

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

Council Chamber
City Hall
Halifax, Nova Scotia
26 April 1990
8:00 P.M.

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

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

ALSO PRESENT: B. G. Smith, Acting City Manager; Barry S. Allen, Acting City Solicitor; City Clerk; and other members of City staff.

The meeting was called to order with members of Council joining His Worship the Mayor in the recitation of the Lord's Prayer.

His Worship welcomed the members of the 2nd Halifax Beavers, Cubs and Scout Troop from St. George's Church in attendance at tonight's meeting.

MINUTES

Minutes of a Special Meeting of Halifax City Council held on Wednesday, 4 April and of a regular Council meeting, held on Wednesday, 11 April 1990, were approved on a motion by Alderman Fitzgerald, seconded by Alderman O'Malley.

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

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

5.4 Case No. 5791: Amendments to Section (ff) of the Peninsula Portion, and 2(tt) of the Mainland Portion of the Land Use Bylaw

20.1 Appointments

- 20.2 FCM Nominations (Deputy Mayor Ducharme)
- 20.3 Award of Tender #89-175(R): Three Quint Type Fire Fighting Vehicles
- 20.4 Sunday Shopping (Alderman Flynn)
- 20.5 Tax Exemption - Artists

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

- 5.1 Case No. 5973: Appeal of Minor Variance Refusal - 6153 North Street (NOTE: This item was deferred to the next regular meeting of Halifax City Council scheduled for 17 May 1990).

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

- 20.6 Highway Bridge/Overpass - Bayers Road and Bicentennial Highway
- 20.7 Library Board Re: Bookmobiles (UPDATE)

The agenda, as amended, was subsequently approved on a motion by Alderman O'Malley, seconded by Alderman Meagher.

DEFERRED ITEMS

Case No. 5973: Appeal of Minor Variance Refusal - 6135 North Street

This matter had been deferred from the 11 April meeting of Halifax City Council, but was deleted from tonight's agenda at the request of the City Clerk.

It was agreed that the matter would be placed on the agenda of the next regular meeting of City Council scheduled for **Thursday, 17 May 1990**.

Case No. 5902: Development Agreement - 5657 North Street

A public hearing to consider this matter had been held on Wednesday, 18 April 1990.

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MOVED by Alderman Downey, seconded by Alderman Fitzgerald that City Council enter into a development agreement with Moisson Investments Limited to permit the use of 5657 North Street for any of the following uses: art gallery, artists' studios, auditorium, church, cinematographic studio, or dwelling units.

The City Clerk advised that Aldermen O'Malley and Stone had been absent from the 18 April public hearing.

The motion was put and passed with Alderman O'Malley and Stone abstaining from the vote.

**Proposed Amendments to the Municipal Development Plan,
Peninsula Centre Plan, and Land Use Bylaw Re:**

- (a) Police Club Property (6680 South Street)
- (b) Policy 1.8
- (c) Policy 8.2.3

A public hearing to consider this matter had been held on Wednesday, 18 April 1990.

Alderman Fitzgerald noted that, in his opinion, it was necessary to restrict the Police Club property to single-family dwellings only, and further indicated that the construction of townhousing (by development agreement) should be excluded from the Northwest Arm Sub-Area of the Peninsula Centre Plan.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Pottie that the Police Club property, located at 6680 South Street, be redesignated from "Institutional" to "Low-Density Residential," and rezoned from "Park and Institutional" to R-1 (Single Family) Zone; and further, that Policy 8.2.1 of the Peninsula Centre Secondary Planning Strategy be amended (as shown on Appendix IV of the 14 February 1990 staff report) as follows:

8.2.1 In any area shown as low-density residential, which is located within the area defined in Policy 8.2.1.1 along the present shoreline of the Northwest Arm, only single-family dwellings shall be permitted, and development by agreement pursuant to Policy 1.8 shall not be considered. For those lots which front on the Northwest Arm, such dwellings shall be on lots with a minimum lot area of 8,000 square feet, a minimum of distance of 30 feet between buildings, and a minimum setback from the shoreline of 30 feet.

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Speaking in support of the motion (and referring to various of the presentations made during the 18 April public hearing), Alderman Flynn asked to have it officially noted that Council, under the terms of its Municipal Planning Strategy, is required to retain only that recreational land owned by the City of Halifax. In this context, he pointed out that the property in question is privately owned.

The Alderman further noted that even if the current "Park and Institutional" zoning classification were retained, there is always the risk that an "institutional" use would be constructed on what has traditionally been a recreational area.

Alderman Hanson noted that Council acknowledges the need for additional recreational facilities on the Northwest Arm and for that reason supported the allocation of considerable funds toward the renovation of the St. Mary's Boat Club property during the recent Capital Budget process.

His Worship Mayor Wallace indicated that Council's decision not to acquire the Police Club site had been based on a variety of factors, including the considerable cost of the property, its steep entrance down South Street, and the fact that any City operation on this site would undoubtedly result in a number of parking and other problems for the surrounding neighborhood.

The City Clerk advised that Aldermen O'Malley and Stone had been absent during the 18 April public hearing.

The motion was put and passed with Alderman O'Malley and Stone abstaining from the vote.

8:20 p.m. - Deputy Mayor Ducharme enters the meeting.

Case No. 5791: Amendments to Section (ff) of the Peninsula Portion, and 2(tt) of the Mainland Portion of the Land Use Bylaw

A public hearing to consider this matter had been held on Wednesday, 18 April 1990.

An Information Report, dated 20 April 1990, was submitted from Mr. Barry S. Allen, Acting City Solicitor.

Alderman Fitzgerald made reference to various of the presentations submitted to Council during the 18 April public hearing and indicated that, in his opinion, the

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general consensus appeared to be that Council should not delete the "professional persons" provisions of the Land Use Bylaw but instead should amend the Bylaw by adding "psychologist" to Section 1(ff) of the Peninsula portion and 2(tt) of the Mainland portion.

Responding to a question from Alderman Flynn, the Acting City Solicitor advised that the Bylaw amendment regarding the addition of "psychologist" had previously been refused by Council. He noted, however, that Council had ultimately decided to hold the 18 April public hearing in order to consider (1) the repeal of the definition of "professional person;" (2) the repeal of the "office of a professional person" as a permitted use in the R-1 and H Zones; and (3) the addition of "home occupation" as a permitted use in the H Zone.

Mr. Allen further advised that should Council support the suggestion put forward by Alderman Fitzgerald, it would be necessary to schedule a further public hearing on the matter.

After some further discussion, it was moved by Alderman Fitzgerald, seconded by Alderman Flynn that:

- 1) the amendment to the Land Use Bylaw to repeal "the office of a professional person" as a permitted use in the R-1 and H Zones, and to add "home occupation" as a permitted use in the H Zone be refused; and that
- 2) a public hearing date be scheduled to consider the amendment of the Land Use Bylaw to add "psychologist" to Section 1(ff) of the Peninsula portion and 2(tt) of the Mainland portion of the Land Use Bylaw.

Alderman Richard Grant made reference to the growing number of professionals (such as stockbrokers, chartered accountants, and the like), employed by offices located in the central business district, but who, owing to recent advances in computer technology, are now able to conduct their businesses from their homes. The Alderman pointed out that this is obviously an indication of future trends, and suggested that staff might consider including some type of phraseology in the proposed Bylaw amendment which would enable this type of "professional" home occupation.

The motion was put and passed.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 18 April 1990:

FCM International Program

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, staff be asked to comment on the merit of participation by the City of Halifax in the FCM's International Program; and further that a report be submitted to Council at some point subsequent to the return of the City Manager.

The motion was put and passed.

Metropolitan Authority - Transit Funding Formula

Following is the recommendation from the 18 April meeting of the Finance and Executive Committee:

That the matter be deferred, pending receipt of information from the Acting City Manager pertaining to the changes proposed to the transit funding formula since Council's initial motion on the matter of 15 February, and the impact of these changes on the City of Halifax.

A discussion ensued with Alderman Flynn expressing his concern with regard to recent deliberations by the Board of the Metropolitan Authority, and suggesting that the item be further discussed by members of Council at a Committee of the Whole Council meeting.

Alderman Pottie also advised that it was his understanding the Halifax County Council had deferred its decision on the matter until supplementary information could be made available.

The Acting City Manager indicated that a revised bylaw concerning this matter was about to be circulated, and suggested that Council might wish to postpone further discussion until that information had been received.

It was subsequently moved by Alderman Flynn, seconded by Alderman Fitzgerald that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 9 May 1990).

The motion to defer was put and passed.

Tendering Committee Recommendations

MOVED by Alderman Richard Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the recommendations from the Tendering Committee, as contained in its report dated 2 April 1990, be approved.

The motion was put and passed.

Temporary Borrowing Resolution - Nova Scotia
Municipal Finance Corporation

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be empowered to sign a temporary borrowing resolution for \$5,000,000 in accordance with Section 3 of the Municipal Affairs Act, a copy of which is attached to the staff report of 30 March 1990.

The motion was put and passed.

3174-76 Albert Street - Quit Claim Deed

MOVED by Alderman O'Malley, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute a quit claim deed for 3174-76 Albert Street to the current owners in order to correct the title deficiency.

The motion was put and passed.

Grant of Easement - Civic No. 6100 Young Street

MOVED by Alderman Pottie, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the City grant a permanent easement over the lands of the City of Halifax, as shown on Plan No. 89E11 prepared by Thompson & Purcell Surveying Limited, for the purpose of installing and maintaining a computer and telephone duct, for the sum of \$5,662.50, and that the Mayor and City Clerk be authorized to execute the required documentation.

The motion was put and passed.

Quotation #48032: Three Front-Mounted Diesel
Powered Ride-On Rotary Mowers

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, authority be granted to purchase three front-mounted diesel-powered ride-on rotary mowers from Eastern Turf Products at a quoted price of \$35,495.00 (funds available in account number 126101.E0404).

The motion was put and passed.

Letter from Minister of Transportation

Reiterating her remarks made during the 18 April meeting of the Finance and Executive Committee, Deputy Mayor Ducharme expressed concern regarding the Minister's apparent unfamiliarity with the Bayview Road/Bedford Highway/Kearney Lake Road area. She emphasized that the letter forwarded from Mr. Moody on 20 March 1990 does not appear to address any of the concerns brought forward by Bayview Road residents, and urged that another letter be sent to the Minister bringing these deficiencies to his attention.

