

*Rec'd*

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
23 May 1990  
7:30 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; and Aldermen Fitzgerald, Downey, Meagher, O'Malley, Pottie, Grant, Hanson, and Jeffrey.

**ALSO PRESENT:** Ms. Mary Ellen Donovan, representing the City Solicitor's Office; Ms. Karen Swim, Acting City Clerk; and other members of City staff.

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

**Section 201(1) of the City Charter: Emergency Leakage Problems (North Branch Library)**

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

MOVED by Alderman Grant, seconded by Alderman Downey that as recommended by the Finance and Executive Committee, Halifax City Regional Library Board be authorized to overspend the approved 1990 Operating Budget by an estimated amount of \$80,000 to \$100,000 to reroof the designed areas of the North Branch Library roof (funding of this project is to be in accordance with Section 201 (1) of the City Charter).

Motion carried.

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

**Public Hearing Re: Case No. 6079: Appeal of Minor Variance Refusal - 3734 Dutch Village Road**

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

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A staff report dated 24 April 1998 was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the reasons for refusal for a minor variance on Lots 42 and 43 at 3734 Dutch Village Road (as illustrated in the staff report dated 24 April 1998).

Mr. Hanusiak responded to questions from Council.

Mrs. Ann Hallal, representing Fairland Developments Ltd. (the appellant), addressed Council and gave a brief overview of the history of the application and stated reasons in support of her appeal.

Mrs. Hallal advised that she and her family have been long time residents of the Fairview area and that their original intention when they purchased lots 42 and 43 at 3734 Dutch Village Road was to construct a 14 unit building. She pointed out that, as Council was aware, the Minister of Municipal Affairs took steps to cease the construction of large buildings in the area and, subsequently, she was forced to find an alternative way to develop the property and as a result, she was proposing the development of two four-unit buildings.

Mrs. Hallal advised that two proposed four-unit buildings would fit in quite comfortably on the lots, and that correspondence from the immediate neighbours on both sides of the lot accompanied her application and indicated that they were in full agreement with the proposed development. She added that, in an attempt to develop this property, the controversy has caused her and her family to suffer an extra financial burden, and if Council does not approve her appeal then their investment would be put in jeopardy.

In conclusion, Mrs. Hallal advised that she believes that the proposed development would enhance the value and appearance of the neighbourhood and she was requesting Council's serious consideration of her appeal.

Mrs. Hallal then responded to questions from Council.

Mr. James Lei, a resident of 9 McFarridge Road, addressed Council and indicated that he strongly opposed the proposed development as was outlined in the staff report. Mr. Lei advised that he lived behind lot 42 and therefore, would be directly affected by the proposed developments.

Mr. Lei submitted a petition with seven signatures in opposition to the proposed developments. He noted that all the neighbours did not approve of this

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matter as had been indicated by the applicant. Mr. Lei suggested that the operator of the daycare centre located next to Lot 42 was in support of the applicants proposal but that her support was basically for business reasons.

Mr. Lei, in reference to the staff report, suggested that the proposed development was not "minor" in nature because it was 19% deficient and that this undersizing would encroach on his living space. He advised that at a previous meeting, City Council agreed to stop supporting the development of large apartment buildings in Fairview and that the applicant was requesting that Council bend the rules for them.

Mr. Lei indicated that the proposed development would not enhance or add to the value of the neighbourhood and that the developer has intentionally allowed the property to deteriorate. He added that the lots were too small for the proposed buildings and that, in his opinion, the proposed parking area was extremely insufficient. Mr. Lei advised that there was already a parking problem in the neighbourhood and that an additional eight units would only add to the problem. In conclusion, Mr. Lei strongly recommended that, for the integrity of the neighbourhood, Council uphold its original decision of refusal of the minor variance application.

Mr. Ken Stockdale, a resident of 11 McFatridge Road addressed Council and indicated his opposition to the appeal.

Mr. Stockdale advised that his property borders the parking lot of the proposed development and that he was very concerned about extra pollution from car emissions, noise, snow clearing, etc. that would result if the development was constructed.

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

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

Motion carried.

Public Hearing Re: Case No. 6043: Appeal of Minor -  
Variance Approval - Lot GS-5

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

A staff report dated 03 April 1990 was submitted.

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Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the appeal of a minor variance approval of Lot GS-5, Williams Lake Road (as illustrated in the staff report).

Mr. Hanusiak noted that the application was being appealed by Mr. George Bryden, the property owner to the immediate west of the property in question.

Mr. Hanusiak responded to questions from Council.

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

MOVED by Alderman Hanson, seconded by Alderman Grant that the decision of the development officer for approval of a minor variance for Lot GS-5, Williams Lake Road be upheld.

Motion carried.

Public Hearing Re: Briar Lane (Rear of Halifax YMCA)

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

Mr. Michael P. Woods, Development Assistant, addressed Council and, using diagrams, outlined the application for lifting the street lines on the portion of Briar Lane south of Annandale Street and lying adjacent to the rear of the Halifax Y.M.C.A. property (as illustrated in the staff report dated 15 March 1998). The application is necessary to permit the City to enter into a formal lease with the Y.M.C.A. for parking purposes.

Mr. Woods pointed out that since the staff report of 4 April 1998 and the advertisement of a public hearing on this matter, the Lord Nelson Hotel has indicated, through their solicitor, that they are requesting that the City not lift the street lines because they feel it would jeopardize any future development potential of the Lord Nelson lot. Mr. Woods added that, at the present time, staff cannot determine what the impact would be because there is no development proposed, but that staff was of the view that there would be some implications with respect to the Lord Nelson's future development potential.

