

**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
05 September 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: Deputy Mayor Ducharme, Chairman; and Aldermen Holland, Fitzgerald, Downey, O'Malley, Pottie, Hanson, Jeffrey, and Stone.

ALSO PRESENT: Mr. Barry Allen, representing the City Solicitor; City Clerk, and other members of City staff.

At the request of the City Clerk, the following item was added to the agenda:

Appointment of Body to Approve and Recommend to Council on the Chief Petty Officer Statue

This matter was forwarded to this meeting from the Planning Committee held earlier on this date.

MOVED by Alderman Pottie, seconded by Alderman Stone that, the Art Allocation Committee and two members of the City's Engineering and Works Department constitute a body to be charged with making recommendation to Halifax City Council with regard to the request from the Atlantic Chief and Petty Officers Association vis a vis a statue at Sackville Landing.

Motion carried.

Council then continued with the regular agenda items as follows:

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Public Hearing Re: Closure and Sale - Portion of Kent Avenue

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

Mr. Claude Isaacs, Development Assistant, addressed Council and, using diagrams, outlined the request by the applicant for the City to close a portion of Kent Avenue and sell it to him (as outlined in the confidential staff report dated 26 June 1990).

Mr. Isaacs responded to questions from Council.

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

MOVED by Alderman Stone, seconded by Alderman Jeffrey that:

1. City Council approve the closure of a portion of Kent Avenue as shown on Plan TT-44-30640, the same being a portion of street lying on the south side of Kent Avenue near a portion of street lying on the south side of Kent Avenue near the Bedford Highway and that,
2. Subject to approval of the closure by the Minister of Municipal Affairs, the subject lands be sold to Mr. Dennis Bouchard on the basis of \$2.00 per square foot.

Motion carried.

Public Hearing Re: Case No. 6111: Appeal of Minor Variance - 5231 Smith Street

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

A staff report dated 25 July 1990 was submitted.

Mr. Paul Dunphy, Planner, addressed Council and using diagrams, outlined the reasons why a minor variance of the side yard requirement of the land use bylaw to permit construction of an elevated walkway of 5231 Smith Street was approved (as illustrated in the staff report).

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Mr. Dunphy noted that the application had been approved on 01 June 1990, and on 12 June 1990 a property owner within the notification area filed an appeal.

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

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

Motion carried.

At 7:45 Alderman Meagher enters the meeting.

Public Hearing Re: Case No. 6156: Development Agreement - Lot K-27R Attenborough Court

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

Mr. Fred Haliburton, Planner, addressed Council and, using diagrams, outlined the application from FS Industries Limited for a development agreement to permit construction of a four-unit townhouse on Lot K-27R Attenborough Court (as illustrated in the staff report dated 10 July 1990).

Mr. Haliburton pointed out that the reason for this request was that the time limit expired regarding the development agreement which previously applied to the site.

Mr. Barry Thorne, a resident of 5636 Fenwick Street, addressed Council and indicated that he was one of the buyers of the property in question.

Mr. Thorne advised that four couples collaborated to build the condominium in question, and they became very concerned when they learned that they couldn't get a building permit because the contract had lapsed under the party that they were buying it from. Mr. Thorne noted that every other aspect was approved and that this matter had delayed their ability to proceed. In conclusion, Mr. Thorne requested that Council make a decision on this matter as soon as possible due to the time constraints involved.

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

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Alderman Stone addressed the matter and suggested that due to the time constraints involved with this development, that Council deal with this item immediately.

It was therefore, MOVED by Alderman Stone, seconded by Alderman Fitzgerald that:

1. Pursuant to Section 68(9) of the Mainland portion of the Land Use Bylaw, City Council grant Stage II, Phase 1, approval for the development of Lot K-27R for a building containing four townhouse dwelling units, substantially in conformance with Plan No. P200/12896.
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 6147: Rezoning - C-1 to C-2A - 2790 Windsor Street

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

Mr. Gary Porter, Planner, addressed Council and, using diagrams, outlined the application by Irving Oil Ltd. to rezone 2790 Windsor Street from C-1 (Local Business) Zone to C-2A (Minor Commercial) Zone for the purpose of expanding the existing building and allowing other site improvements (as illustrated in the staff report dated 11 July 1990).

Mr. Porter responded to questions from Council.

Mr. Alan Hayman, solicitor for the applicant, addressed Council and spoke briefly on the history of the gas station in question. He advised that after 35 years in operation, his client feels that remodelling and refurbishing the station is necessary.

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Mr. Hayman advised that his client was eager to get started on the work before winter sets in. He then submitted a petition with approximately 160 signatures of neighbours and customers in support of the rezoning of the service station.

On a final note, Mr. Hayman advised that some of the neighbours of the area expressed concern about his client's proposal, and he emphasized that the proposed renovations would take place within the confines of the existing lot.