It was therefore moved by Deputy Mayor Ducharme, seconded by Alderman Stone that His Worship Mayor Wallace be asked to respond to the 20 March 1990 letter from the Minister of Transportation and Communications by identifying the concerns raised by Bayview Road residents (and outlined by the Deputy Mayor in her remarks on 18 April); and further, that a copy of His Worship's letter and of Mr. Moody's letter of 20 March be forwarded to Mr. Joel Matheson, the MLA for the area.

The motion was put and passed.

Historic Properties Limited - Assignment of Lease

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to approve a new mortgage in favour of Metropolitan Trust Company of Canada on the Historic Properties leasehold lands now held by Armour Group Limited under the same terms and conditions as the existing mortgage.

The motion was put and passed.

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The motion was put and passed.

Finalization of 1990 Capital Program

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the following items be cut from the 1990 Capital Budget at this time:

Item 5, CAP 13, Broadholme Lane	\$ 70,000
Item 50, CAP 15, Tartan Avenue	90,000
Item 395, Windsor Street	28,000
Item 24, CAP 52, Upgrade Water Street	50,000
Item 45, CAP 55, Transit Shelters	25,000
Item 24, CAP 54, Mainland North Green Belt	30,000
Item 44, CAP 55, Sundry Land Acquisition	100,000
Item 10, CAP 62, Fleming Tower School Sportsfield	10,000
Item 51, CAP 20, SR Bridges Street	64,000
Item 146, CAP 25, SR Grant Street	33,000
Item 345, CAP 37, SR Stanford Street	15,000
Item 356, CAP 38, SR Tower Road	41,000
Commission Street	100,000
Item 4, CAP 53, Bloomfield School/Centre Renovations	50,000
Extension to Parking Lot - Police Station	15,000
Item 48, Cap 15, Sunnybrae Avenue	100,000
Item 40, Retaining Walls - New Construction	25,000
Item 391, William Hunt Drive	40,000

Referring to the proposal to eliminate Item #4, CAP 53 (Bloomfield School/Centre Renovations) from the 1990 Capital Budget, Alderman O'Malley drew Council's attention to the transfer of funds (agreed to in 1989 by Alderman Downey) from the Alexandra Centre account to that of the Bloomfield Centre. The Alderman emphasized that while a total of \$50,000 had been recommended for transfer (to be used as partial funding for the Bloomfield Centre's elevator project), only a portion of it had actually been required owing to the fact that the elevator project had been over-estimated.

The Acting City Manager suggested that, because bids for further renovations at the Centre have not yet been received, staff be instructed to **reserve** appropriate funds until they are actually required.

An amendment to the motion was subsequently MOVED by Alderman O'Malley, seconded by Alderman Downey that funds from the Alexandra Centre Account (up to a maximum of \$50,000) be made available to the Bloomfield Centre Account on an as-needed basis.

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A discussion ensued with the Acting City Manager responding to questions from various members of Council.

The amendment was put and passed.

The original motion, as amended, was put and passed.

Financial Statements - Captain William Spry Centre

MOVED by Alderman Richard Grant, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the report (attached to the staff report of 11 April 1990 respecting the Captain William Spry Community Centre) be tabled.

The motion was put and passed.

Summer Job Employment

Alderman Downey referred to the fact that the Provincial Budget will be released on Friday, 27 April, and noted that he had heard rumors that funds for the 1990 Summer Job Creation Program would be cut.

The Acting City Manager advised that while City departments had requested a total of 48 positions under the "Summer Employment Experience" Programs, to date only eight positions have been accepted. He added, however, that it was his understanding that several additional positions would be filled under this program, and pointed out as well that HRDA will be attempting to provide employment for approximately 8-10 young people in Ward 3. Mr. Smith acknowledged, however, that it is extremely difficult this year to get Provincial approval for these types of programs.

Alderman Downey expressed concern that the City of Halifax is receiving little or no support in this regard from the senior levels of government.

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REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on 18 April 1990.

Returnable Bottles

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, a letter be sent to the Minister of the Environment advising that Council supports a mandatory refund for glass bottles and aluminum tins and any other action that can be taken to help keep the environment clean.

His Worship Mayor Wallace commented that a letter had been sent to the Minister concerning this matter, but indicated that a further one could be sent reinforcing Council's position.

Alderman R. Grant addressed the matter and commented that the matter of returnables goes further than just bottles. The Alderman referred to the fact that many shopping carts end up in water bodies and suggested that there should be regulations pertaining to these carts.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

**Recommended Heritage Properties: 1225 Queen Street;
5657 North Street, North Street Disciple of Christ Church;
981 Winwick Road, Winwick Place; 1181 Hollis Street, Hotel
Nova Scotia; 2730 Fuller Terrace, Bloomfield
(SET DATE FOR HERITAGE HEARING)**

MOVED by Alderman Flynn, seconded by Alderman Stone that, as recommended by the City Planning Committee, a date be set for a public hearing to consider designating the following properties as registered heritage properties: 1225 Queen Street; 5657 North Street, North Street Disciple of Christ Church; 981 Winwick Road, Winwick Place; 1181 Hollis Street, Hotel Nova Scotia; 2730 Fuller Terrace, Bloomfield.

Motion passed.

The City Clerk advised that the date for a public hearing would be set for **Wednesday, 20 June 1990**, in the Council Chamber.

Planning Advisory Committee Review

In response to a question from His Worship Mayor Wallace, Council indicated that they would prefer to meet in the evening to discuss the matter. His Worship advised that his Office would contact the members of the PAC Review Committee to arrange a meeting date. Mayor Wallace indicated that each member of Council would also be contacted with respect to the meeting.

MISCELLANEOUS BUSINESS:

Ward #1 Special Election

A report dated 19 April 1990 from Edward A. Kerr, Returning Officer, was submitted.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that:

- 1) Council set the date of Saturday, 16 June 1990, as the day for the Ward 1 Special Election.
- 2) Council authorize that the last lists of electors prepared pursuant to the Municipal elections Act be used for the Ward 1 Special Election with the lists to be revised as provided for in the Act.
- 3) For the week of May 21st, Ms. Karen Swim be appointed Acting Returning Officer.

His Worship Mayor Wallace observed that the election date falls on the Jewish Sabbath and suggested that this be taken into consideration when deciding on a date for advance poles.

Alderman Fitzgerald commented that the Election Procedures Committee has been debating very strongly the cause of the Saturday election. He noted that the Committee was concerned about the Saturday election because it is part of the Jewish Sabbath. As a result, the Alderman noted that the Committee is looking at ways of changing Saturday as the election day.

Responding to a question from Deputy Mayor Ducharme, the City Clerk, as the Returning Officer, advised that the nomination date is established in the Act once the Election Date is set. He explained that Nomination Day is the third Monday before the Election date which would be May 28th.

Alderman Flynn noted that Ward 1 has a high university representation and asked if the electoral list for the last election was compiled while the universities were in session.

The City Clerk advised that the university situation would be reviewed. He also advised that there is a residency requirement in the Act with respect to students and indicated that some students may not have been eligible to be enumerated for the last election.

The motion was put and passed.

QUESTIONS

Question Deputy Mayor Ducharme Re: Debris - Fire Dawn Street

Deputy Mayor Ducharme expressed concern with respect to the debris which exists at 16 Dawn Street as a result of the fire. She noted that staff have been very diligent at attempting to have the owner clean up the site. Deputy Mayor Ducharme indicated that the residents of this area are concerned about the potential health hazard which exists because of this debris and are also concerned about the unsightliness of the property.

Deputy Mayor Ducharme asked that staff remain as diligent as they have been to ensure that the site is cleaned up.

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

Question Alderman Downey Re: Local 108 Call Back

Alderman Downey thanked the Acting City Manager for the report he received on Local 108 Call Back. The Alderman expressed the concern that the City would be faced with a serious problem if these men do not get their 20 weeks employment. The Alderman suggested that lay off would likely result in these men going on Social Assistance.

Mr. Connell, Director of Engineering and Works, addressed the matter and commented that the number of men called back will be on the basis of what he could afford in order to keep within budget. Mr. Connell advised that he could not guarantee 20 weeks employment and explained that the persons called back will be on a union seniority basis.

The Chairman suggested that Mr. Connell, the City Manager, and Mr. Crowell (Director of Social Planning) meet to discuss Alderman Downey's comments and provide a further report. The Acting City Manager commented that the report would include statistics on the numbers involved, the number of weeks budgeted for, etc.

Question Alderman Downey Re: Fire Recruits

Alderman Downey advised that it was his understanding that the Fire Department had hired two fire recruits, from the training program, who will join the Fire Department's regular training program and upon completion become members of the Department.

Alderman Downey asked for a report from the Fire Chief on this matter.

Question Alderman R. Grant Re: FCM Meeting

Alderman R. Grant explained that there were various committees of FCM holding meetings during the year. The Alderman asked for a report outlining the costs associated for anybody attending those meetings, for example, from June to June.

Question Alderman R. Grant Re: Advertising

Alderman R. Grant indicated that he had raised a question some time ago about benches with advertising similar to the Mediacom bus shelters. The Alderman questioned whether this matter had been pursued. Alderman R. Grant went on to question if the City was responsible for the advertising on the permanent benches by bus stops or whether it was done privately. Alderman Grant asked if it was possible to call for proposals to locate those kind of advertising ideas in other areas of the City either at bus stops or at high pedestrian areas.

The Acting City Manager advised that staff would review the matter and bring back a report on the possibilities.

Question Alderman R. Grant Re: Arbor Day "Earth Day"

Alderman R. Grant questioned whether it was possible to have a similar idea to Arbor Day proceed to some of the City's recreational properties and even to some of the school properties. The Alderman asked that the Parks and Grounds Division review this idea.

Question Alderman Stone Re: Parking - Kearney Lake Beach

Alderman Stone referred to the problem with respect to parking along the beach area at Kearney Lake. He noted that he had asked staff to look into possibly acquiring lands for parking in that area because of the traffic problem.