Mr. Woods, referring to the report, advised that, at this time, staff was not recommending a permanent solution to this matter but rather, they were recommending an interim solution. He added that the short term solution, which is to formalize a lease with the YMCA would minimize the problems the YMCA has encountered over the past number of years.

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Mr. Woods advised that the second point raised by the Lord Nelson Hotel was that the Lord Nelson should also be given the chance to lease the property. He noted that the Lord Nelson have offered double the rental fee as proposed by the YMCA, but he added that the rent was not the prime consideration in trying to lease this land. Mr. Woods advised that the main reason for this application was to try and eliminate a number of parking problems the YMCA have had to tolerate in the past.

Mr. Woods then responded to questions from Council.

Alderman Pottie addressed the matter and suggested that it may be more beneficial for the City to sell the land to the highest bidder since it really has no value to the City.

Mr. Dan Campbell, representing the YMCA, addressed Council and advised that staff of the YMCA have used the area in question for parking for a number of years. He added that the fact that YMCA doesn't own the property has lead to a number of problems, specifically, too many cars using the lot.

Mr. Campbell advised that the YMCA didn't actively seek the street closure and does not want to get into a planning dispute with its neighbour, the Lord Nelson Hotel. He pointed out that in his opinion, if the application was approved, the Lord Nelson Hotel would not be negatively impacted upon, and that the only result that would come of this was that the YMCA would have the opportunity to manage the parking lot in an orderly fashion.

In conclusion, Mr. Campbell requested Council's approval of the application for a lifting of the street lines. He also requested that, when the appropriate time comes, Council look favourably upon entering into a lease agreement with the YMCA for the property in question.

Mr. Campbell responded to questions from Council.

Alderman Fitzgerald addressed the issue and suggested that an equitable solution to this problem would be for the City to lease the property to the Lord Nelson for half of the price, on the condition that the YMCA could use the property for parking at a minimal fee.

Mr. D. Campbell indicated that the YMCA would be in agreement to any solution that would give them the use of the land for parking.

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Mr. Peter J. E. McDonough, solicitor for the Lord Nelson Hotel, addressed Council and advised that his client would be very suitable to manage the lot in question because of their experience in managing their own Hotel parking lot.

Mr. McDonough, referring to Alderman Pottie's suggestion to sell the land, advised that his client would be very interested in acquiring the property if it was put up for sale.

A discussion ensued, and on Council's suggestion, representatives of the YMCA and the Lord Nelson Hotel agreed to meet with staff for discussions on developing an acceptable arrangement regarding the use of Briar Lane.

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

A letter of concern, dated 22 May 1990, from Mr. Peter McDonough, McInnes Cooper & Robertson, solicitor for the Lord Nelson Hotel, was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that this matter be forwarded to Council without recommendation, pending receipt of an information report with respect to the discussions between the YMCA and the Lord Nelson Hotel.

Motion carried.

**Public Hearing Re: Case No. 5275: Amendments to Development Agreement - Spring Garden Place, Phase II**

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams and architectural sketches, outlined the application by Chartwell Management Limited to amend the development agreement for Spring Garden Place, Phase II (as illustrated in the staff report dated 26 March 1990).

Mr. Hanusiak then responded to questions from Council.

Mr. Ted Wickwire, solicitor for the applicant, Chartwell Management Ltd. addressed Council and suggested that this development was one of the first examples of mixed-use development that has come before City Council that he was aware of. Referring to the length of time it has taken to start construction of this development and the number of investors involved, Mr. Wickwire noted that his clients were very concerned that everything that was

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required to be done was done as accurately as possible the first time in order to reduce any further delays in construction.

Mr. Wickwire advised that his client has had discussions with Mr. Peter Klynstra, the owner of the house on the corner of Brenton and Clyde Streets. He pointed out that Mr. Klynstra was very sensitive to what was being proposed for the neighbourhood and that although City staff was recommending 17 residential units, Mr. Klynstra was satisfied with the developers proposal of 12 residential units. He advised that agreement now exists between the developer and the community on this matter, and therefore, he was requesting that staff reconsider their recommendation of 17 residential units.

Mr. Wickwire noted that the entirety of the project was in the Spring Garden Road Commercial Area Plan and that the primary focus of the Plan was on mixed-use development, and the secondary focus was on residential development. On another point, Mr. Wickwire advised that the block on Brenton Street was not residential and that it has been the subject of real estate speculation for a long time. He added that it was unlikely that it would be residential, and if it were so, then it would have been indicated on the Spring Garden Road Commercial Area Plan. Mr. Wickwire indicated that it was his clients opinion that the proposed amendments do not offend the planning principles of the Spring Garden Commercial Plan. On a final point, Mr. Wickwire pointed out that the developers still intend to construct the tower component as a condominium complex.

Mr. Peter Klynstra, a resident of 1445 Brenton Street addressed Council and advised that he was also speaking on behalf of Bob Lavers, a resident of 1447 Brenton Street.

Mr. Klynstra advised that he approved of the staff report (26 March 1998), particularly because it makes the point of the importance of maintaining some "eyes on the street". He added that he sees no reason that the residential units should be in a specific slot as long as the number of units were maintained as residential.

Mr. Blair Beed, a resident of 5510 Spring Garden Road addressed Council and indicated that he was opposed to anything which would allow more commercial development in this area, including the part that City staff has agreed to.