Mr. Barton, also speaking on behalf of the applicant, addressed Council and outlined the various renovations that were proposed.

Referring to the renovations, Mr. Barton advised that the existing building would have a "face lift"; an addition to the rear of the building which will enable the gas station to have a modern pro-care outlet and a place to store equipment. Mr. Barton noted that other improvements included two pump islands covered by a canopy, new underground fibreglass storage tanks, and landscaping.

Mr. Barton responded to questions from Council.

In response to questions by Alderman Pottie concerning possible additional noise and lighting, Mr. Barton indicated that the renovations, particularly, the addition to the rear of the building, would not generate additional noise. He pointed out that no new service bays were proposed and that the back wall of the station would remain as it is with a green belt to act as a buffer. Mr. Barton advised that, although the canopy would provide light to the pump islands, the lighting would be directed on a downward direction and the light would, at most, fan out to the property line. He added that no other lighting was proposed.

In response to a question by Alderman Holland regarding the property assessment, Mr. Barton indicated that he was not sure what the property was assessed at.

The Chairman indicated that staff would provide a response on this matter.

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

The following correspondence was submitted:

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A letter in support of the proposed rezoning by Mr. Denis A. T. Kelly, owner of Bluenose Coin Shop, 6245 Almon Street, Halifax, NS, B3L 1V1.

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

Motion carried.

Public Hearing Re: Case No. 6120: Modification of Lot Frontage - 25 Melody Drive

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

Mr. Gary Porter, Planner, addressed Council, and using diagrams, outlined the application for modification of the lot frontage at 25 Melody Drive (Lot 22A-1) to enable subdivision of this property from 12 Bonaventure Drive (as illustrated in the staff report dated 10 July 1990).

Mr. Porter responded to questions from staff.

Mrs. Mary-Lou Brousseau, a resident of 25 Skylark Street addressed Council and spoke in opposition to the application.

Mrs. Brousseau pointed out that the piece of property in question was property left over from the owner subdividing and selling off surrounding lots, and it was now the owner's intention to develop this left-over piece of land. Mrs. Brousseau advised that she didn't have a problem with what the applicant wants to build but that she was very concerned over the small size of the lot and, especially, the 46 trees which would have to be demolished in order to allow development.

Mrs. Brousseau also expressed concern about water run-off problems which would result from the proposed duplex, as well as, the additional height of the building because it would be built into the side of a hill. In conclusion, Mrs. Brousseau requested that Council keep the residents opposition in mind when making its decision on this matter.

Mr. Kevin Landry, a resident of 27 Melody Drive addressed Council and indicated his opposition to the proposed application.

Mr. Landry suggested that the proposed development would adversely affect the character of the neighbourhood. He expressed concern about drainage in the area, particularly, if the trees on the lot were removed. Mr. Landry also advised that the lot was a valuable recreational area for the children in the neighbourhood and that Mr. Toor had given his verbal blessing for this lot to be used by the children.

Referring to a point in the staff report, Mr. Landry noted that Mr. Toor, the applicant, had subdivided the lot two years ago and that the owner had left his lot undersized at 49.5 feet. He suggested that it was not a mistake and that the owner was now attempting to make up the shortfall.

Mr. Landry responded to questions by Council.

Mrs. Barbara Landry, a resident of 27 Melody Drive, addressed Council and pointed out that the lot that the applicant currently wants to build on was subdivided in 1983 by the applicant.

Mr. Romaine Cook, a resident of 28 Skylark Street, addressed Council and emphasized the point that the lot in question was six inches short and does not meet set standards. He advised that the lot adjacent to 25 Melody Drive (23 Melody Drive) borders six inches from the boundary in question. Mr. Cook pointed out that the City has standards set to restrict building eight feet from the boundary and that the existing house on 23 Melody Drive was not eight feet from the boundary. On a final point, Mr. Cook requested that before Council approves this application that it consider that these restrictions were put in place for reasons of safety and privacy.

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

The following correspondence was submitted:

A letter in opposition to the proposed application, dated August 16, 1990, by Mrs. Barbara Landry, 27 Melody Drive, and Mrs. Mary-Lou Brousseau, 25 Skylark Street, with approximately 13 signatures in opposition.

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

Motion carried.

Public Hearing Re: Case No. 6059: Rezoning from R-1 to R-2, Lot S-1 Aurora Avenue and Lot S-2 Towerview Drive

A public hearing into the above matter was held on this date.

Mr. Paul Dunphy, Planner, addressed Council and outlined, using diagrams, the application to rezone Lot S-1 Aurora Avenue and Lot S-2 Towerview Drive from R-1 (Single Family Dwelling Zone) to R-2 (Two Family Dwelling Zone) to build a duplex dwelling on each lot (as outlined in the staff report dated 05 July 1990).