Alderman Stone noted that monies had been allocated in the budget for the purpose of finding more parking space in this area. The Alderman asked for an update report on the matter.

Question Alderman Stone Re: Burning - Corner of Lacewood Drive and Dunbrack Street

Alderman Stone noted that there has been a lot of burning on the land around the corner of Lacewood Drive and Dunbrack Street. He explained that a number of residents have expressed concern about the smoke over their properties because of the burning. Alderman Stone noted that he had checked with the Fire Department and was advised that the permit was revoked because the wind conditions had changed and the smoke was going towards the houses. However, Alderman Stone advised that the burning was back and questioned whether a new permit was issued. If one was issued, Alderman Stone asked if it would be possible for someone to check if the wind condition had changed so that the smoke was not going into the residential areas. The Alderman suggested that when the wind shifts so that it affects the residential areas, the permit should be revoked.

Question Alderman O'Malley Re: Condition of Parks

Alderman O'Malley asked that the matter with respect to the condition of the City's Parks (Seaview, Needham and Point Pleasant) be placed on the agenda for the next Committee of the Whole Council meeting scheduled for **9 May 1990**. The Alderman explained that she had received a number of calls concerning the condition of the City's Parks. She went on to note that many pet owners do not keep their pets on leashes in the Park. Alderman O'Malley also expressed the concern that some pet owners do not clean up after their pets.

Alderman O'Malley asked that the Manager of Point Pleasant Park, Doug Quin (Superintendent of Parks and Grounds), and the City's Animal Control Officer be invited to attend the next meeting of the Committee of the Whole Council in an effort to finding a solution to the problem.

**Question Alderman O'Malley Re: Rezoning between
Seaview Park and the Fairview Container Pier**

Alderman O'Malley advised that she had asked that the Planning Division start the process for the rezoning of the lands between Seaview Park and the Fairview Container Pier. The Alderman asked for an update on her request.

Question Alderman Flynn Re: Art Allocation Committee

Alderman Flynn referred to a report from the Art Allocation Committee with respect to a request from the Atlantic Chief and Petty Officers Association (Statue - Sackville Landing). Alderman Flynn expressed the concern that the Art Allocation Committee was approving motions which set standards and questioned whether they should not come to City Council first as the Committee may be exceeding their mandate.

Alderman Flynn went on to suggest that there should be a letter written to the Chairman of the Art Allocation Committee explaining the Committee's mandate and advising that the Committee should not be establishing policy before having it approved by City Council.

The City Manager noted that staff would bring back a report detailing the role of the Art Allocation Committee as it is presently constituted.

9:50 p.m. His Worship Mayor Wallace returned to the meeting with Deputy Mayor Ducharme taking her usual seat in Council.

**Question Alderman Fitzgerald Re: Garbage Collection -
Condominiums**

Alderman Fitzgerald asked that the Director of Engineering and Works provide him with a short report on why people who live in condominiums do not have their garbage collected.

Question Alderman Fitzgerald Re: Transfer Station

Alderman Fitzgerald advised that a number of small businessmen have expressed the concern to him that the City's Transfer Station is closed at 5:00 p.m. The Alderman asked for a report advising if this was correct.

Question Alderman Fitzgerald Re: Camp Hill Cemetery

Alderman Fitzgerald addressed the matter and referred to a question he had raised at the last Finance and Executive Committee meeting, held on 18 April 1990, with respect to complaints he had received about the Camp Hill Cemetery closing around 4:15 p.m. and not opening until 9:30 a.m. The Alderman noted that the Acting City Manager had agreed to investigate the matter and provide a report. Alderman Fitzgerald asked that the report possibly be submitted by the next Committee of the Whole Council meeting scheduled for 9 May 1990.

Question Alderman Fitzgerald Re: Taxation

Alderman Fitzgerald advised that the matter with regard to the possibility of bringing about a new system of taxation was raised during the recent budget deliberations.

The Alderman asked that the Acting City Manager provide some information on the matter for a future debate.

Question Alderman Fitzgerald Re: Street Cleaning

Alderman Fitzgerald advised that there were a bulk of leaves accumulated on a number of streets in his Ward from last year which the street cleaner is unable to remove. The Alderman asked that the Engineering and Works Department advise him as to the City's plans with respect to the removal of these leaves.

Question Alderman Flynn Re: Appointment to Tourism Committee

Alderman Flynn advised that sometime ago he had requested and Council agreed that a member of the World Trade and Convention Centre be appointed to the Tourism Committee. Since that time, Alderman Flynn noted that he received a letter from the City Manager advising that because there were two members of Council sitting on the Tourism Committee who also sit on the Board of the World Trade and Convention Centre, it was not necessary to change the membership. However, Alderman Flynn pointed out that members of the Board were not associated with the day to day operation of the World Trade and Convention Centre. He explained that the request was not to have a Board member delegated to serve on Tourism but to appoint a staff member so that there would be better liaison between Tourism and the World Trade and Convention Centre. Alderman Flynn advised that it was his understanding that there might be an upcoming vacancy on Tourism and asked that the World Trade

and Convention Centre be requested to submit a staff member's name to fill this vacancy.

Deputy Mayor Ducharme pointed out that the appointments to Tourism were for citizens of Halifax. She advised that she did not have a problem with creating a position that would have an adhoc member from the World Trade and Convention Centre but indicated that the vacant appointment should be filled by a citizen of Halifax.

Question Alderman Pottie Re: School Board

Alderman Pottie noted that, during the deliberations with respect to the School Board budget, Council talked about the tight financial restraints the City is experiencing. The Alderman suggested that the Director of Finance and the City Manager should meet periodically with the School Board to review their budget in an attempt to avoid the same crisis in 1991 as in 1990.

Question Alderman Meagher Re: Halifax Civic Hospital

Alderman Meagher advised that he had attended a recent meeting of the Civic Hospital at which time the Board members questioned when the Agreement in connection with the lease of the hospital building to the Province might be drawn up.

Mr. Allen, Acting City Solicitor, advised that staff was waiting for an appraisal of some of the assets that are still in the building before finalizing the Agreement. Mr. Allen noted that he expected the completion of the appraisal before the end of this month.

Responding to a question from Alderman Meagher, the Chairman advised that there was one vacancy on the Board of Directors for the new facility.

Alderman Meagher strongly emphasized that the former Chairman or Vice Chairman for the Civic Hospital Board should fill this vacancy.

NOTICES OF MOTIONS

**Notice of Motion Alderman Flynn Re: Ordinance 121
"Respecting the Closing and Observation of Holidays of
Certain Classes of Shops in the City of Halifax"**

Alderman Flynn gave notice that at the next regular meeting of the City Council of the City of Halifax to be held on the 17 day of May, 1990, he proposes to

introduce a motion that Ordinance 121 be amended to include Sunday hours and that a) stores to be closed on a "holiday" defined by the Interpretation Act; b) to exclude certain classes similar to the existing bylaws and; c) to permit Council to establish tourist zones. The purpose of the motion is to restrict Sunday store opening and allow Council to establish tourist zones.

**Notice of Motion Alderman Stone Re:
the Wastewater Discharge Ordinance**

Alderman Stone gave notice of motion that at the next meeting of Halifax City Council to be held on Thursday, the 17th day of May, 1990, he proposes to introduce for first reading an amendment to Ordinance 183, the Wastewater Discharge Ordinance. The purpose of the amendment is to further regulate and control the discharge of hazardous and toxic wastes into the public sewers of the City.

**Notice of Motion Alderman O'Malley Re:
Rezoning of Petro Canada Lands**

Alderman O'Malley gave notice of motion that at the next regular meeting of Halifax City Council to be held on Thursday, 17th of May, 1990, she proposes to introduce a motion to rezone the Petro Canada lands abutting the West side of Barrington Street.

ADDED ITEMS

Appointments

This item was added to the agenda at the request of the City Clerk.

A report from His Worship Mayor Wallace dated 26 April 1990 was submitted.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Alderman Ron Hanson be appointed to the Committee on the Concerns of the Elderly for a term to expire November 4, 1991.

Motion passed.

FCM Nominations (Deputy Mayor Ducharme)

This item was added to the agenda at the request of Deputy Mayor Ducharme.

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that Deputy Mayor Ducharme be nominated to represent City Council on the Executive Committee for the FCM.

Motion passed.

Award of Tender 89-175(R): Three Quint Type Fire Fighting Vehicles

This item was added to the agenda at the request of the City Clerk.

A staff report dated 20 April 1990 was submitted.

Responding to a question from Alderman Pottie, the Acting City Manager advised that fire equipment is exempt from the present Federal Sales Tax. Responding to a further question, Mr. Smith advised that payment is to be made 30 days after the equipment is received.

MOVED by Alderman Pottie, seconded by Alderman O'Malley that authority be granted to purchase three quint type fire fighting vehicles from Hub Fire Trucks Inc. at a delivered cost of \$1,119,707.58 U.S. funds, with delivery prior to 1 January 1991.

Alderman Flynn questioned if there were no other Canadian manufacturers of fire equipment.

The Acting City Manager advised that the Purchasing Manager and the Fire Chief have been quite concerned to ensure as much of a discovery of potential suppliers as possible. Mr. Smith assured Council that staff had done a total evaluation of the market before coming in with this recommendation and confirmed that every potential supplier of this equipment in Canada was explored.

The motion was put and passed.

Sunday Shopping (Alderman Flynn)

This item was added to the agenda at the request of Alderman Flynn.

Alderman Flynn dealt with this item under notices of motion earlier in the meeting.

Tax Exemption Artist

This item was added to the agenda at the request of the City Clerk.

A staff report dated 25 April 1990 was submitted.

Deputy Mayor Ducharme noted that the legislation was very vague in its description of "artistic work". She went on to comment that she was very sympathetic with the fact that artists sometimes have financial difficulties, but noted that there were a number of other professions with similar difficulties. The Deputy Mayor suggested that the matter should be referred to a future Committee of the Whole Council meeting pending receipt of additional information from staff on how much this proposed legislation could cost the City.

In the event that the matter is dealt with in the legislature prior to the next Committee of the Whole Council meeting, the Acting City Manager suggested that Council should perhaps deal with the matter at this time.