Mr. Beed suggested that staff's recommendation for residential occupancy above ground floor to ensure a safer street environment throughout the day and night should include Dresden Row. He also added that the areas

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zoned RC-2 aimed at achieving an effective transition from intensive commercial activity to the north and the established residential neighbourhoods to the south, should be maintained.

In summary, Mr. Beed requested that Council give this matter serious consideration.

Mr. Robinson, representing the developer addressed Council and advised that although staff had recommended the developer retain 17 residential units, Chartwell was proposing that they provide 12 residential units designated or scattered throughout the facades on Brenton Street, Clyde Street, and Dresden Row, designated by the developer in accordance to market response. Mr. Robinson added that the developer was not certain that the residential units should be in one location.

Mr. Robinson then responded to questions from Council.

Mr. Robinson noted that the development was primarily a residential development surrounded by commercial uses and that the reason for the request for amendments was the developer's attempt to respond to market conditions.

A discussion ensued and concerns were expressed regarding the number of proposed residential units and the placement of them throughout the development.

Alderman Grant addressed the matter and requested information as to how Council could permit a scattering of 12 residential units on Dresden Row, Clyde Street, or Brenton Street, and still maintain appropriate zoning without specifying the locations of those units.

In response to the Alderman's concern, Mr. Hanusiack advised that he would provide a report for the next regular meeting of City Council, scheduled for 31 May 1990.

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

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

Motion carried.

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There being no further business to discuss, the meeting adjourned at 10:00 p.m.

HIS WORSHIP MAYOR WALLACE  
CHAIRMAN

/sm

HEADLINES FOR CITY COUNCIL MINUTES  
of 05/23/90

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There being no further business to discuss, the meeting adjourned at 10:00 p.m.

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**CITY COUNCIL  
MINUTES**

Council Chamber  
City Hall  
Halifax, Nova Scotia  
21 May 1990  
8:30 P.M.

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

**PRESENT:** Alderman Meagher, Chairman; and Aldermen Fitzgerald, Downey, Pottie, Grant, Hanson, Jeffrey, Flynn, and Stone.

**ALSO PRESENT:** City Manager; Wayne Anstey, O.C., Acting City Solicitor; City Clerk; and other members of City staff.

**Awards Presentation**

The City Manager noted that this was the second annual City Manager's Awards Night in recognition of some of the best of the City's workers. The following employees were presented with the City Manager's Award to mark the excellence of their contribution to the City:

Mr. Jim Edmonds, Engineering and Works Department  
Mr. Jim Fawcett, Finance Department (Print Shop)  
Mr. Jim MacLean, Recreation Department  
Ms. Delores Murphy, Social Planning Department  
Ms. Joanne Peters, Development Control Division  
Ms. Karen Swim, City Clerk's Office

**MINUTES**

Minutes of the 9 May 1990 Special meeting and of the Regular meeting of City Council held on 17 May 1990 were approved on a motion by Alderman Fitzgerald, seconded by Alderman Jeffrey.

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

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

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2.1 Award of Tender #90-42: Upgrading of Streets  
(Resurfacing)

2.2 Supplementary Report - Case No. 6060:  
Rezoning from R2 to R2P - 24-26 Melrose Avenue

2.3 Misinformation - CBC News Broadcast Re:  
Social Assistance Programs

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

2.4 Green Belt - Alderman Fitzgerald

At the request of Alderman O'Malley, Council  
agreed to add:

2.5 Crosswalk Safety - Alderman O'Malley

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

Motion passed.

#### DEFERRED ITEMS

Case No. 6079: Appeal of Minor Variance Refusal -  
3734 Dutch Village Road

A public hearing with respect to this matter was  
held on 23 May 1990.

Alderman Jeffrey addressed the matter and informed Council that the applicant for this application had come before Council sometime ago for approval of 14 units on the property in question. He explained that, by the time Council had dealt with the application for 14 units, Council had passed a Plan Amendment for the area pertaining to the R2P and R2AM Zone which was subsequently approved by the Department of Municipal Affairs. Alderman Jeffrey commented that the request for 14 units was jeopardized by the Plan Amendment. He advised that the developer, therefore, discontinued with her application for 14 units. The Alderman went on to explain that the applicant has been a resident of the area for quite a number of years and is very sensitive to the area. He noted that she plans to put two four unit buildings on the lots instead of fourteen units. Alderman Jeffrey pointed out that the residents, at the time of the public hearing with respect to the Plan Amendment, indicated that they could not support anything larger than 14 units of infilling in the area.

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Alderman Jeffrey also informed Council that this particular development has cost the developer quite an enormous amount of money. He commented that the applicant had stated at the public hearing on the matter that she intended to put approximately 70 percent brick on the buildings. Alderman Jeffrey went on to ask that the contract include the requirement that the buildings be comprised of high quality brick that would be compatible with the area.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that the application for a minor variance on Lots 42 and 43 at 3734 Dutch Village Road be approved and the decision of the Development Officer to refuse the application be overturned.

The City Clerk noted that Aldermen Flynn and Stone were not present at the public hearing on this matter.

Motion passed.

Briar Lane (Rear of Halifax YMCA)

A public hearing with respect to this matter was held on 23 May 1998.

A supplementary staff report dated 25 May 1998 was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that Council defer action on the matter of lifting the street lines pending satisfactory negotiation of the sale and leaseback arrangements.

Motion passed.

Case No. 5275: Amendments to Development Agreement -  
Spring Garden Place, Phase II

A public hearing with respect to this matter was held on 23 May 1998.

A supplementary staff report dated 30 May 1998 was submitted.

