No. 4586 and registered at the REgistry of Deeds in Book 4228 at Page 111, to permit a delay in provision of 18 parking spaces on Lot H until such time as the demand warrants the construction of the spaces, provided that Lot H is landscaped during the interim;
- 2) the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the

Council  
24 June 1989

applicant, from the date of final approval by Halifax City Council; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

Case No. 5561: Amendment to Development Agreement  
- Melville Ridge (75-Unit Apartment Building):  
SET DATE FOR PUBLIC HEARING

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, a date be set for a public hearing to consider an amendment to the previously approved and executed development agreement, which is registered at the Registry of Deeds in Book 4683 at Page 1081, to permit an increase in the number of units within the senior citizens apartment building from 75 to 85 while maintaining a maximum population density of 25 persons per acre.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 19 JULY 1989 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

#### MOTIONS

Motion Alderman Fitzgerald Re: Circulation of Information to the Public and Media

Notice of Motion concerning this matter had been given by Alderman Fitzgerald during a regular meeting of Halifax City Council held on Thursday, 15 June 1989.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that on the morning after delivery of information to members of Council, all material (other than confidential reports) pertaining to Committee of the Whole Council and Council meetings be made available to members of the public and the media; and further that, upon request, packages of this material be prepared by the City Clerk's Office for members of the media.

The motion was put and passed.

Council  
29 June 1989

Motion Alderman Meagher Re: Amendments to Ordinance  
Number 180, the Streets Ordinance - FIRST READING

Notice of Motion concerning this matter was given by Alderman Meagher during a regular meeting of Halifax City Council held on Thursday, 15 June 1989.

Noting that he had not yet had an opportunity to discuss the proposed amendments with the City Solicitor, it was moved by Alderman Meagher, seconded by Alderman Hanson that the matter be deferred to the next regular meeting of City Council scheduled for Thursday, 13 July 1989.

Alderman Meagher made reference to an Information Report, dated 26 June 1989, received from the City Solicitor, and emphasized that it was not his intention to amend Ordinance Number 180 to permit cars to park in front yards.

The motion to defer was put and passed.

Motion Deputy Mayor R. Grant Re: Amendment to  
Ordinance Number 101, the Seal, Arms and Flags  
Ordinance - FIRST READING

Notice of Motion pertaining to this amendment was given by Deputy Mayor Richard Grant during a regular meeting of Halifax City Council held on Thursday, 15 June 1989.

MOVED by Deputy Mayor Richard Grant, seconded by Alderman Hanson that Halifax City Council give FIRST READING to the following amendments to Ordinance Number 101, the Seal, Arms and Flag Ordinance:

- (1) Section 10 of Ordinance 101 is hereby repealed;
- (2) Section 12 of the said Ordinance 101 is repealed and the following is substituted therefor:

12(1) The Arms of the City and the Flag of the City may be used in any appropriate and respectful manner by any corporation or individual.

and further, that the matter be referred to the next regular meeting of the Finance and Executive Committee for consideration and report.

The motion was put and passed.



Council  
21 June 1989

Deputy Mayor Richard Grant: Proposed  
Administrative Order #21 - The Office of Aldermanic  
Services - FIRST READING

Notice of Motion regarding this matter had been given by Deputy Mayor Grant during a regular meeting of Halifax City Council held on 25 May 1989.

Deputy Mayor Grant indicated that, because he has been advised that procedural problems may exist with regard to the proposed amendment (namely, that it may require an amendment to the City Charter), he would appreciate an opportunity to discuss the matter further with members of staff. The Deputy Mayor also suggested that, contrary to the manner in which the agenda item was described, "First Reading" of this matter may have already been given.

It was therefore moved by Deputy Mayor Grant, seconded by Alderman Hanson that the matter be deferred until the Deputy Mayor has received clarification regarding various aspects of proposed Administrative Order Number 21.

The motion to defer was put and passed.