Alderman Fitzgerald expressed the view that City Council should object to any action the Provincial Government takes, which could affect the taxing powers of the City or cause potential problems, without prior consultation on the subject with Council. The Alderman noted that this bill could create a number of potential problems with other businesses that make little or no profit as well. He suggested that Council oppose the bill on the grounds pointed out in staff's memorandum i.e. lack of consultation with the municipalities.

It was agreed that staff be asked to present arguments against the proposed Bill at the Committee stage in the Legislature, and to determine the position of the FCM on the Bill.

Highway Bridge/Overpass - Bayers Road and Bicentennial Highway (Alderman Flynn)

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

Alderman Flynn addressed the matter and expressed concern with regard to the Highway Bridge or overpass at Bayers Road and the Bicentennial Highway. He noted that this bridge or overpass was in horrendous condition explaining that the concrete on the walls and the railings was deteriorating and that the curbs were in terrible

repair. The Alderman advised that he had spoken to the Engineering and Works Department about the problem and was informed that the matter was the responsibility of the NS Department of Highways. Alderman Flynn asked that a letter be sent to the Department of Highways from the Director of Engineering and Works or the City Manager outlining the problem and questioning when they intend to make the necessary repairs.

Alderman Flynn also raised concern about the CNR bridges. The Alderman noted that the bridge at Bayers Road, in particular, was in terrible condition and did not appear to be safe.

The Alderman asked that staff pursue the two matters with the CNR as well as the Department of Highways.

Library Board Re: Bookmobile (Alderman Flynn)

Alderman Flynn advised Council that there will be no reduction in the bookmobile service for this year. However, he noted that the service will be reviewed next year. The Alderman also pointed out that the Provincial funding to the Library has not been finalized and suggested there would have to be a review if the formula was changed.

**Correspondence from the NS Department of Municipal Affairs
Re: Deadhead Mileage Grant (His Worship Mayor Wallace)**

His Worship Mayor Wallace raised this matter at this time and referred to a letter he intended to circulate to members of Council dated 23 April 1990 from the Honorable Brian Young, Minister - NS Department of Municipal Affairs. Mayor Wallace informed Council that the Minister's letter states that the deadhead mileage grant in the amount of \$370,000 per year will be phased out over a period of three years which will mean a reduction in the amount paid this year of roughly \$125,000.

A number of Aldermen spoke in opposition to the Minister's decision to reduce the provincial share to transit and asked that the City's Legal Department pursue the legal ramifications of this decision. It was agreed that the matter be placed on the agenda for the next Committee of the Whole Council meeting scheduled for 9 May 1990 and the City Solicitor review the matter in the meantime.

Alderman Fitzgerald asked that staff provide a list outlining all the areas which the Province has cut cost sharing to the City. He requested that this list be

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provided possibly for the May 9th Committee of the Whole Council meeting.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that a response be forwarded to the Honorable Brian Young, Minister for the Department of Municipal Affairs, indicating that City Council is strongly opposed to what he is proposing.

Motion passed.

At approximately 10:30 p.m. the meeting adjourned.

HIS WORSHIP MAYOR WALLACE
AND
DEPUTY MAYOR DUCHARME
CHAIRMEN

K/MMD

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**SPECIAL COUNCIL
PUBLIC HEARINGS
M I N U T E S**

Council Chamber
Halifax City Hall
09 May 1990
5:00 p.m.

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

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

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

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

The following items were added to the agenda, being forwarded from a regular meeting of the Committee of the Whole Council held on this date:

Award of Tender #90-08: Sidewalk Renewals

This item had been forwarded to this meeting from a meeting of the Committee on Works held earlier on this date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Tender #90-08, for the following sidewalk renewals, be awarded to G. & R. Kelly Enterprises Limited at a total bid price of \$94,707.50 and a total project cost of \$114,000.00:

- 1(a). Portland Place (N) - Gottingen to Maitland
 - (b). Portland Place (S) - Gottingen to Brunswick
 - (c). Portland Place (N) - Maitland to Brunswick
 - (d). Agricola Street (E) - Woodill to Harris
- 2(a). George Street (S) - Hollis to Granville
 - (b). Queen Street (E) - Spring Garden to Doyle

(funds to be made available from Account Numbers CB549, CB570, CB597, CB598, CB599, and CB601).

Motion carried.

Award of Tender #90-09: Sidewalk Renewals

This item had been forwarded to this meeting from a meeting of the Committee on Works held earlier on this date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Tender #90-09, for the following sidewalk renewals, be awarded to Municipal Contracting Limited for a total bid price of \$172,257.00 and a total project cost of \$207,000.00:

- 1(a). Roxton Road (N) - Robie to Marlborough
- (b). Inglis Street (N) - Greenwood to Marlborough

- 2(a). Rockcliffe Street (E) - South to Oakland
- (b). Oakland Road (S) - Rockcliffe - Beaufort

- 3(a). University Avenue (S) - Henry to Seymour
- (b). Seymour Street (W) - Coburg to University

(funds to be made available from Account Numbers CB576, CB594, CB604, CB607, CB611 AND CB623).

Motion carried.

Award of Tender #90-10: Sidewalk Renewals

This item had been forwarded to this meeting from a meeting of the Committee on Works held earlier on this date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Tender #90-10, for the following sidewalk renewals, be awarded to Armdale Construction Limited for a total bid price of \$217,610.50 and a total project cost of \$262,000.00:

- 1(a). Compton Avenue (N) - Robie to Windsor
- (b). Duncan Street (S) - Windsor to Chebucto
- (c). Duncan Street (N) - Windsor to Chebucto

- 2(a). Charles Street (N) - Gladstone to Clifton
- (b). Hunter Street (W) - Cunard to Charles
- (c). Clifton Street (W) - Willow to Charles
- (d). Charles Street (N) - Clifton to Robie
- (e). Robie Street (W) - Charles to Garrick

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(funds to be made available from Account Numbers CB555, CB556, CB558, CB563, CB567, CB568, CB575 and CB602).

Motion carried.

Award of Tender #90-12: New Sidewalks

This item had been forwarded to this meeting from a meeting of the Committee on Works held earlier on this date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Tender #90-12, for new sidewalks in the following locations, be awarded to Standard Paving Maritime Limited at a tender price of \$85,915.00 and a total project cost of \$103,000:

- 1(a). Dunbrack Street - Farnham Gate Road to Radcliffe Drive
- (b). Clayton Park Drive - Dunbrack Street to Hazelholme Drive

(funds to be made available from Account Numbers CA127, CA128 and CA129).

Motion carried.

Award of Tender #90-27: Central Commons Tennis Court Resurfacing

This item had been forwarded to this meeting from a meeting of the Committee on Works held earlier on this date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Tender #90-27, for the resurfacing of the Central Commons Tennis Court, be awarded to Municipal Contracting Limited at a tender price of \$37,538.00 and a total project cost of \$45,000.00 (funds to be made available from Account Number FA104).

Motion carried.

Award of Tender #90-31: Retaining Wall - Edgehill Drive and Quarry Road

This item had been forwarded to this meeting from a meeting of the Committee on Works held earlier on this date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Tender #90-31, for a retaining wall on Edgehill Road at Quarry Road, be awarded to L. J. Casavechia Limited for a tender price of \$78,755.00 and a total project cost of \$97,000.00.

Motion carried.

**Award of Tender #90-67: Municipal Services
- Emergency and Incidental Repairs**

This item had been forwarded to this meeting from a meeting of the Committee on Works held earlier on this date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Stone that Tender #90-67, for municipal services (emergency and incidental repairs), be awarded to C. R. Falkenham Services Limited at the unit prices quoted.

Motion carried.

Council then continued with their regularly scheduled items on the agenda, as follows:

**Public Hearing Re: Case No. 6015: Development Agreement -
5248 Morris Street**

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

Mr. Paul Dunphy, Planner, addressed Council and outlined the application by the Provincial Medical Board to permit 5248 Morris Street, a registered City Heritage property, to change from a single unit dwelling to offices for the Provincial Medical Board (as illustrated in the staff report dated 12 March 1990).

There was no one wishing to address Council on this matter.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that

- 1) City Council enter into a development agreement with the Provincial Medical Board to permit use of 5248 Morris Street as offices.

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09 May 1990

- 2) Council requires that the agreement 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 and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Motion carried.

Public Hearing Re: Case No 6005: Amendment to the Land Use Bylaw: Definition of Height, South End and Peninsula Centre Areas - R-1 and R-2 areas.

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

Mr. Stephen Feist, Planner II, addressed Council and, using diagrams, outlined the proposed amendment of the Land Use Bylaw (Peninsula) definition of "Height South End and Peninsula Centre Areas" 1(sa) for the R-1 (Single Family) Zone and the R-2 (General Residential) Zones to permit developments to extend only the roof of a building through the established height precinct, provided that no additional habitable space is created (as illustrated in the staff reports dated 15 November 1989 and 14 February 1990).

In summary, Mr. Feist advised that the proposed amendment, if approved, would permit only a peaked roof to extend through the 35 ft. height limit, and that no habitable space would be permitted through the 35 ft. height limit.

Mr. Feist responded to questions from Council.

There were no persons wishing to address Council on this matter.

The following correspondence is support of the proposed amendment was submitted:

- a letter dated 05 March 1990 from Judith and Paul Brodie, residents of 6215 Coburg Road, Halifax, NS, B3H 1Z8.

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- a letter dated 09 February 1990 from Alan Ruffman,
President, Geomarine Associates Ltd., 5112 Price Street,
Halifax, NS, B3J 2L4.

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

Motion carried.

There being no further business to discuss, the
meeting adjourned at 5:15 p.m.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

/sm

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

Council Chamber
City Hall
Halifax, NS
17 May 1990
8:00 p.m.

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

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

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

ALSO PRESENT: Mr. Donald F. Murphy, Q.C., City Manager; Mr. Wayne Anstey, Q.C., Acting City Solicitor; Ms. Karen Swim, representing the City Clerk's Office, and other members of City staff.