A letter dated 31 May 1998 from the Heritage Trust of Nova Scotia and a letter dated 31 May 1998 from Mr. F.B. Wickwire (MacInnes Wilson Flinn Wickwire Barristers and Solicitors) were also submitted.

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MOVED by Alderman Downey, seconded by Alderman Pottie that the amendments to the Spring Garden Place, Phase II development agreement, as proposed by staff in their report of 26 March 1990, be approved.

MOVED in amendment by Alderman R. Grant, seconded by Alderman Jeffrey that the developer be given the option of permitting commercial use in all but 17 of the condominium units on Clyde Street and Brenton Street.

The City Clerk advised that Aldermen Flynn and Stone were not in attendance at the public hearing on this matter.

Amendment passed with Aldermen Flynn and Stone abstaining.

The original motion, as amended, was put and passed with Aldermen Flynn and Stone abstaining.

PETITIONS AND DELEGATIONS

Petition Alderman R. Grant Re: Riverview School, N.S.

Alderman Grant submitted a letter dated 10 May 1990 from E. James O'Connor, P.Eng., President - St. Michael's St. Vincent de Paul Society, and the Vice President of the Halifax Particular Council of St. Vincent de Paul. The letter concerned the recent announcement of the closure of the Riverview School. Alderman Grant asked that the St. Vincent de Paul Society and the Halifax Particular Council of St. Vincent de Paul, along with the persons who had made a previous representation on the matter, be informed of any decision made with respect to the building.

Petition Alderman Downey Re: Store Hours -  
The Merchants of Historic Properties

Alderman Downey tabled a letter dated 25 May 1990 from the Merchants of Historic Properties with a petition attached dated 10 May 1990 in support of extended store hours for the tourist season.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee meeting held on 23 May 1990 as follows:

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Request from the Atlantic Chief and Petty Officers  
Association Re: Statue - Sackville Landing

MOVED by Alderman Flynn, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, this matter be referred to staff for a report and recommendation to Council as to the implications of the recommendations put forward during the 23 May meeting by the Art Allocation Committee (and, in particular, in the report from the AAC dated 23 May 1990) with regard to the placement of art on publicly-owned land.

Motion passed.

Leakage Problems - Roofs of City Owned Buildings

MOVED by Alderman Downey, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, staff investigate the concerns with respect to the roofs on City-owned buildings as outlined by Alderman Jeffrey at the last Committee of the Whole Council meeting held on 23 May 1990, and provide a detailed report to Council on the situation (including a description of roof deficiencies on all City-owned buildings including the North Branch Library, and the action which is being taken to counteract these problems).

Motion passed.

Interim Financing - Government Project

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, approval be given on interim financing for the Government Project as described in the staff report of 15 May 1990.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee of Works from its meeting held on 23 May 1990 as follows:

Camp Hill Cemetery

This matter was forwarded to this meeting pending receipt of a supplementary report from the City Manager.

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An information report dated 24 May 1990 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that Camp Hill Cemetery be opened during the summer and fall months, 1 May to 15 November 1990, weather permitting from 8:00 a.m. to dusk and winter months from 15 November to 30 April 1990 from 8:00 a.m. to 5:00 p.m. and, further, that those persons interested in jogging be permitted to use the Wanderers' Grounds 1/4 mile track (entry to this facility will be via the gate formerly known as the Players' Entrance) located on Sackville Street east of the Senior Citizens' Building.

Motion passed.

Replacement of Sods

This matter was forwarded to Council without recommendation pending receipt of further information from staff.

An information report dated 29 May 1990 was submitted.

At the suggestion of the Chairman, it was MOVED by Alderman Flynn, seconded by Alderman Jeffrey that the matter be deferred to the next Committee of the Whole Council meeting scheduled for **Monday, 11 June 1990.**

Motion passed.

Paper Recycling Program

MOVED by Alderman Fitzgerald, seconded by Alderman Flynn that, as recommended by the Committee on Works, a staff representative from the City of Halifax be delegated to attend the forthcoming workshops pertaining to the office paper recycling program in order to determine how the City can recycle its paper and corrugated cardboard; and further, that a letter be forwarded to the Halifax District School Board requesting that they also send a member of their staff to these workshops in order that this program might be implemented in the schools beginning in January 1991.

Motion passed.

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REPORT - COMMITTEE OF THE WHOLE COUNCIL  
BOARDS AND COMMISSIONS

Motion - Alderman Stone Re: Proposed Amendment to Ordinance  
No. 183, The Wastewater Discharge Ordinance - 2ND READING

MOVED by Alderman Stone, seconded by Alderman R. Grant that Halifax City Council give SECOND READING to the amendment proposed for Ordinance 183, the Wastewater Discharge Ordinance, attached as Appendix "A" to the staff report of 23 April 1990.

Motion passed.