MISCELLANEOUS BUSINESS

Current Borrowing Resolution

This matter had last been discussed during a meeting of the Finance and Executive Committee held on Wednesday, 21 June 1989.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottle that the Mayor and City Clerk be authorized to sign the current borrowing resolution (attached to the staff report of 31 May 1989) in the amount of \$7,000,000 for the period 1 July 1989 to 31 December 1989, in accordance with Section 213 of the Halifax City Charter.

With reference to a question from Alderman Pottier, Mr. B. G. Smith indicated that he would submit a written report with regard to the City's normal borrowing practices.

The motion was put and passed.

Insurance Renewals - 1989/90

A staff report, dated 23 June 1989, was submitted.

Council  
29 June 1989

MOVED by Alderman Fitzgerald, seconded by Alderman  
Little that authority be granted through Simpson Hurst  
limited to renew the City Insurance portfolio (as outlined in  
the staff report of 23 June 1989) at a cost of \$281,556 for  
Automobile, Liability and Property Insurance, and that  
gross coverage be increased by 10 million dollars when this  
policy is placed.

The motion was put and passed.

#### Appointments

A memorandum, dated 29 June 1989, was submitted  
from His Worship Mayor Ron Wallace.

MOVED by Alderman Deborah Grant, seconded by  
Alderman Fitzgerald that Mrs. Mary Cooley be appointed to the  
City's Election Procedures Committee (term to expire upon  
completion of the Committee's mandate).

The motion was put and passed.

#### QUESTIONS

##### Question Alderman Jeffrey Re: Blasting Damage

Alderman Jeffrey referred to concerns previously  
expressed by various Aldermen regarding the damage done to  
residential properties by blasting associated with nearby  
development projects. In this regard, the Alderman reported  
that there are individuals in his ward who have recently been  
advised by their insurance company that their policy has been  
cancelled owing to the number of claims (based on blasting  
damage) which had previously been submitted.

Alderman Jeffrey asked for information from the  
City Solicitor's Department as to what, if any, recourse is  
available to these residents.

##### Question Alderman Jeffrey Re: Washrooms - - Point Pleasant Park

Alderman Jeffrey reported that he had received a  
complaint regarding the cleanliness of the washrooms in Point  
Pleasant Park, particularly those in the vicinity of the Navy  
Monument. The Alderman asked that staff investigate the

Council  
29 June 1989

letter and submit a report as to what steps are being taken to rectify the problem.

His Worship Mayor Wallace indicated that this information would be relayed to the Park Superintendent and to the members of the Point Pleasant Park Commission.

Question Alderman Jeffrey Re: Rosebushes on Dunbrack Street

Alderman Jeffrey noted that, in Question Period during the 25 May meeting of City Council, he had advised that approximately 40 feet of rose bushes had been removed some time ago from a portion of the median on Dunbrack Street. He emphasized that, at that time, he had requested that the bushes be replaced and added that, to date, no action would appear to have been taken.

The Alderman asked for a report from staff as quickly as possible as to when he might expect this work to be commenced.

Question Alderman Jeffrey Re: 18 Springvale Avenue

Alderman Jeffrey referred to a property located at 18 Springvale Avenue owned by a Ms. Judy MacKay who also rents a small piece of land from the CNR. The Alderman noted that while Ms. MacKay pays the CNR a total annual rental fee of \$25.00, she has been paying approximately \$215.00 in property taxes for this same piece of land for the past several years.

Alderman Jeffrey went on to note that Ms. MacKay has been advised by a member of the Assessment Department that, in his opinion, her property had been unfairly assessed. Under the circumstances, the Alderman asked for information from staff as to whether (assuming this inaccurate assessment is confirmed) this individual would be reimbursed by the City for the years that she has been unfairly taxed.

Question Alderman Jeffrey Re: Incident at Piercey Field

Referring to a recent incident at Piercey Field, Alderman Jeffrey noted that he had been somewhat distressed by remarks made in the local news media by a member of the Police Department's Communications Division, who asserted that while a call for police assistance was received at 11:58 p.m., ". . . minutes later the Police Department received a call saying that everything was under control." Alderman

20 June 1960

Jeffrey advised that he himself had placed the second call to inquire as to the whereabouts of the police, and emphasized that he had done so almost half an hour after the initial call for help.