MINUTES

Minutes of the last regular meeting of Halifax City Council held on Thursday, 26 April 1990 and of a special meeting held on Wednesday, 18 April 1990 were approved on a motion by Alderman Stone, seconded by Alderman O'Malley.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 Appointment of Insurance Consultant/Broker
- 20.2 1991 School Board Budget (Alderman Fitzgerald)
- 20.3 Tender #90-80: Renovation and Restoration St. Mary's Recreation Centre Phase I - Foundation
- 20.4 Condominiums - Garbage Collection (Alderman Fitzgerald)
- 20.5 Special Meeting - Committee of the Whole Council
- 20.6 Capital Budget - 1990 (Alderman Jeffrey)
- 20.7 Tipping charges at Transfer Station (Alderman Jeffrey)

Council
17 May 1990

At the request of Alderman Flynn, Council agreed to defer the following item to the next regular meeting of the Committee of the Whole Council:

16.3 Motion - Alderman Flynn Re: Proposed Amendment to Ordinance No. 121, Respecting the Closing and Observation of Holidays of Certain Classes of Shops in the City of Halifax - **FIRST READING**

At the request of Alderman O'Malley, Council agreed to defer the following item until she has met with staff:

16.2 Motion - Alderman O'Malley Re: Proposed Rezoning of Petro Canada Lands - Barrington Street until she has met with staff.

The agenda, as amended, was approved on a motion by Alderman Downey, seconded by Alderman Fitzgerald.

DEFERRED ITEMS

**Case No. 5791: Amendment to the Land Use Bylaw Re:
Professional Person - SET DATE FOR PUBLIC HEARING
(deferred from City Council meeting of 26 April 1990)**

A staff report, dated 16 May 1990, was submitted from Donald F. Murphy, Q.C., City Manager.

This item had been last dealt with at a meeting of City Council on 26 April 1990, at which time the following resolution was approved:

- 1) the amendment to the Land Use Bylaw to repeal "the office of a professional person" as a permitted use in the R-1 and H Zones, and to add "home occupation" as a permitted use in the H Zone be refused: and that
- 2) a public hearing date be scheduled to consider the amendment of the Land Use Bylaw to add "psychologist" to Section 1(ff) of the Peninsula portion and 2(tt) of the Mainland portion of the Land Use Bylaw.

On the recommendation of the Acting City Clerk, Council agreed that the date for a public hearing on this

Council
17 May 1990

matter be set for **Wednesday, 20 June 1990** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

**Case No. 5973 - Appeal of Minor Variance Refusal - 6135
North Street (deferred from City Council Meeting of 26
April 1990)**

A public hearing to consider this matter had been held on Wednesday, 04 April 1990.

This matter had been deferred from the 26 April 1990 meeting of Halifax City Council.

A supplementary staff report, dated 24 April 1990, was submitted by J. Michael Hanusiak, Acting Development Officer.

Mr. Paul Dunphy, Planner, addressed Council and outlined the reasons for refusal of a minor variance at 6135 North Street (as illustrated in the supplementary staff report, dated 24 April 1990).

Alderman Meagher addressed the matter and noted that at the public hearing there were two people from the neighbourhood who spoke in opposition to the proposed conversion. Alderman Meagher suggested that additional lot coverage would impose on the immediate neighbours living space, and he advised that for the reasons stated in the report, he was in agreement that this minor variance be refused.

Alderman Meagher then submitted a letter from Claudia Baldasso, on behalf of her parents Mr. & Mrs. Claudio Baldasso (the applicants), dated April 9, 1990 requesting Council's approval of their appeal.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that the appeal of a Minor Variance refusal of 6135 North Street for the lot frontage, lot area and side yard requirements of the Land Use Bylaw to allow the internal conversion of 6135 North Street from a single family dwelling to a duplex be refused.

Motion passed.

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17 May 1990

**Case No. 6005: Amendment to the Land Use Bylaw: Definition
of Height, South End and Peninsula Centre Areas - R-1 and
R-2 Areas**

A public hearing to consider this matter had been held on Wednesday, 09 May 1990.

A supplementary staff report dated 17 May 1990 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that clause (sa) of Section 1 of the Land Use Bylaw (Peninsula Area) is amended by deleting the period at the end of the clause and adding the following:

" , provided that in the R-1 and R-2 Zones only the roof of the building may exceed the height permitted and no additional habitable space is created."

Motion passed.

PETITIONS AND DELEGATIONS

Petition - Alderman Grant Re: Request from Spryfield Daycare Centre

Alderman Grant submitted a petition on behalf of the Board of Directors and Staff of the Spryfield Day Care Centre. He advised that it was regarding the closing of Riverview School and their request for Council's assistance in obtaining this facility for their Day Care Centre.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 9 May 1990:

**Downtown Halifax business Improvement District Commission
Re: Budget Update**

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the amended budget for the Downtown Halifax Business Improvement District Commission as attached to their submission of 1 May 1990 be approved.

Motion passed.

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17 May 1990

Sidewalk Sales by Merchants - Ordinance #180

A letter dated May 14, 1990, from Michael Wilkes, Chairman, Spring Garden Road B.I.D.C., in opposition to the proposed amendments was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, approval in principle be granted for amendments to Ordinance 180, the Streets Ordinance, as attached as Schedule "A" to the staff report of 30 April 1990, and that direction be given to staff to arrange for the formal adoption of these minutes.

Alderman Downey addressed the matter and in reference to the letter dated 14 May 1990 from the Chairman of the Spring Garden Road B.I.D.C., asked if the Spring Garden Business District could be exempted from the proposed amendments.

In response to Alderman Downey's question, the Acting City Solicitor advised that it would be possible to exempt the Spring Garden Business District from the proposed amendments.

The Acting City solicitor then referred to page 3 of the staff report dated 30 April 1990. He advised that clause 3 (f) contained a typographical error and should in fact read, "vend any food or merchandise **other than** a type which the person sells from his adjacent premises; and".

An amendment to the motion was MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the Spring Garden Business District be exempted from the proposed amendments to Ordinance 180, the Streets Ordinance, as attached as Schedule "A" to the staff report of 30 April 1990.

A discussion ensued and concern was raised by various Aldermen with respect to isolating one specific part of the City from the proposed amendments.

Alderman Flynn pointed out that the proposed amendments if approved do not require the merchants to open but rather it would be left up to their discretion as to whether or not they wanted to open.

Subsequently, Alderman Downey suggested that it might be advantageous to forward this matter to a meeting of the Committee of the Whole Council in order that

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17 May 1990

representatives of the Spring Garden Road B.I.D.C could address Council with their concerns.

MOVED by Alderman Downey, seconded by Alderman Meagher that this item be deferred to the next regular meeting of the Committee of the Whole Council.

The Acting City Solicitor pointed out that the recommendation being considered was for approval in principle and, as such, Council would still have the opportunity to make amendments at a future meeting of the Committee of the Whole Council.

The motion for deferral was put and lost.

The amendment to the motion (i.e. to exempt the Spring Garden Road B.I.D.C. from the proposed amendments) was put and lost.

The original motion was put and carried with Alderman Downey voting in opposition.

Metropolitan Authority - Transit Funding Formula

A staff report dated 11 May 1990 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Stone that the City indicate to the Metropolitan Authority and to the participating municipalities thereof that it is not prepared to endorse a cost-sharing formula based on assessment at this time and intends instead to continue with the mileage-base formula currently in place.

The motion was unanimously carried.

Deadhead Mileage

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the City continue to negotiate with the Province with respect to this matter and, if all negotiations fail, then proceed with Court action.

Alderman Flynn addressed the issue and expressed concern that, of the five elected MLA's of the Halifax area, only one MLA, Mr. Gerald O'Malley, representing Halifax Needham, had spoken in support of the City.

Motion carried.

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17 May 1990

Camp Hill Cemetery

Alderman Fitzgerald addressed the matter and suggested that some progress had been made with respect to the care of the Camp Hill Cemetery. The Alderman added that the current problem, according to the Works Department, was the cost to open the Cemetery early and close it late. Alderman Fitzgerald indicated that further discussion on this matter should be held in order that an acceptable solution could be found.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that this matter be forwarded to the next meeting of the Committee of the Whole Council scheduled for Wednesday 23 May 1990 for further discussion.

Motion carried.

Floating Restaurant - Old Dartmouth Ferry - Extension of Lease

MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, approval be granted for a one-year extension of the dockage arrangement at the Ferry Terminal with Mr. Donovan on the same terms and conditions of the previously executed license which expired 30 April 1990, with the exception of the license fee, which will be increased by 4.05 to \$1,304.00 per month (\$15,650.00 per annum).

Motion carried.

Acquisition - Lot 1, Hamshaw Drive

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Lot 1, Hamshaw Drive (as shown on the attached map of the 26 April 1990 confidential staff report) be acquired from the Federal Savings Credit Union Limited for the sum of \$5,181.00 as settlement in full. Funds to made available from Account No. CK093.

Motion carried.

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17 May 1990

Supplemental Lease Agreement - Market Street Mall/Scotia Square

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute a lease, in the form as attached to the staff report of 1 May 1990, for 875 square feet at a base rental of \$8.00 per square foot per annum, net.

Motion carried.

Federation of Canadian Municipalities (FCM) International Program

MOVED by Alderman Downey, seconded by Alderman Hanson that as recommended by the Finance and Executive Committee, Council endorse participation in the Federation of Canadian Municipalities International Program and authorize staff to arrange for the next steps in the process.

Alderman Fitzgerald addressed the matter and advised that he had reservations with regard to supporting such a program during a time of tight fiscal restraint. He also expressed concern that China was among the countries participating, suggesting that, in light of the events in China over the past year, it should be excluded from the list of countries to which the City of Halifax is willing to lend support.

A brief discussion ensued on this matter, and an amendment to the motion was moved by Alderman Fitzgerald, seconded by Alderman Pottie that, with respect to the Federation of Canadian Municipalities International Program, the City of Halifax exempt itself from any involvement with the country of China.

The amendment to the motion (i.e. excluding China as a participating country in the F.C.M. International Program) was put and passed.

The original motion, as amended, was put and passed.

Moving of Food and Drug Laboratory from Halifax to Dartmouth

An information report, dated May 15, 1990, was submitted.

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Alderman Meagher addressed the matter and expressed concern over the number of jobs that would be lost to Dartmouth and the subsequent effects on the City of Halifax by moving the food and drug laboratory to Dartmouth. He advised that he would like to know whether the Halifax Industrial Commission had been approached regarding the move, and who was in charge of making such a decision.