Report - Committee of the Whole Council - Role of the  
Planning Advisory Committee

A report from His Worship Mayor Wallace dated 29 May 1990 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that the following recommendations be incorporated into the Planning Advisory Committee's existing terms of reference:

- 1) That the Planning Advisory Committee be retained as an advisory committee to Council;
- 2) That the composition of the Planning Advisory Committee be amended to consist of two (2) Aldermanic members of City Council and eight (8) citizen appointees (with His Worship the Mayor as an ex officio member);
- 3) That the Chairman be selected by the Planning Advisory Committee from its members on the basis of a demonstrated interest in and enthusiasm for planning-related matters as they affect the Halifax community;
- 4) That all recommendations submitted to Council by the Planning Advisory Committee be considered to be "final;" consequently, the Committee will not be requested to reconsider its initial recommendation unless, in the opinion of Council, new information of a substantial nature has been subsequently received;
- 5) That it be the responsibility of the Planning Advisory Committee to decide the most appropriate

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method (i.e., public meeting or community information session) of addressing the various planning matters submitted to it for review and recommendation;

- 6) That efforts be made to locate a more suitable meeting room, other than the Council Chamber, in which to hold regular meetings of the Planning Advisory Committee;
- 7) That the deliberations of the Planning Advisory Committee be focused primarily on those planning matters referred to it for review and recommendation by Halifax City Council; notwithstanding the foregoing, the Committee may apply to Council for authorization to initiate other planning-related projects as deemed appropriate;
- 8) That the Committee meet regularly once every two weeks, at such other times as Council may direct, or at the call of the Chair;
- 9) That any member of the Planning Advisory Committee who fails to attend three consecutive regular meetings of the Committee, without good reason accepted by the Chair, shall cease to be a member of the Committee;
- 10) That honorariums not be paid to citizen members of the Committee, but that efforts be made to recognize the very considerable contribution made to the City of Halifax by these individuals;
- 11) That no member of the Planning Advisory Committee shall participate in any way in the consideration by the Committee of matters in which the member's personal interest is immediately concerned;
- 12) That the Planning Advisory Committee may, with the approval of Council, establish one or more Area Advisory Committees to advise the Committee on planning matters affecting a specific area of the City. These Area Advisory Committees shall consist of at least one member of the Planning Advisory Committee and such other members as are appointed by the PAC and approved by Council.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on 23 May 1990 as follows:

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

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

1. the application by Ailsa Construction Ltd. under Schedule "K", Section 68 of the Land Use Bylaw, Mainland Area, for Stage II approval of the Langbrae Gardens, Phase Two-C development, Chelton Woods Lane, be approved by City Council;
2. the requested front yard, side yard and parking modifications be approved subject to the condition that parking be provided for two vehicles on each of the lots;
3. the request to include a clause in the development agreement, guaranteeing the input of future owners of property in Langbrae Gardens into the design and use of parklands, be denied.
4. the time limit for completion of Phase Two of the Langbrae Gardens development be extended to 4 years from the date of approval of Phase Two-C;
5. funds in the amount of \$10,000 be placed in the 1991 Capital Budget for completion of the Rockingham Ridge portion of Chelton Woods Lane; and
6. Council require 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; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

Case No. 4766: Rockingham Ridge - Phase 2B

MOVED by Alderman Stone, seconded by Alderman  
Jeffrey that, as recommended by the City Planning Committee,  
the application to extend the time limit, as specified  
within the development agreement pertaining to Phase 2B of  
Stage II of Rockingham Ridge, for a further period of 18  
months be approved by City Council.

Motion passed.

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MOTIONS

Motion Alderman Flynn Re: Proposed Amendments to Ordinance  
No. 180 - The Streets Ordinance - FIRST READING

A staff report dated 17 May 1990 was submitted.

MOVED by Alderman Flynn, seconded by Alderman  
Stone that City Council approve FIRST READING of the  
amendments to Ordinance 180 attached as Schedule "A" to the  
staff report of 17 May 1990 and refer the amendment to the  
Committee of the Whole Council meeting scheduled for Monday,  
11 June 1990 for consideration and report.

Alderman Flynn noted that the purpose of the  
amendments is to permit merchants to vend from the sidewalks  
immediately in front of their stores during the months of  
June, July, August and September of each year.

Alderman Grant noted that this matter was  
discussed by the Natal Day Committee and by the Buskers'  
Group in relation to the selling of articles that represent  
their event i.e. the Buskers' t-shirts and Natal Day sale  
items. Alderman Grant asked that the City Solicitor's  
Department provide a report at the next Committee of the  
Whole Council meeting advising whether or not an amendment  
to the Streets Ordinance was required in order for these  
organizations to sell their items on the streets during  
their festival.

Responding to a question raised by Alderman  
Downey, the City Manager advised that it was the intention  
to have some of the business groups make representation at  
the Committee of the Whole Council meeting scheduled for  
Wednesday, 11 June 1990, at which time this item will be  
discussed.

The motion was put and passed.

MISCELLANEOUS BUSINESS

Borrowing Resolution - Nova Scotia Municipal Finance  
Corporation - File #59-01

A staff report dated 25 May 1990 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman  
Flynn that the Mayor and City Clerk be empowered to sign  
debenture 90-A-1 (Schedule 1), the issuing resolution  
(Schedule 2) and the borrowing agreement (Schedule B),  
copies of which are attached to the staff report of 25 May  
1990 and, further, that approval be granted to the signing

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officers of the City of Halifax to execute the pre-authorized payment plan agreement (attached as Schedule A of the staff report dated 25 May 1990).

Motion passed.

Price Agreement #910405 - Interior and Exterior Paints

A staff report dated 28 May 1990 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that authority be granted to award price agreement #910405 to Colour Your World, the lowest bidder meeting specifications, for interior and exterior paints.

Motion passed.

Award of Tender #90-90 - Chain Link Fence, Concrete Pad and Wall, Captain William Spry Community Centre

A staff report dated 25 May 1990 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Stone that authority be granted to award tender 90-90 for a chain link fence and concrete pad and wall for the Captain William Spry Community Center to Parkhill Construction Ltd., the lowest bidder meeting specifications, and approve rebate to the project account of recoverable Health Services Tax estimated at \$600.00.

Motion passed.