Under the circumstances, the Alderman questioned the manner in which calls to the Police Department are logged, and indicated that he is not satisfied with the way in which this incident was handled. He therefore requested a report on the matter as quickly as possible.

Question Alderman Jeffrey Re: Police Duty Rosters

Alderman Jeffrey referred to his previous request made during a meeting of the Safety Committee on 7 June 1960 concerning the receipt of police duty rosters, and stated that he has not yet received this information.

Question Alderman Flynn Re: Noise from Construction Projects

Alderman Flynn noted that he has received numerous complaints from residents who are being disturbed during the evenings and on weekends by noise emanating from nearby construction projects. While acknowledging the brevity of the City's construction season, the Alderman also emphasized that care should be taken to protect residents from any undue disruptions and/or inconvenience particularly during the summer months when most people like to enjoy their back yards.

Alderman Flynn noted that the City Solicitor's Office is currently developing amendments to the Noise Ordinance, and urged that these revisions be submitted as quickly as possible. In the interim, however, he asked for information as to whether a special effort could be made by the Police Department to test for noise (particularly during the evenings and on the weekends) and, if the decibel readings are found to be excessive, request the contractor to cease work. He also suggested that direction be given to the City's Building Inspection Division that, before issuing building permits allowing extended working hours, a determination be made as to whether or not the site in question is located in a residential area, and that, unless the work is absolutely essential, that normal working hours be observed.

Mr. Barry Allen, representing the City Solicitor, acknowledged that while existing regulations pertaining to noise are inadequate, it is impossible at the present time to take action of the kind suggested by Alderman Flynn because

Council  
29 June 1989

Jeffrey advised that he himself had placed the second call to inquire as to the whereabouts of the police, and emphasized that he had done so almost half an hour after the initial call for help.

Under the circumstances, the Alderman questioned the manner in which calls to the Police Department are logged, and indicated that he is not satisfied with the way in which this incident was handled. He therefore requested a report on the matter as quickly as possible.

Question Alderman Jeffrey Re: Police Duty Rosters

Alderman Jeffrey referred to his previous request (made during a meeting of the Safety Committee on 7 June 1989) concerning the receipt of police duty rosters, and noted that he has not yet received this information.

Question Alderman Flynn Re: Noise from Construction Projects

Alderman Flynn noted that he has received numerous complaints from residents who are being disturbed during the evenings and on weekends by noise emanating from nearby construction projects. While acknowledging the brevity of the City's construction season, the Alderman also emphasized that care should be taken to protect residents from any undue disruptions and/or inconvenience particularly during the summer months when most people like to enjoy their back yards.

Alderman Flynn noted that the City Solicitor's Office is currently developing amendments to the Noise Ordinance, and urged that these revisions be submitted as quickly as possible. In the interim, however, he asked for information as to whether a special effort could be made by the Police Department to test for noise (particularly during the evenings and on the weekends) and, if the decibel readings are found to be excessive, request the contractor to cease work. He also suggested that direction be given to the City's Building Inspection Division that, before issuing building permits allowing extended working hours, a determination be made as to whether or not the site in question is located in a residential area, and that, unless the work is absolutely essential, that normal working hours be observed.

Mr. Barry Allen, representing the City Solicitor, acknowledged that while existing regulations pertaining to noise are inadequate, it is impossible at the present time to take action of the kind suggested by Alderman Flynn because

Council  
29 June 1989

it cannot be legally substantiated. However, Mr. Allen indicated that he would attempt to have some information on the matter available for members of Council in time for the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 5 July.

Question Alderman Flynn Re: Nathan Greene Square

[NOTE: This item was originally placed on the agenda by Alderman Flynn as an "Added Item," but, at the Alderman's request, was dealt with at this time.]