Alderman Meagher then requested a report from the Halifax Industrial Commission outlining how they intend to monitor the movement of offices of the Federal and Provincial Government from Halifax to Dartmouth.

Alderman Fitzgerald addressed the matter and concurred with Alderman Meagher's comments. He suggested that the educational and technological facilities available in the City of Halifax make it a more logical choice for such a laboratory.

A discussion ensued and it was moved by Alderman Meagher, seconded by Alderman Fitzgerald that a letter be sent to the Hon. Elmer McKay, Public Works Minister, advising him that Halifax City Council was very concerned and disappointed about the Federal Government's intention to move the food and drug laboratory from Halifax to Dartmouth.

Alderman Jeffrey addressed the matter and indicated that he also agreed with the Aldermen's comments.

Alderman Jeffrey advised that he was of the understanding that MT & T, located on Howe Avenue, was in the process of moving to the Burnside Industrial Park in Dartmouth, and he requested an information report on this matter.

Alderman Meagher suggested that this was an extremely serious matter and should be the Mayor's first priority when he returns next week.

Motion carried.

Replacement of Sods

This matter was last discussed at the 09 May 1990 meeting of the Finance and Executive Committee at which time a report was requested from the Director of Engineering and Works.

An Information Report, dated 16 May 1990, was submitted.

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Alderman Meagher, referring to a memorandum he had previously received from the Chief Engineer, indicated that he was concerned about the City's sod replacement policies and suggested that this matter required further discussion.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that this matter be forwarded to the next meeting of the Committee of the Whole Council scheduled for Wednesday, **23 May 1990** for further discussion.

Motion carried.

REPORT - COMMITTEE ON WORKS:

Council considered the report of the Committee on Works from its meeting held on 9 May 1990 as follows:

Condition of City Parks

MOVED by Alderman O'Malley, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, recommendations concerning the City's animal waste problem (particularly as it pertains to recreational areas) be submitted by staff in consultation with the City's Animal Control Officer and the Superintendent of Point Pleasant Park.

Motion passed.

Flooding - Sunnybrae Avenue/Alex Street

This matter was forwarded to Council pending receipt of a staff report.

An information report dated 11 May 1990 was submitted.

Alderman Jeffrey addressed the matter and referred to the information report of 11 May 1990 noting that staff has indicated that they are prepared to provide a share of \$1500 for the owner of the property in question to install and connect the piped system from the street line to the existing storm sewer. The Alderman noted that staff also state that this assistance is conditional upon the property owner installing a catchbasin on his property. Alderman Jeffrey advised that he spoke to the property owner who has indicated that he accepts this condition. The Alderman

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noted that he had spoken to staff pertaining to the catchbasin and the agreement has been reached that the abutting owner would install the catchbasin on his property and that the City would take it over from the street line.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that City Council approve the course of action as outlined in the information report of 11 May 1990.

Motion passed.

Barrington Street North Realignment

MOVED by Alderman O'Malley, seconded by Alderman Downey that the staff report, dated 25 April 1990 (together with the functional design study submitted by Vaughan Engineering Associates Limited) regarding the Barrington Street North Realignment, be tabled pending the completion of the report of the Task Force on City Traffic.

Alderman R. Grant asked that the Task Force on City Traffic consider the possibility of creating a more direct route to Barrington Street by continuing the realignment as it swings around Barrington Street through to McIntosh Street.

The motion was put and passed.

Petition - Walkway Between Oakhill Drive and Woodbury Drive

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Committee on Works, the petition and letter of support (dated 11 April 1990 and 31 March 1990 respectively) be tabled awaiting the outcome of the required land acquisition.

Motion passed.

- 1) Provincial Task Force on Clean Water
 - 2) Draft Bylaw "Respecting the Movement of Topsoil, the Movement of Earth, Alteration of Land Grade, and Erosion and Sediment Control"
-

MOVED by Alderman Stone, seconded by Alderman R. Grant that, as recommended by the Committee on Works, the supplementary staff report dated 20 April 1990 be referred to the Lakes and Waterways Advisory Committee for comment.

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Alderman Stone noted that it was agreed at the last Committee of the Whole Council meeting that staff would meet with the Lakes and Waterways Advisory Committee on this item.

Alderman Hanson expressed concern with regard to slate being used as a means of filling in lots and roadways and emphasized a need to establish some controls over this practice. The Alderman asked that this concern also be forwarded to the Lakes and Waterways Advisory Committee and to City staff for consideration.

The motion was put and passed.

Replacement - Sea Cadet Building

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Committee on Works, the extras to the contract with respect to the Sea Cadet Building in the amount of \$10,344.00 be approved, and that funding be provided by utilizing the Hospital Tax rebate in the amount of \$9,331.32, and by transferring the sum of \$1,012.68 from Capital Account Z0330 CK063.

Motion passed.

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

Report - Election Procedures Committee - Letter from F.C.M.
Re: Royal Commission on Electoral Reform and Party
Financing

A letter dated 11 May 1990 from the Election Procedures Committee was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Hanson that, as recommended by the Election Procedures Committee, City Council express the view that the F.C.M. should submit a brief to the Royal Commission on Electoral Reform and Party Financings indicating that the possibility of the establishment of a permanent voters list should be explored, but that further information would be required by the City before a firm position can be taken on the proposal.

Motion passed.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on 9 May 1990 as follows:

Case No. 6060: Rezoning from R-2, to R-2P,
24-26 Melrose Avenue

It was recommended that this matter be forwarded to Council pending receipt of a further report from City staff.

A supplementary staff report dated 11 May 1990 was submitted.

Alderman Jeffrey addressed the matter and indicated that he would uphold staff's recommendation that this property not be rezoned for the reason that it could set a precedent throughout the area. Referring to the staff report of 11 May 1990 with respect to the property's history, Alderman Jeffrey noted that apparently the two additional units were constructed after 1967 following annexation. The Alderman expressed the concern that it was not fair to request that the owner tear these units down because these units have existed for over 20 years.

The City Manager suggested that staff should be looking at the problem and trying to get an estimate of how widespread it is in order to develop a policy as to how properties like this should be dealt with.

Following a discussion, it was MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that this matter be referred back to staff for further investigation as to how both the residents and the owner of the property could be accommodated.

In supporting the motion, Alderman Fitzgerald added that the home in question was a beautiful one and that the owner does not want to have his property rezoned. Alderman Fitzgerald explained that the owner obtained affidavits at cost from long term residents who said that the building was in existence prior to annexation. On another point, in support of the motion, Alderman Fitzgerald advised that the property was always assessed as having four units.

Responding to a concern from Alderman Fitzgerald about the owner being asked to request the people in the

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units to move, the City Manager indicated that staff recognizes the problem and will deal with it accordingly.

The motion was put and passed.

**Case No. 6078: Stage II Approval, Residential Development -
Castle Hill Drive**

MOVED by Alderman Stone, seconded by Alderman R. Grant that, as recommended by the City Planning Committee, pursuant to Section 68(9) of the Mainland portion of the Land Use Bylaw, City Council grant Stage II, Schedule "K" approval for the development of Block R-3, Castle Hill Drive, provided that the development is in substantial conformance with Plans No. P200/17714-18, 17765-67 and 17768-71 of Case No. 6078.

Motion passed.

Grant of Easement - North Street

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, the right-of-way easement as described in the deed from Camille and Rachel Dube to L.E. Barr Enterprises Ltd., as described in Attachment "B" to the staff report of 30 April 1990, be granted to L.E. Barr Enterprises Ltd.

Motion passed.

Halifax Public Gardens Protection Act

This matter was discussed at the last City Planning Committee meeting held on 9 May 1990.

An information report dated 17 May 1990 was submitted.

Alderman R. Grant addressed the matter and referred to the letter which was forwarded on 9 May from His Worship Mayor Wallace to the Minister Responsible for the Heritage Property Act. The Alderman expressed the view that this letter should be reinforced by a further letter on behalf of City Council.

MOVED by Alderman R. Grant, seconded by Alderman Pottie that the letter which was forwarded to the Minister Responsible for the Heritage Property Act (stating that City

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Council is unalterably opposed to Bill 93) be forwarded to all members of the Legislature.

Alderman R. Grant emphasized that Council should reinforce its intention to protect and fight for its rights as a governmental body. He reiterated the concern that the action by the Minister oversteps the bounds of the City's legislation and interferes with the Municipal Development Plan for the City of Halifax.

Alderman Flynn commented that the letter from His Worship Mayor Wallace to the Province clearly conveys Council's position with regard to Bill 93. He went on to reiterate the concern of Council with respect to the procedure in which the legislation was introduced. Alderman Flynn referred to the section of the Planning Act which states that "where the Governor in Council is proposing the adoption of a Provincial Land Use policy or regulation, the Minister shall give written notice of the proposed provincial land use policy or regulation to the Clerk of each municipality affected by the proposed policy or regulation". He advised that staff should inform the Province that none of the process was followed with respect to the Planning Act and request that second reading of this Bill be delayed until all of the discussions between staff and the Province and Council have been completed.

Alderman R. Grant suggested that the letter should indicate more strongly the fact that the proposed legislation oversteps the bounds of the City's authority.

The motion was put and passed.

MOTIONS:

Motion - Alderman Stone Re: Proposed Amendment to Ordinance No. 183, The Wastewater Discharge Ordinance - FIRST READING

A staff report dated 23 April 1990 was submitted.

Notice of Motion was given with respect to this matter at a meeting of City Council held on 26 April 1990.

MOVED by Stone, seconded by Alderman Jeffrey, that City Council approve FIRST READING of the amendment to Ordinance 183, the Wastewater Discharge Ordinance, as attached as Appendix "A" to the staff report of 23 April 1990, and refer the amendment to the Committee of the Whole for consideration and report.

Motion passed.

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**Motion - Alderman O'Malley Re: Proposed Rezoning of Petro
Canada Lands - Barrington Street**

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

**Motion - Alderman Flynn Re: Proposed Amendment to Ordinance
No. 121, Respecting the Closing and Observation of Holidays
of Certain Classes of Shops in the City of Halifax - FIRST
READING**

This matter was deferred to the next Committee of the Whole Council meeting scheduled for **Wednesday, 23 May 1990**, during the setting of the agenda.