Mrs. Maria Koetsier, a resident of 28 Towerview Drive, addressed Council and advised that she lived directly across the street from the proposed area of rezoning.

Mrs. Koetsier indicated that her opposition to the proposed application was because it would adversely affect the character of the neighbourhood which had been established in 1957-58 as a strictly R-1 zone.

Mrs. Koetsier advised that her main objection to the rezoning was that the two-unit homes proposed would probably be rental units and that this would lead to various tenants who do not have the appreciation of the property or the property of their neighbours. Mrs. Koetsier advised that another concern she had was the noise factor which would result from additional units.

Mr. Lloyd Foster, a resident of 20 Towerview Drive, addressed Council and spoke in opposition to the proposed rezoning.

Mr. Foster suggested that zoning should be thought of more in terms of planning rather than development and that the City shouldn't change the current zoning for an individual because he wishes to develop his lot.

Mr. Foster referred to the staff report and suggested that, in his opinion, 78 percent of single family homes provided a very stable neighbourhood. On another point, Mr. Foster suggested that 33 and 35 Towerview Drive

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does not provide a transition to the neighbourhood because it was a nonconforming use in a an R-1 zone and he noted that it only has to be vacant 6 months and it reverts to a single-family dwelling.

Mr. Foster suggested that the only reason this area was given consideration for rezoning was because it was at the end of the street. He advised that appropriate enhancement of the neighbourhood would be two single-family dwellings rather than rental units. Mr. Foster advised that people who live in rental units do not have the same commitment to the neighbourhood as do people who own their property.

In conclusion, Mr. Foster requested that Council give consideration to maintaining the neighbourhood in its present state and refuse the application to rezone.

Alderman Jeffrey addressed the matter and, as a point of information, advised that because the applicant intends to build a duplex, it doesn't necessarily mean that the units would be rented. He noted that many duplexes were owned by the occupants.

There were no further persons wishing to address Council.

The following correspondence was submitted:

A letter in opposition, dated August 17, 1990 from D. J. Pace, 5 Crestview Drive, Halifax NS.

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

Motion carried.

There being no further business to discuss, the meeting adjourned at 8:45 p.m.

DEPUTY MAYOR DUCHARME
CHAIRMAN

/sm

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

Council Chamber
City Hall
Halifax, Nova Scotia
13 September 1990
8:00 P.M.

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

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

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

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

Before moving to the regular agenda, His Worship Mayor Wallace, on behalf of members of Council, thanked John Buchanan for his contribution to the citizens of Halifax and Nova Scotia during his time as Premier of Nova Scotia. Mayor Wallace extended best wishes to John Buchanan in his new position as Senator.

On behalf of the residents of Mainland South, Alderman Grant extended best wishes to Senator John Buchanan and thanks for serving this area well.

Presentation - Mr. Donald F. Murphy, Q.C., City Manager

Alderman Stone, as a delegate from Council at the Union of Nova Scotia Municipalities (U.N.S.M.) Conference, advised that the U.N.S.M. last evening presented plaques of dedication of service to various members of municipalities for long service to the community. He noted that he had accepted this award on behalf of Donald F. Murphy, Q.C., City Manager. Alderman Stone presented Mr. Murphy at this time with this award in recognition of his 32 years of dedicated service in municipal government.

MINUTES

Minutes of the regular meeting of City Council held on Thursday, 30 August 1990, were approved on a motion by Alderman O'Malley, seconded by Alderman Fitzgerald.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS & DELETIONS

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

20.1 Case No. 6033: 12 & 14 Vimy Avenue -
Rezoning from R-2P to R-2AM

20.2 Award of Tender 90-34: Sanitary Sewer and
Watermain Renewal, New Concrete Curb & Gutter -
Sunnybrae Avenue

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

20.3 Richmond Terminal

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

Motion passed.

DEFERRED ITEMS

Case No. 6111: Appeal of Minor Variance - 5231 Smith Street

A public hearing was held regarding this matter on 5
September 1990.

Alderman Holland addressed the matter and spoke in
support of the appeal. He noted that he had spoken with a
number of the neighbours in the area and went on to refer to a
letter he had received in respect of the matter stating that
Smith Street is a cul-de-sac and has very much developed as a
family environment neighbourhood. The Alderman advised that
the letter indicates that the residents could support a roof
deck at the back of the building, but have expressed their
opinion that the minor variance should not be allowed if this
could not be achieved.

MOVED by Alderman Holland, seconded by Alderman
Downey that the decision of the Acting Development Officer to
approve the application for a minor variance of the side yard
requirement of the land use bylaw to permit construction of an
elevated walkway (3 storeys above grade) at 5231 Smith Street
be overturned and the appeal granted.

Motion passed.