Alderman Flynn made reference to a staff report dated 27 June concerning the rezoning of Nathan Greene Square, particularly " . . . that staff comment on the sale of food in the Square and further that the matter be reviewed in conjunction with the provisions set forth by Ordinance 188."

The Alderman asked that staff meet with members of the Streets Committee in this context before the report on the proposed rezoning is finalized.

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

Alderman O'Malley requested an updated report from staff regarding the property at the corner of Agricola and Bilby Streets. In her remarks the Alderman noted that she understood that the property had been the subject of a recent court case, and asked staff to report on the outcome.

Question Alderman O'Malley Re: Street Cleaning

Alderman O'Malley asked for information from staff as to the procedure necessary to have a particular street (in this case, St. Paul Street) added to the street cleaning list.

The City Manager advised that he would ask staff to investigate the matter and to submit a written report.

Question Alderman Pottie Re: Left-Hand Turns - Intersection of Connaught Avenue and Windsor Street

Alderman Pottie advised that several individuals have expressed concern regarding the danger in making a left-

Council  
29 June 1989

and turn (especially because a lane change is necessary) at the extreme north end of Connaught Avenue where it intersects with Windsor Street. The Alderman suggested, as an alternative to the present arrangements, that motorists be permitted to make left-hand turns from both lanes at this location, and asked that Traffic Authority staff be requested to investigate the matter further.

Question Alderman Pottie Re: Civic Number 3300 Oxford Street

Alderman Pottie made reference to work previously undertaken to demolish the structure at 3300 Oxford Street and to remove the foundations. He noted, however, that area residents are now expressing concern regarding the amount of dust/dirt that emanates from the levelled site, and asked if staff could investigate the feasibility of hydro-seeding as a means of eliminating the problem.

Question Deputy Mayor Grant Re: Tartan Avenue Walkway

Deputy Mayor Richard Grant asked for an update from staff as to the timeframe for the completion of the Tartan Avenue walkway.

Question Deputy Mayor Grant Re: Organizational Chart

Responding to a question from Deputy Mayor Richard Grant, the City Manager advised that while no recent revisions have been made to the City's Organizational Chart, he would undertake to ensure that the Deputy Mayor receives a copy of the existing diagram.

Question Deputy Mayor Grant Re: Nathan Greene Square

Deputy Mayor Grant referred to a complaint recently received from a lady who had done damage to her footwear and to her ankle as a result of catching her heel in some loose bricks in the vicinity of the kiosk located in Nathan Greene Square. The Deputy Mayor acknowledged that, because of accidents such as this and general maintenance problems, he understood that the City has ceased to install such surfaces. However, he asked for information as to why, in this particular instance, there appeared to be such a considerable number of unsafe bricks in the Square area.

Council  
29 June 1989

Question Alderman Fitzgerald Re: Manholes

Alderman Fitzgerald observed that there would appear to be an undue number of manholes which have sunk below the City's street surfaces, and asked for information from the Engineering Department as to the cause.

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

Alderman Fitzgerald expressed concern that the City is now experiencing yet another summer season without the use of the St. Mary's Boat Club facility. Noting that he had asked for a staff report on this matter some time ago, the Alderman asked to be advised as to when this information might be forthcoming.

Question Alderman Fitzgerald Re: Garden Crest Apartments

Alderman Fitzgerald made reference to a recent newspaper article which mentioned that a request has been made to the Province of Nova Scotia to protect the Garden Crest Apartments under the provincial heritage regulations. The Alderman strongly recommended that, given the widespread interest in this site and its close proximity to the City's Public Gardens, a senior member of staff (e.g., the City Manager) be asked to contact the Honorable Mr. Thornhill's office to discuss the matter further.

Question Alderman Fitzgerald Re: Traffic Problems  
Caused by Bridge Construction

Alderman Fitzgerald advised that he had recently heard of a group of tourists who (upon arriving in Lunenburg) had decided not to visit Halifax because of the negative reports being carried in the news media pertaining to the traffic congestion caused by the construction on the McKay Bridge.