At approximately 9:50 p.m., Alderman R. Grant retired from the meeting.

QUESTIONS

Question Alderman O'Malley Re: 5651 Macara Street

Alderman O'Malley requested that staff provide her with an updated report with respect to the status of the property located at 5651 Macara Street (the illegal rooming house).

**Question Alderman Jeffrey Re: Sewer Project - Rockwood
Avenue**

Alderman Jeffrey referred this question to the staff who are monitoring the sewer project in the Rockwood Avenue area, off Dutch Village Road. The Alderman explained that the brook has become completely blocked off in the area and is running through the properties. He asked that staff investigate the possibility of having this brook filled in with fill in order to try and eliminate the deep hole in this area.

Question Alderman Jeffrey Re: Sidewalk - McFatridge Road

Alderman Jeffrey referred to a sidewalk on McFatridge Road which was installed last year. From speaking with some of the neighbours in the area, he noted that it was his understanding that many of the concrete

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slabs have cracked. Alderman Jeffrey asked that staff investigate the situation. He also referred to one particular house on McFatrige Road where a retaining wall was supposed to have been built after the installation of the sidewalk. Alderman Jeffrey asked that he be informed of the starting date for this project.

Question Alderman Jeffrey Re: Fire Inspection

Alderman Jeffrey advised that he had received a number of calls from residents concerning the fire inspections being carried out as part of the Fire Prevention Program. The Alderman questioned why a big fuel "gussling" fire truck with three men were needed to carry out a fire inspection.

Question Alderman Jeffrey Re: Titus Smith School

Alderman Jeffrey advised that it was his understanding that the Titus Smith School was to close this year. He noted that many citizens are questioning what will be done with this school. Alderman Jeffrey asked that staff investigate the possibility of putting a senior citizens complex on this site and also a playground.

Question Alderman Jeffrey Re: Assessment - 4 Botany Terrace

Alderman Jeffrey advised that he had received a call from a lady residing at 4 Botany Terrace concerning her assessment. He explained that this lady has lived in her home at this location for approximately 10 or 12 years. Alderman Jeffrey noted that her property had been assessed at approximately \$264,000 for the last ten years. He explained that she had an appraisal done this month for her property and it was assessed at approximately \$235,000. The Alderman expressed concern with respect to the difference and questioned how this could happen.

Alderman Jeffrey also noted that he received another call from a gentleman who knows of a property on Spring Garden Road which is assessed at \$187,000 with an adjoining property assessed at \$200,000. He noted that the owner of these properties had recently refused 1.3 million dollars for the purchase of those properties. Alderman Jeffrey expressed concern about this matter and asked to be provided with an explanation as to why two properties which are assessed at \$400,000 could be given a purchase price of 1.2 million dollars.

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Question Alderman Stone Re: the Mainland North Route Review

Alderman Stone referred to the Mainland North Route Review which he noted affects Wards 9, 10, and 12. The Alderman advised that a new terminal will be located in the area of Lacewood Drive and Dunbrack Street. He went on to inform Council that the Metropolitan Authority will hold drop-in information sessions on May 23rd and May 24th from 6 p.m. - 9p.m. at the Bayers Road Shopping Centre beside the Liquor Commission.

For the information of the residents of Ward 12 and adjoining areas, Alderman Stone advised that the Metropolitan Authority will hold one of these drop-in information sessions on Thursday, May 30th and 31st from 6 p.m. - 9 p.m. at the Thomas Raddall Library.

Question Alderman Stone Re: Rockingham Community Centre - Sign

Alderman Stone referred to minutes from a meeting of the Rockingham Community Centre. From reading these minutes, the Alderman advised that it was his understanding that they are trying to build a new sign to show the Rockingham Community Centre along the Bedford Highway. Alderman Stone advised that the Rotary Club has agreed to buy the sign, but require the necessary drawings or plans. Alderman Stone requested that the City Manager direct the City Architect to assist the coordinator of the Rockingham Community Centre in preparing these plans.

10:00 p.m. Deputy Mayor Ducharme retired from the meeting with Alderman Stone assuming the seat of the Chair.

Question Alderman Fitzgerald Re: Proposed Change in Fiscal Year for Municipalities in Nova Scotia

Alderman Fitzgerald expressed concern about a report he read advising that there might be a change in the fiscal year for the municipalities in Nova Scotia. The Alderman asked for a report from the City Manager on the impact which this change could have on the City of Halifax.

Question Alderman Fitzgerald Re: City Club

Alderman Fitzgerald requested a staff report informing him what is taking place with respect to the City Club property.

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Question Alderman Fitzgerald Re: Task Force on City Traffic

Alderman Fitzgerald asked for a report from the Task Force on City Traffic on its progress to date and an indication of when Council might expect to receive their report.

Question Alderman Fitzgerald Re: Taxation

Alderman Fitzgerald noted that some time ago he had received a report stating that if the City had an institutional tax just for services provided to properties based on assessments for this year, it would have received an additional \$12,000,000 in taxes. He went on to advise that it was his opinion that the City should go with the policy of having services to properties paid for by a property tax and services to residents paid for by another tax. The Alderman asked that staff investigate this other form of taxation.

Question Alderman Fitzgerald Re: Area for Riding Bicycles

Alderman Fitzgerald commented that he had been approached by a resident with regard to having a place in the City designated for riding bicycles. The Alderman requested that the Recreation Department investigate this matter to see if an area could be found in the City for this purpose.

Question Alderman Fitzgerald Re: Walkways & Parks in the Hemlock Ravine, Herring Cove area

Alderman Fitzgerald referred to the "Green Belt" extending from the Hemlock Ravine to Herring Cove. He noted that it was the City's plan to run a series of walkways and parks from the Hemlock Ravine to Herring Cove. Alderman Fitzgerald asked for an update report on this matter.

Question Alderman Fitzgerald Re: Task Force on Full Employment

Alderman Fitzgerald referred to a letter he had received from the Association of Black Social Workers with regard to the status of the Report of the Task Force on Municipal Cost Sharing and Full Employment. The Alderman suggested that perhaps Mr. Crowell, Director of Social Planning, could address this matter at the next Committee of the Whole Council meeting scheduled for **Wednesday, 23 May 1990**.

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Question Alderman Fitzgerald Re: Taxi Commission

Alderman Fitzgerald referred to a recent newspaper article which reported that a person from New Zealand arrived at the Halifax International Airport and asked to be taken downtown by a cab driver, but ended up at the Oak Island Inn where there was a Murder Mystery Weekend taking place. The Alderman asked for a report explaining how this incident happened.

Question Alderman Fitzgerald Re: Bus Shelters

Alderman Fitzgerald asked for a report outlining the costs associated to the City for the cleaning of bus shelters.

Question Alderman Meagher Re: Halifax Dartmouth Port Commission

Alderman Meagher referred to a letter Council received from the Halifax Dartmouth Port Commission concerning the attendance one of their members. The Alderman explained that the letter advises that their member, Mr. Leblanc, has missed three consecutive meetings of the Commission. However, Alderman Meagher noted that, although the Commission was aware that Mr. Leblanc was on vacation, they held an emergency meeting while he was gone. In this case, the Alderman questioned whether or not the Commission should consider this emergency meeting as a regular meeting.

The City Manager agreed to investigate the matter.

Question Alderman Meagher Re: Line Painting

Alderman Meagher requested that perhaps Mr. Connell, Director of Engineering and Works, could inform him at the next Committee of the Whole Council meeting scheduled for **Wednesday, 23 May 1990**, when the City intended to start painting the lines on the streets.

Question Alderman Hanson Re: Bicycle Safety

Alderman Hanson noted that Alderman Fitzgerald raised this matter earlier in the meeting. He went on to advise that his concern was with regard to bicycles interfering with pedestrian traffic on the sidewalks.

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Alderman Hanson commented that more and more people were using bicycles as a means of transportation and suggested that the Task Force on City Traffic address the matter of bicycle safety.

Question Alderman Hanson Re: Waste Container - Falkland Street

Alderman Hanson expressed concern with respect to a large waste container located in the Falkland Street area. He noted that this container was being abused by people depositing their trash in it and also expressed the concern that the container was located in front of a residential home. The Alderman asked that staff investigate the possibility of having this container relocated so that it was not offensive to the residential area and further requested that the garbage around it be removed.

Question Alderman Downey Re: Letter of Condolence to the Family of the Late Sidney Langmaid

Alderman Downey noted that His Worship Mayor Wallace was away when Mr. Sidney Langmaid, a former employee of the City, passed away. Therefore, the Alderman asked that His Worship send a letter of condolence to the family of the late Mr. Langmaid on behalf of Council.

Question Alderman Downey Re: VON Service to Sunrise Manor

Alderman Downey noted that he had received the information report on the VON Service to the Sunrise Manor. The Alderman suggested that perhaps Mr. Crowell, Director of Social Planning, could address this item at the next Committee of the Whole Council meeting scheduled for **Wednesday, 23 May 1990**. He noted that he wanted the same service which is provided to the Gordon B. Isnor extended to the Sunrise Manor.

Question Alderman Downey Re: Proposal for the Federal Site

Alderman Downey noted that the deadline for receiving proposals for the Federal Site closed today. He noted that it was his understanding that the only proposal received was from Mr. Pearson. The Alderman suggested that the Federal Government be informed that Council strongly supports Mr. Pearson's proposal.

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The City Manager noted that it was his understanding that Mr. Pearson's proposal has changed in that it has been improved since Council's endorsement of it. He suggested that the revised proposal should come before Council before Council endorses it, to which Alderman Downey agreed.

Alderman Downey indicated that he wanted the Federal Government to know that the City was aware that only one proposal was received and that the City was still concerned that some development should take place on this site. He noted that it was his hope that the Federal Government would keep Council informed of whatever changes are to take place with respect to this site.

Question Alderman Flynn Re: Store Hours Meeting

Alderman Flynn questioned whether or not the item with regard to Store Hours should be placed on the agenda for the next Committee of the Whole Council meeting scheduled for **Wednesday, 23 May 1990.**

Owing to the fact that there might not be enough notice to inform the public of this meeting, it was agreed that the item be placed on the agenda for the **first Committee of the Whole Council meeting in June.**

Question Alderman Meagher Re: Meeting with Task Force on City Traffic

Alderman Meagher requested that the City Manager organize a meeting before Summer with the Task Force on Traffic and the Aldermen for Wards 2, 3, 4, 5, and 6 to discuss the traffic problems in each of these Wards.