Nathan Green Square - Soil Settlement

A staff report dated 24 May 1990 was submitted.

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

- 1) Council award Tender 90-17, for project materials and services listed at the Unit Prices quoted to G. & R. Kelly Enterprises Ltd. at the bid cost of \$13,930.00 and total construction cost of \$16,000.00.
- 2) Council approve payment to the consultant, Whitman Benn and Associates Ltd., for consulting services related to this project not to exceed \$4,000.00.

Motion passed.

QUESTIONS

**Question Alderman Richard Grant Re:  
Proposed Amendment to Ordinance 166**

Alderman Richard Grant made reference to an amendment proposed for Ordinance 166 (Respecting Signs, Billboards and Advertising Structures), which had been given First Reading some time ago, and asked that the matter be added to the next regular meeting of Committee of the Whole Council (scheduled for Monday, 11 June 1998) for consideration and report.

**Question Alderman Richard Grand Re:  
Unpaid Parking Tickets**

Alderman Richard Grant asked for information as to the progress being made with respect to the request that drivers licenses be refused to those individuals who have neglected to pay municipally-issued parking tickets.

Mr. Wayne Anstey, Acting City Solicitor, advised that the proposed amendment to the Motor Vehicle Act will be introduced in the Provincial Legislature shortly and, with reference to a further question from Alderman Grant, indicated that he would attempt to ascertain whether any opposition to the amendment was anticipated.

**Question Alderman Jeffrey Re:  
Clean-Up of CN Property**

Alderman Jeffrey made reference to a matter raised in Council some months ago regarding the condition of CN property in the Springvale Avenue/Dutch Village Road area. The Alderman referred to the amount of brush and high grass lying adjacent to the tracks as a "disgrace," and asked that the Director of Engineering & Works contact the CN immediately to determine whether the company plans to remove this debris. Alderman Jeffrey strongly recommended that, if CN refuses to do so, City staff be instructed to undertake the work and to submit an invoice for their time and labor to CN for payment.

**Question Alderman Jeffrey Re:  
Trip to Hakodate**

Alderman Jeffrey asked that he be provided with a detailed report with regard to the costs of the recent visit to Hakodate, Japan. The Alderman asked that this information include such matters as transportation costs

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(and who paid for them), as well as an analysis of the full cost of the trip to the City of Halifax.

**Question Alderman Stone Re:**  
**Traffic Safety - Dunbrack Street**

Alderman Stone made reference to what he termed "an ongoing problem" with vehicular traffic on Dunbrack Street, noting that drivers attempting to exit onto that street are finding the process increasingly difficult because of the escalation in traffic volumes. Acknowledging that staff have reviewed the traffic counts on various occasions in the past, the Alderman asked that he be provided with an update on this situation, particularly with regard to the intersections at Madeliffe Drive, Bridgeview South, Langbrae Drive, Knightsridge Road, and Farnham Gate Road.

Alderman Stone indicated that he hoped the latest traffic counts would provide sufficient substantiation for the installation of traffic lights at the above-noted intersections. Should this not be the case, however, the Alderman asked that staff be requested to suggest an alternative to the present situation (e.g., an amendment to the regulations concerning the installation of traffic signals), emphasizing that, in his opinion, drivers are taking increased risks which will undoubtedly soon result in a fatality.

**Question Alderman Stone Re: Traffic**  
**Signs - Dunbrack Street**

At the suggestion of a number of Ward 12 residents, Alderman Stone asked that staff consider the installation of a left-turn arrow on Lacewood coming from the Shopping Centre on Dunbrack Street. In making this request, the Alderman noted that drivers exiting off Lacewood Drive from the Shopping Centre frequently run into difficulty with other vehicles coming up Lacewood from the opposite direction who are attempting to Dunbrack Street.

**Question Alderman Fitzgerald Re:**  
**Complaints - Paarty Leather Shop (Quinpool Road)**

Alderman Fitzgerald advised that he has received several complaints from neighbors regarding the number of times the police have been called to the Paarty Leather Shop which has recently opened on Quinpool Road (between Preston and Oxford Streets). The Alderman expressed concern that the business has reportedly been robbed 5-6 times, and asked for a report on the matter from the Halifax Police Department.

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**Question Alderman Fitzgerald Re:**  
**City of Halifax Employee Pension Fund**

Alderman Fitzgerald, Chairman of the City's Retirement Committee, suggested that the Director of Finance (or a member of his staff) provide Council with a brief overview of the City's Employee Pension Fund at a future meeting of Committee of the Whole Council.

**Question Alderman Fitzgerald Re:**  
**Proposed Changes - Municipal Fiscal Year**

Alderman Fitzgerald expressed concern that the Provincial Legislature is currently reviewing Bill 100, "an act to establish a fiscal year for municipalities and other local bodies to coincide with the fiscal year of the Province." Emphasizing that none of the municipal units had had an opportunity to comment on this matter, the Alderman requested a report from staff as to what they see as the possible repercussions on the City of Halifax of these proposed changes.

The City Manager advised that he had already asked to be provided with comments from staff of the City's Finance and Engineering Departments, and that the matter was intended for discussion at a meeting of senior management scheduled for Tuesday, 5 June. Mr. Murphy expressed concern regarding the short time frame provided in which to formulate a municipal position on the matter and to convey those comments to the Legislature.

It was subsequently moved by Alderman Fitzgerald, seconded by Alderman Richard Grant that if, upon deliberation, staff determine that the proposed amendments to the municipal fiscal year will have an adverse effect on the City, they be authorized to make representations to the Provincial Legislature asking that the matter be deferred until the City of Halifax (and other municipal units) have an opportunity for input.