The Alderman expressed concern that such reports are discouraging tourists from coming to our City, and suggested that Tourism Halifax be asked to investigate ways of counteracting this negative publicity.

Question Alderman Hanson Re: Truck Traffic  
- Kline Heights Area

Alderman Hanson referred to the problems which are being caused by the large volume of heavy truck traffic



Council  
29 June 1989

travelling to and from the development project adjacent to the Kline Heights area. In this context, he asked that staff be directed to contact whoever is responsible for the movement of these trucks and attempt to find an alternate route so as to alleviate the present disruptions and inconvenience presently being experienced by the residents of Kline Heights.

Question Alderman Hanson Re: Water Quality - City Lakes

Alderman Hanson requested information from staff as to whether the City undertakes a regular monitoring of the water quality in its lakes, similar, for instance, to the monthly tests that are performed on the Pockwock water supply.

Question Alderman Meagher Re: Curb and Gutter Damage  
- Civic Number 6330 North Street

Alderman Meagher referred to a letter he had previously forwarded to the City's Engineering and Works Department concerning a problem with the driveway adjacent to 6330 North Street in which the flat part of the cement has separated from the driveway. The Alderman emphasized that, in his opinion, this damage has undoubtedly been caused by the large number of buses which stop in front of this property and therefore it should be the City's responsibility to undertake the necessary repairs. He therefore asked that Engineering staff have another look at the site and submit a report as to how, in their view, the problem can be rectified.

Question Alderman Meagher Re: Sidewalk Renewal Projects  
- Replacement Sods

Alderman Meagher made reference to his question raised during the 25 May regular meeting of City Council concerning the quality of the sods which were used as replacements subsequent to the completion of various sidewalk renewal projects on the east side of Elm Street between Quinpool Road and Oak Street.

Referring in particular to complaints received from a gentleman residing at 2061 Elm Street, Alderman Meagher emphasized that, in his opinion, it was the City's responsibility to effect these repairs. Under the circumstances, the Alderman asked that a staff member be instructed to inspect the site in question and then to submit a recommendation as to what action can be taken.

Council  
29 June 1989

Question Alderman Meagher Re: Painting - Street Markings

Alderman Meagher asked for a verbal report (perhaps during the 5 July meeting of the Committee of the Whole Council) as to the progress being made with the City's street markings painting schedule, particularly in terms of crosswalks.

Question Alderman Meagher Re: Gordon B. Isnor Manor

Alderman Downey referred to a recent incident at the Gordon B. Isnor Manor during which the power system had shut down, residents were trapped in the elevator, and the Fire Department had to be called. The Alderman emphasized that a similar problem of this nature had occurred on a previous occasion, at which time he was advised that there was apparently some defect with regard to "batteries."

Alderman Downey indicated that while both the Housing Authority and the Fire Marshal have been asked to investigate this most recent occurrence, he would appreciate receiving a report on the matter from the City's Fire Chief in time of the 5 July meeting of Committee of the Whole Council.

Question Alderman Downey Re: Walkway Between Uniacke Square and the George Dixon Centre

Alderman Downey noted that he had been of the understanding that, once the crosswalk was installed on Artz Street, a lighted walkway would be built between the Housing Authority's land in Uniacke Square and the George Dixon Centre. Observing that the crosswalk has now been in place for over a year, the Alderman asked for information as to when the walkway in question will be completed.

Question Alderman Downey Re: Central Commons Pool

With reference to a question from Alderman Downey, Mr. Peter S. Connell, Director of Engineering and Works, advised that repairs to the pool had commenced earlier in the day and will take another 10 days to complete.

Question Alderman Deborah Grant Re: AIDS Policy for City of Halifax Employees

Alderman Deborah Grant asked for information as to when Council will be receiving staff recommendations

Council  
29 June 1989

concerning a possible AIDS policy for City of Halifax employees.

Question Alderman Deborah Grant Re: No Smoking  
in the Workplace

Alderman Deborah Grant asked for information as to when Council will be receiving a staff report (and when the item will be added to an agenda of the Committee of the Whole Council) with regard to no smoking in the workplace as it pertains to City of Halifax employees.