Alderman Stone commented that he agreed with Alderman Meagher's request and suggested that the same type of meeting should also be held in some of the other Wards of the City.

10:15 p.m. Deputy Mayor Ducharme returned to the meeting with Alderman Stone taking his usual seat in Council.

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NOTICES OF MOTION

Notice of Motion Alderman Fitzgerald Re: Ordinance 180
The Streets Ordinance

Alderman Fitzgerald gave notice of motion that at the next meeting of Halifax City Council to be held on Thursday, the 31st day of May, 1990, he propose to introduce for first reading, amendments to Ordinance Number 180, The Streets Ordinance. The purpose of the amendments are to permit merchants to vend from the sidewalks immediately in front of their stores during the months of June, July, August and September in each year.

ADDED ITEMS

Appointment of Insurance Consultant Broker

A staff report, dated 8 May 1990, was submitted.

MOVED by Alderman Flynn, seconded by Alderman Hanson that Simpson Hurst Limited be appointed City Insurance Consultant/Broker for a further one-year period at a fee of \$3,500.00 on the understanding that the work be tendered next year well prior to the insurance date of 30 June.

The motion was put and passed.

1991 School Board Budget (Alderman Fitzgerald)

This matter was added to the agenda at the request of Alderman Fitzgerald who indicated that, in his opinion, School Board officials and senior management of the City of Halifax should be strongly encouraged to work together **throughout** the fiscal year so as to avoid the "last minute" complications which appeared to characterize the 1990 budget review process.

In his remarks, the Alderman emphasized that, because all indications appear to point to the necessity for even greater economies in 1991, it is extremely important that the City and its School Board adopt an ongoing policy of "consultation and coordination" in order to ensure the children of Halifax the best possible education system within our means.

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Alderman Flynn, a member of the Halifax District School Board, advised that at a meeting to be held on Tuesday, 22 May, the Board will be commencing its deliberations with regard to the 1991 budget, with particular regard to the \$2.4 million shortfall already in place. The Alderman noted that His Worship the Mayor had earlier addressed the Board to emphasize the necessity for better money management in the months ahead, and emphasized that the Board will be examining various possibilities (such as school consolidations, closures, and program changes) in an effort to reduce costs as much as possible.

The Deputy Mayor asked that those Aldermen serving on the Halifax District School Board convey to their fellow members Council's hope that the Board will develop an effective working relationship with City staff, particularly with the City Manager and the Director of Finance.

Tender #90-80: Renovation and Restoration - St. Mary's Recreation Centre, Phase I (Foundation)

A staff report, dated 11 May 1990, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Flynn that Tender #90-80, Saint Mary's Recreation Centre (Foundations), be awarded to Sun Construction Co. Limited at a bid price of \$224,440.00 and a total project cost of \$250,000.00.

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

Condominiums - Garbage Collection (Alderman Fitzgerald)

This matter was last discussed during a regular meeting of the Committee on Works held on Wednesday, 9 May 1990.

A private and confidential memorandum, dated 14 May 1990, was submitted by the City Manager.

Responding to concerns raised by Alderman Fitzgerald, the City Manager advised that the question of whether tipping fees should be made applicable to residential condominium owners is presently under discussion with representatives of the Metropolitan Authority. Mr. Murphy added that a report pertaining to the progress being made in this regard will be submitted to members of Council at a future point in time.

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Special Meeting - Committee of the Whole Council

A report, dated 16 May 1990, was submitted from Ms. Karen F. Swim, Acting City Clerk.

It was agreed that a special meeting of the Committee of the Whole Council would be scheduled for **MONDAY, 28 MAY 1990** commencing at 3:30 p.m. in the Council Chamber, Halifax City Hall in order to discuss the following items: (1) Front Yard Parking; and (2) Role of the Planning Advisory Committee.

Capital Budget - 1990 (Alderman Jeffrey)

This matter had been added to the agenda at the request of Alderman Jeffrey who made reference to the fact that, during his recent absence from the City, the Sunnybrae Avenue project (estimated at approximately \$100,000) had been deleted from the 1990 Capital Budget and deferred instead to 1991. The Alderman expressed his considerable dissatisfaction with this decision, emphasizing that he had previously cut three other projects from the Capital Budget in hopes that the Sunnybrae Avenue project could proceed and be completed in 1990.

Alderman Jeffrey went on to note the importance of this project to area residents, and asked for a report from staff on the matter, particularly with regard to the reinsertion of "Sunnybrae Avenue" in the 1990 Capital Budget.

The Deputy Mayor noted that it had been her understanding that a portion of the Sunnybrae funding had been left for use in 1990, but indicated that the City Manager would be requested to provide the requested information as quickly as possible.

Tipping Charges at Transfer Station (Alderman Jeffrey)

This matter was added to the agenda at the request of Alderman Jeffrey who made reference to the complaints he continues to receive from residential owners who, having transported their garbage to the transfer station in half-ton trucks, are required to pay the tipping charges applicable to commercial waste. The Alderman suggested that part of the problem relates to the fact that the decision to impose the tipping fee is left to the discretion of

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Metropolitan Authority staff on duty at the transfer station. He therefore strongly recommended that the Authority be requested to reexamine this problem in the hope that a definitive policy on the matter can be devised.

Alderman Fitzgerald, concurring with Alderman Jeffrey's remarks, also made reference to the fact that tipping charges are being imposed on those individuals who sporadically rent trucks in order to clear their properties of large amounts of residential waste. In addition, he noted that a number of small entrepreneurs (for example, those who are paid to clean yards or basements and those who are employed as contract landscapers or as carpet and tile installers) are being considerably inconvenienced owing to the fact that the transfer station is now closed after 5:00 p.m.

Alderman Pottie emphasized that the Halifax representatives on the Metropolitan Authority Board had expressed their very strong opposition to the early closing hours when they were initially proposed, suggesting instead that the transfer station remain open until 7:00 p.m. He noted, however, that the decision in favor of the earlier hours had been made because of the costs involved in supplying the additional manpower to staff the site beyond 5:00 p.m. Alderman Pottie indicated, however, that as a member of the Metropolitan Authority Board, he was prepared to raise the matter of extended hours (particularly with regard to the summer months) at a forthcoming meeting.

On this same matter, Alderman Pottie noted that it was his understanding from speaking with various staff members of the Parks and Grounds Division that, because of the tipping charges now being imposed, an excessive amount of garbage is being dumped in City-owned parks and in recreational areas, necessitating an additional expenditure of money to have this waste cleaned up and removed.

With further reference to the transfer station's hours of operation, Alderman Jeffrey pointed out that owners of small trucks used for transporting commercial waste have now commenced to park their fully-loaded vehicles in front of their residences from Saturday night until Monday morning. The Alderman emphasized that neighbors have begun to complain about the resultant unsightliness, odor and the rats which are being attracted to the garbage.

It was subsequently moved by Alderman Jeffrey, seconded by Alderman Fitzgerald that a representative of the Metropolitan Authority be requested to attend a forthcoming meeting of Committee of the Whole Council to address the

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concerns raised by the Aldermen with regard to the tipping fees and to the early-closing hours, and to attempt to reach some solution to these problems.

The motion was put and passed.

School Board Funding (Alderman Flynn)

This matter was added to the agenda at the request of Alderman Flynn who provided members of Council with the following information regarding the percentage of Provincial contribution to the overall budgets of various metropolitan-area school boards:

Halifax County	- 77.8 percent
City of Dartmouth	- 59.0 percent
City of Halifax	- 46.9 percent

The Alderman emphasized that, according to the above-noted statistics, the City of Halifax is the major contributor to the budget of its School Board, a fact which, in Alderman Flynn's opinion, represents a complete reversal of the policies proposed by the Walker Report (i.e., that the Provincial Government should assume primary responsibility for education in Nova Scotia.

Alderman Flynn went on to suggest that this situation is particularly damaging to the City of Halifax because, as the Capital City, it is called upon to provide a wider range of educational services to its students than is necessary in other municipalities. The Alderman added that he had become especially concerned when it was reported in the news media that the Province is now adding to its initial contributions to education funding **in other parts of the Province**. He emphasized that he had since been urging callers to contact their MLA's directly with their complaints concerning the cutbacks in programs and services that the City of Halifax had found it necessary to undertake in 1990.

Alderman Flynn expressed the view that the City must continue to impress upon the Provincial Government its financial responsibilities (especially with regard to funding related to education and social assistance) to the municipalities and particularly to its capital city, and urged that a meeting be scheduled as quickly as possible between members of City Council, the Speaker of the House, and the Cabinet MLA's.

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Alderman Pottie noted that, in order to avoid major cutbacks in its education program resulting from reductions in Provincial funding, the City of Halifax had "borrowed" a total of \$1.2 million from its Civic Hospital Account.

It was therefore moved by Alderman Pottie, seconded by Alderman Meagher that a letter be forwarded by His Worship the Mayor on behalf of Halifax City Council to the Provincial Government outlining the circumstances of the City's financial assistance to its School Board in 1990, and asking that consideration be given by the Province to the reimbursement to the City of Halifax of the \$1.2 million removed from the Halifax Civic Hospital Account for this purpose.

After some discussion, the motion was put and passed.

George Dixon Centre - Parking (Alderman Downey)

This matter was added to the agenda at the request of Alderman Downey who made reference to a fence which has been extended as a safety precaution in the vicinity of the George Dixon Centre. The Alderman went on to note that, owing to this extension, handicapped individuals are now experiencing difficulty in accessing the building and that staff had been asked to investigate the possibility of providing alternate parking facilities, perhaps to the rear of the building.

Alderman Downey asked for information from staff (preferably in time for the next regular Committee of the Whole Council **scheduled for 23 May 1990**) as to what, if any, progress is being made in this regard.

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

DEPUTY MAYOR MOIRA DUCHARME
AND
ALDERMAN WILLIAM STONE
CHAIRMEN

S/M/K

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