The motion was put and passed.

**Question Alderman Fitzgerald Re:**  
**Services to Property**

Alderman Fitzgerald made reference to his previous comments concerning the provision of services to property, emphasizing that, in his opinion, such services should be exclusively funded by the municipal property tax. In order to officially commence Council's deliberation of the matter, the Alderman suggested that the City Manager be requested to

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develop a preliminary report on the matter for discussion purposes.

**Question Alderman Fitzgerald Re:**  
**"Public Gardens" - Mainland Halifax**

Alderman Fitzgerald noted that several years ago the suggestion had been made to create a "public gardens" (similar to that in Peninsula Halifax) for the benefit of Mainland residents. Noting that this might prove to be an appropriate project with which to commemorate the City's 250th anniversary in 1999, the Alderman asked for comments on this matter from staff of the Parks and Grounds Division.

**Question Alderman Downey Re:**  
**Traffic on Spring Garden Road**

Alderman Downey noted that he had received a number of complaints concerning pedestrian and vehicular safety on Spring Garden Road (in the area between Brunswick Street and South Park Street), particularly in terms of the considerable amount of construction now underway. The Alderman asked if the Traffic Authority might undertake a study of conditions in the area and submit a report on the matter.

**Question Alderman Downey Re:**  
**Additional Parking - George Dixon Centre**

Alderman Downey expressed his appreciation to the City's Chief Engineer and its Superintendent of Parks and Grounds for their efforts in resolving the parking problems at the George Dixon Centre. The Alderman indicated that he had appreciated staff's quick response to these concerns which he had raised during the 17 May meeting of Halifax City Council.

**Question Alderman Downey Re:**  
**Hours of Operation - Transfer Station**

At Alderman O'Malley's request, Alderman Downey noted that a number of complaints had been received with regard to the "dumping" that is taking place as a direct result of the transfer station's early closing hours.

The City Manager advised that representatives of the Metropolitan Authority will be on hand during the 11 June meeting of Committee of the Whole Council to address this matter.

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**Question Alderman Downey Re:**  
**Crossing Guards**

Alderman Downey, at the request of Alderman O'Malley, asked for a staff report regarding concerns raised by the City's crossing guards that the reduction in their weeks will negatively affect their ability to draw unemployment.

**Question Alderman Hanson Re:**  
**Capital Project - Quarry Road**

Alderman Hanson made reference to a project involving the installation of stormwater sewers on Quarry Road (to the Halifax Heating site on Northwest Arm Drive), expressing his very deep concern that, owing to a lack of response from the Province with regard to cost-sharing, the project has been in abeyance for quite some time.

The Alderman asked that staff be requested to contact the Provincial Department of Municipal Affairs once more to attempt to determine the position of this project on their priority list.

On the Chairman's recommendation, it was agreed that this matter be added to the agenda of the next regular meeting of Committee of the Whole Council (scheduled for Monday, 11 June), and that staff be requested to provide a report at that time.

**Question Alderman Hanson Re: Transit Shelters**

Noting the success of the new transit shelters which have been installed in various locations throughout the City in recent months, Alderman Hanson asked for a report from staff as to the proposed work schedule relevant to the installation of the remaining shelters.

**Question Alderman Hanson Re:**  
**Northwest Arm Walkway**

Alderman Hanson asked for clarification from staff with regard to the proposed location of the extension to the walkway which, at present, stops abruptly in the vicinity of the Greek Orthodox Church. He noted that, while he understood that this capital project had been deferred until "later," he would appreciate receiving information as to when the work is proposed to be continued and any other details staff are able to provide on the project.

Question Alderman Pottie Re: Halifax Industrial Park

Alderman Pottie requested an Information Report (preferably in time for the next regular meeting of Committee of the Whole Council scheduled for Monday, 11 June 1990) with regard to the following: (a) the actual cost to the City of Halifax of the lands purchased for the Halifax Industrial Park; (b) the total cost of developing those lands for Park usage, including the expenditure approved during tonight's meeting; (c) the total cost of the finance charges (e.g., interest, etc.) on all monies borrowed for the Park since its inception in 1984; (d) the total assessment of the Park in 1990 calendar year; and (e) the total amount of taxes paid to the City since 1984 by the businesses located in the Halifax Industrial Park.

ADDITIONS AND DELETIONS

Award of Tender #90-42: Upgrading of Streets (Resurfacing)

A staff report dated 29 May 1990 was submitted.

MOVED by Alderman R. Grant, seconded by Alderman Hanson that:

1. City Council approve the streets program proposed by the Engineering and Works Department as shown in Appendix "A" and "B" (of the staff report dated 29 May 1990) and funded in the 1990 Approved Operating Budget,
2. Authority be granted to award Tender #90-42 to Municipal Contracting for the unit prices quoted,
3. Authority be granted to proceed with the upgrading (resurfacing) of the indicated streets (listed in Appendix "A" of the staff report dated 29 May 1990) until the allocated funds of \$435,000.00 in Account No. D1626 have been expended,
4. Authority be granted under Section 201(1) of the City Charter to make additional expenditures for Halifax Water Commission work, such as the lifting of valves which will be recovered from the Commission,
5. Authority be granted to resurface the Purcells Cove Road Sewer Project (between Litchfield Crescent and Wenlock Grove) at a cost up to \$25,000.00 from funds in Account No. DB057.

Motion passed.