Question Alderman Deborah Grant Re: PAC Review Committee

Alderman Deborah Grant asked for information as to when a report can be expected from the PAC Review Committee.

Question Alderman Stone Re: Crosswalk  
on Kearney Lake Road

Alderman Stone made reference to a crosswalk on Kearney Lake Road that comes from the Wedgewood Park area and continues to Castle Hill Drive, noting that he had previously asked the Police Department to monitor the area in an attempt to keep traffic speeds down. The Alderman indicated that, while HPD had been very cooperative, he would prefer that staff of the City's Traffic Authority be asked to inspect the area to determine whether there is a way in which the physical presence of the crosswalk could be enhanced (for instance, through the use of overhead signs, caution lights, etc.). He advised that one of the major offenders are the heavy trucks exiting from the Bicentennial Highway whose speeds are particularly excessive.

Question Alderman Stone Re: Metro Transit Route #16

Alderman Stone advised that Metro Transit has recently effected changes in the scheduling of Route #16 with the result that passengers are having some difficulty making their connections at the Shopping Centre. While noting that he has already conveyed his concern to Metro Transit staff (who have placed the problem on their "priority list"), the Alderman requested information as to whether there is anything a member of City staff can do to encourage Transit staff to reevaluate the situation.

Council  
29 June 1989

His Worship Mayor Wallace indicated that Alderman Stone's comments in this regard would be conveyed to Metro Transit.

Question Deputy Mayor Grant Re: IIMC Conference

Deputy Mayor Richard Grant referred to the compliments which had been received by various Aldermen with regard to the success of the International Institute of Municipal Clerks (IIMC) Conference recently hosted by the City of Halifax. In his remarks, the Deputy Mayor, on behalf of all members of Council, extended public appreciation to Mr. Edward A. Kerr, City Clerk, for his outstanding efforts in this regard.

NOTICES OF MOTION

Notice of Motion Alderman Jeffrey Re: Administrative Order for the Position of Manager - The Office of Aldermanic Services

Alderman Jeffrey gave Notice of Motion that at a regular meeting of Halifax City Council to be held on **Thursday, 28 September 1989** he intends to place before Council a motion to recommend the amendment of the Halifax City Charter, which amendment to the Charter will permit the generation of an Administrative Order to formally establish the position and job description of "Manager - The Office of Aldermanic Services."

Notice of Motion Alderman Flynn Re: Guidelines for the Selection of a Name for the Mainland North Library

Alderman Flynn gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on **Thursday, 13 July 1989** he intends to introduce a motion to rescind the motion, made during a regular meeting of City Council on Thursday, 15 June 1989, pertaining to the guidelines for the selection of a name for the Mainland North Library.

ADDED ITEMS

Clarification - Day Care Centres (Deputy Mayor Grant)

Referring to a matter previously deliberated by Halifax City Council, Deputy Mayor Richard Grant made

Council  
29 June 1989

reference to information recently submitted by the City Solicitor with regard to day care centres located in R-1 Jones. He indicated that, on the basis of that information, he was of the opinion that further clarification of his (the Deputy Mayor's) previous motion was unnecessary at this time.

Nathan Greene Square (Alderman Flynn)

This matter, which was added to the agenda at the request of Alderman Flynn, was dealt with earlier in the meeting during "Question Period."

Crosswalk Safety Week - School Board Motion (Alderman Flynn)

This matter had been added to the agenda at the request of Alderman Flynn who distributed copies of a report, dated 15 June 1989, from the Halifax District School Board entitled "Committee on Crosswalk Safety."

MOVED by Alderman Flynn, seconded by Alderman Deborah Grant that, as recommended by the Halifax District School Board (Committee on Crosswalk Safety), a "Crosswalk Safety Week" be designated by the City of Halifax in late September of each year, and that City staff, in conjunction with staff of the School Board, report back to Council with a suggestion as to an appropriate date.

In his remarks, the Alderman noted that the concept of "Crosswalk Safety Week" is intended to heighten the awareness of students as well as the general public, and to coincide with the program emphasis in the school. He added that the designated week can be publicized with the help of the local media and that corporate sponsorship can be sought.

Commending the School Board on this initiative, Alderman Fitzgerald strongly recommended that, as part of the Week's festivities, consideration be given to paying tribute to the City's crosswalk safety guards, particularly those individuals with exceptionally long service.

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

Central Commons Pool (Alderman Downey)

This matter, which was added to the agenda at the request of Alderman Downey, was dealt with earlier in the meeting during "Question Period."

Council  
29 June 1939

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

HIS WORSHIP MAYOR RON WALLACE  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

HEADLINES FOR CITY COUNCIL MINUTES  
of 06/29/89

.... 390

ORDER OF BUSINESS

.... 390

AGENDA ITEMS

- Ag. 584: Amendment to Height Precinct Map (2M-17) -  
Small Property, Tower Road ..... 391
- Ag. 584: Amendment to Section 44F of the Land Use  
Law (Peninsula) ..... 392
- Ag. 5852 - Rezoning from R-3 and C-2 to R-2: area  
bounded by Bloomfield, Black, North, and Agricola Streets ..... 393
- Ag. 5886: Amendment to Stage II: Schedule "K"  
Development - Clayton Park West ..... 393

MINUTE AND DELEGATIONS

- Ag. Alderman Jeffrey Re: Trucks on Central Avenue ..... 396

FINANCE AND EXEC COMM

- Ag. Alderman Flynn Re: Asphalt - Joseph Street ..... 397
- Station Centre ..... 397
- Halifax Civic Hospital Board - Future Development of the  
Halifax Civic Hospital ..... 399
- Ag. Festival '89 ..... 399
- Trail Cutbacks ..... 400
- Ag. of Tender #89-41 - Sidewalk Renewals ..... 401
- Payment Equity ..... 401
- Proposed Encroachment License - Dept. of National Defence ..... 401

COMMITTEE ON WORKS

- Ag. #89-11 - Traffic Improvement - Right Turn Bypass ..... 402

HEADLINES FOR CITY COUNCIL MINUTES  
of 06/29/89

REPORT - SAFETY COMMITTEE

False Alarms .....  
..... 402

REP.- COMM. OF WHOLE COUNCIL

Motion Alderman Meagher Re: Amendments to Ordinance #170,  
Partial Tax Exemptions (SECOND READING) ..... 402

REPORT - CITY PLANNING COMM.

McCully House - 2507 Brunswick Street ..... 403

Case No. 5778: Accommodation for Extended Households  
(Inlaw Suites) ..... 403

Case No. 5755: Development Agreement to Authorize the Use  
of 5651 Macara Street as a Rooming House ..... 404

Case No. 4586: Amendment to Development Agreement -  
Melville Ridge (Parking Requirements) ..... 405

Case No. 5561: Amendment to Dev. Agreement - Melville  
Ridge (75-Unit Apartment Bldg.) - SET DATE FOR HEARING ..... 406

MOTIONS

Motion Alderman Fitzgerald Re: Circulation of Information  
to the Public and Media ..... 406

Motion Alderman Fitzgerald Re: Circulation of Information t  
to the Public and Media ..... 406

Motion Alderman Fitzgerald Re: Circulation of Information t  
to the Public and Media ..... 406

Motion Alderman Meagher Re: Amendments to Ordinance #180,  
the Streets Ordinance - FIRST READING ..... 407

Motion Deputy Mayor R. Grant Re: Amendment to Ordinance  
#101 (Seal, Arms and Flags) - FIRST READING ..... 407

Motion Deputy Mayor R. Grant Re: Proposed Admin. Order  
#21 (Office of Aldermanic Services) - FIRST READING ..... 408