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Supplementary Report - Case No. 6060: Rezoning from  
R2 to R2P - 24-26 Melrose Avenue

A supplementary staff report dated 28 May 1990 was submitted.

Alderman Jeffrey addressed the matter and noted that this item has been before Council on a number of occasions. The Alderman indicated that he could not approve the rezoning of this property because of the fact that it would set a precedent in the area. However, he noted that he was not prepared to refuse the rezoning either. Alderman Jeffrey explained that this property has existed for approximately 30 or 40 years with 4 units. The Alderman asked that staff provide a report addressing his suggestion to leaving the property as it is.

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that this matter be deferred pending receipt of a further staff report.

Motion passed.

Misinformation - CBC News Broadcast  
Re: Social Assistance Programs

Mr. Crowell, Director of Social Planning, addressed the matter and advised that he was concerned about a news report by the CBC yesterday morning and the number of phone calls he received as a result of it. Mr. Crowell expressed concern about the impression that was left with the public that it was almost impossible to get off social assistance and that you had to cheat to get off social assistance. He pointed out that at least 250 people go off their case load every month, that 25 percent of the total case load are only on assistance for one month, and that another 25 percent go off within three months. Mr. Crowell also clarified that the fastest growing part of the case load are those people who are over 65 years of age and are being cared for in their own homes.

At approximately 9:10 p.m., Alderman O'Malley entered the meeting.

A short discussion ensued with Mr. Crowell addressing a number of questions from members of Council.

Green Belt - Alderman Fitzgerald

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

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Alderman Fitzgerald addressed the matter and noted that for a number of years the subject of developing a system of municipal parks across the metropolitan area was discussed. He went on to advise that the City of Halifax, over a period of time, was able to purchase the Hemlock Ravine. At this time, Alderman Fitzgerald noted that he had suggested that the City should try and develop a green belt from the Hemlock Ravine to Herring Cove. He expressed his desire to develop a plan to make use of the existing right of ways and lands owned by the City. The Alderman advised that it was his understanding that the City does have an option with respect to the power right of way. Referring to the Provincial Park, Stanley Park, etc., Alderman Fitzgerald suggested that the opportunity existed to develop a park like green belt across the City.

MOVED by Alderman Fitzgerald, seconded by Alderman Grant that the Parks and Grounds Division provide a report at a future Committee of the Whole Council meeting as soon as possible on the recommendation of developing a Green Belt across the City of Halifax.

In seconding the motion, Alderman Grant referred to the Plan which was prepared by the Parks and Grounds Division for the trail system along the McIntosh run, Long Lake Park, MacIntosh Park, and so on. He suggested that it was time for the City to bring forward the old Plan for a future trail system.

Alderman Stone spoke in support of the comments made by Alderman Fitzgerald and advised that the Parks and Grounds Division have been making every effort to provide this linear park to extend from one end of Mainland North to the other (from the MacIntosh Run to the Hemlock Ravine).

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

Crosswalk Safety (Alderman O'Malley)

This item was added to the agenda at the request of Alderman O'Malley.

Alderman O'Malley addressed the matter and expressed strong concern with respect to a recent incident where a lady was killed in a crosswalk at Novalea Drive at Vestry Street. After hearing about this tragedy, the Alderman noted that she contacted staff and asked for a report on the precautions that were in place. Alderman O'Malley noted that she observed most of those precautions, but questioned whether the bus stop at the east side of Novalea Drive and the people getting off the bus at this point may add to the congestion in this particular area.

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The Alderman asked that this matter be investigated by staff. She also noted that there was a large tree at the corner of Novalea Drive and Vestry Street which she suggested could present a visibility problem during the summer months when it is in full leaf. Alderman O'Malley asked that staff look at this tree to determine if it causes a visibility problem when it is in full leaf.

Alderman O'Malley noted that she had contacted the Halifax Police Department and has been advised that they are investigating the accident and will bring forward any pertinent information with respect to this tragedy.

Alderman O'Malley advised that, shortly after this accident, Bill 40 was introduced in the House of Assembly. She noted that one clause of this Bill gives the pedestrian the right of way in a marked or unmarked crosswalk. The Alderman asked that Mr. Kennedy, Traffic Engineer, and his staff provide her with information on this section of the Bill and the effect which it could have.

Alderman O'Malley also questioned whether or not there were any educational programs with regard to crosswalk being planned for the next few months.

MOVED by Alderman O'Malley, seconded by Alderman Downey that staff review and monitor, for a reasonable period of time, to ensure that there has been no oversight with respect to having appropriate precautions at the crosswalk at Novalea Drive and Vestry Street and, further, that the Halifax Police Department undertake a selective enforcement program with regard to possible speeding in this area.

Motion passed.

Interchange - Burnside Industrial Park to Sackville  
(Alderman Meagher)

This item was added to the agenda at this item at the request of the Chairman, Alderman Meagher.

Alderman Meagher addressed the matter and advised that it has been drawn to his attention that the provincial government has recently become involved in the building of a road from the Burnside Industrial Park to Sackville. He suggested that Mr. Connell, Director of Engineering and Works, address the matter.

Mr. Connell addressed the matter and described, with the use of a sketch, the location of the interchange by the Department of Transportation from the Burnside Industrial Park into the Sackville area. He noted that the project involved 2 and a half million dollars with the City

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of Halifax cost sharing at 1.3 or 1.4 million dollars. At the request of Council, Mr. Connell agreed to provide a full report on the situation.

At approximately 9:40 p.m., the meeting adjourned.

HIS WORSHIP ALDERMAN MEAGHER  
CHAIRMAN

M/K

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