MISCELLANEOUS BUSINESS

Current Borrowing Resolution ..... 408

Insurance Renewals - 1989/90 ..... 408

Appointments ..... 409

QUESTIONS

Question Alderman Jeffrey Re: Washrooms - Point  
Pleasant Park ..... 409

Question Alderman Jeffrey Re: Blasting Damage ..... 409

Question Alderman Jeffrey Re: Rosebushes on  
Dunbrack Street ..... 410

Question Alderman Jeffrey Re: Incident at  
Piercey Field ..... 410

Question Alderman Jeffrey Re: 18 Springvale Avenue ..... 410

Question Alderman Jeffrey Re: Police Duty Rosters



APPENDIX B - CITY COUNCIL MINUTES

1998-1999

Question Alderman Flynn Re: Noise from Construction Projects	..... 411
Question Alderman Bostle Re: Letterhead Turns - Intersect. at Lombard Avenue and Windsor Street	..... 412
Question Alderman Flynn Re: Nathan Greene Square	..... 412
Question Alderman O'Malley Re: Property at the Corner of Appleton and Emily Streets	..... 412
Question Alderman O'Malley Re: Street Cleaning	..... 412
Question Deputy Mayor P. Grant Re: Tartan Avenue Walkway	..... 413
Question Deputy Mayor P. Grant Re: Organizational Chart	..... 413
Question Deputy Mayor P. Grant Re: Nathan Greene Square	..... 413
Question Alderman Bostle Re: Civic Number 1323 Lifford Street	..... 413
Question Alderman Fitzgerald Re: St. Mary's Boat Club	..... 414
Question Alderman Fitzgerald Re: Garden Crest Apartments	..... 414
Question Alderman Fitzgerald Re: Traffic Problems Caused by Bridge Construction	..... 414
Question Alderman Hanson Re: Truck Traffic - Kings Heights Area	..... 414
Question Alderman Fitzgerald Re: Manholes	..... 414
Question Alderman Hanson Re: Water Quality - City Lakes	..... 415
Question Alderman Meagher Re: Curb and Gutter Damage - Civic Number 6332 North Street	..... 415
Question Alderman Meagher Re: Sidewalk Renewal Projects - Replacement Sods	..... 415
Question Alderman Meagher Re: Sidewalk Renewal Projects - Replacement Sods	..... 415
Question Alderman Meagher Re: Sidewalk Renewal Projects - Replacement Sods	..... 415
Question Alderman Meagher Re: Painting - Street Markings	..... 416
Question Alderman Downey Re: Central Commons Pool	..... 416
Question Alderman Deborah Grant Re: AIDS Policy for City of Halifax Employees	..... 416
Question Alderman Meagher Re: Painting - Street Markings	..... 416
Question Alderman Meagher Re: Gordon B. Isnor Manor	..... 416
Question Alderman Meagher Re: Gordon B. Isnor Manor	..... 416
Question Alderman Downey Re: Walkway Between Unlacke Square and Geo. Dixon Centre	..... 416
Question Alderman D. Grant Re: No Smoking in the Workplace	..... 417
Question Alderman D. Grant Re: PAC Review Committee	

HEADLINES FOR CITY COUNCIL MINUTES  
of 06 29 89

Question Alderman Stone Re: Crosswalk on Fearney Lake Road	..... 417
Question Alderman Stone Re: Metro Transit Route #16	..... 417
Question Deputy Mayor R. Grant Re: MMC Conference	..... 418
Notice of Motion Alderman Jeffrey Re: Admin. Order for Position of Manager - Office of Aldermanic Services	..... 418
NOTICE OF MOTIONS	
Notice of Motion Alderman Flynn Re: Guidelines for Selection of Name for Mainland North Library	..... 418
Notice of Motion Alderman Flynn Re: Guidelines for Selection of Name for Mainland North Library	..... 418
ADDED ITEMS	
Clarification - Day Care Centres (Deputy Mayor R. Grant)	..... 418
Crosswalk Safety Week - School Board Motion (Alderman Flynn)	..... 419
Central Commons Pool (Alderman Downey)	..... 419
Nathan Greene Square (Alderman Flynn)	..... 419