Case No. 6147: Rezoning - C-1 to C-2A - 2790 Windsor Street

A public hearing was regarding this matter on 5
September 1990.

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An information report dated 10 September 1990 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Meagher that the application to rezone 2790 Windsor Street land of Irving Oil Ltd. from C-1 (Local Business) Zone to C-2A (Minor Commercial) Zone be approved.

The City Clerk advised that Aldermen Grant and Flynn were not in attendance at the public hearing on this matter and therefore should not participate in the vote.

The motion was put and passed with Aldermen Grant and Flynn abstaining from the vote due to non-attendance at the public hearing.

Case No. 6120: Modification of Lot Frontage - 25 Melody Drive

A public hearing into this matter was held on 5 September 1990.

Alderman Stone addressed the matter and noted that a number of residents had spoke in opposition to this application at the public hearing. He explained that many residents were concerned that such a large size dwelling was proposed for such a small lot. Alderman Stone also advised that it was the concern of the residents that the proposed development was not compatible to the area because, while there are some duplex type lots in the area, they are more basement type apartments. He noted that the lot or dwelling next to this lot is a single dwelling one storey building. Alderman Stone explained that the residents were concerned that the lot, which was now an empty lot, would cause a drainage problem to the lot below it (#23). The Alderman advised that there was also concern that the lot would be too close to the lot next door because the house was six inches from the lot line.

Alderman Stone informed Council that the developer had intended to speak at the public hearing but was too late arriving and, therefore, MOVED, seconded by Deputy Mayor Ducharme that this matter be deferred to give the developer and staff an opportunity to review the application further and address the residents' concerns presented at the public hearing.

Motion passed.

Case No. 6059: Rezoning from R-1 to R-2, Lot S-1 Aurora Avenue
and Lot S-2 Towerview Drive

A public hearing into this matter was on 5 September 1990.

Alderman Hanson addressed the matter and advised that, after assessing the situation, he was in support of this application. He referred to the staff report of 5 July 1990 and noted that the report states that "further R-2 rezonings on Crestview, Towerview, and Bridgeview should be discouraged as these streets are predominantly single unit homes". Alderman Hanson therefore indicated that the proposed development would not establish a precedent in the area.

MOVED by Alderman Hanson, seconded by Alderman Pottie that the application to rezone Lot S-1 Aurora Avenue and Lot S-2 Towerview Drive from R-1 to R-2 be approved.

Alderman Holland spoke in opposition to the motion expressing the view that the development was a change in the character of the neighbourhood.

The City Clerk advised that Aldermen Grant and Flynn were not in attendance at the public hearing and therefore should not participate in the vote.

The motion was put and passed with Alderman Holland voting in opposition and Aldermen Grant and Flynn abstaining due to non-attendance at the public hearing.

MOTIONS OF RECONSIDERATION

Motion Alderman Pottie - Reconsideration of Council Resolution
of 30 August 1990 - Rental Subsidy - Farmers Market

Alderman Pottie gave notice of motion of reconsideration with respect to this matter at the last meeting of City Council held on 30 August 1990.

Alderman Pottie addressed the matter and MOVED, seconded by Alderman O'Malley that City Council reconsider its resolution approving a rental subsidy to the Halifax City Market Vendors Association of \$7,000 plus \$1500 for 1990.

Alderman Pottie explained that his reason for putting forward the motion of reconsideration was because it was his understanding that the rental subsidy for the Halifax Farmers' Market was to be forwarded to the Tax and Grants Committee and that, to his knowledge, this had never been done.

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On a point of order, Alderman Flynn noted that a special committee of Council had been established to consider the Farmers' Market. He noted that he did not recall any motion of Council referring the request from the Market to the Tax and Grants Committee.

The Chairman advised that Council had never referred the matter to the Tax and Grants Committee and that the subsidy was always a decision of Council.

After a short discussion, the motion of reconsideration was put and passed.

As a result, the original motion as amended and approved at the last City Council meeting held on 30 August 1990 as follows was reconsidered at this time:

" That Council approve a rental subsidy to the Halifax City Market Vendors Association of \$7000 plus \$1500 for 1990: and further, that this subsidy be subject to review at the end of the current fiscal year."

Alderman Flynn expressed his surprise that the motion of reconsideration was being considered based on the reason that the matter should have been forwarded to the Tax and Grants Committee. The Alderman pointed out that City Council had never referred the matter to this Committee. He noted that the matter had been dealt with by a Committee established by Council, the Farmers' Market Committee. Alderman Flynn expressed concern with respect to a further delay in funding to the Farmers Market noting that the season was almost over. The Alderman expressed his extreme disappointment with regard to the length of time and procedure in dealing with the Farmers' Market request.

A discussion followed with Alderman Grant expressing the view that the matter should be sent to the Tax and Grants Committee for consideration.

MOVED by Alderman Grant, seconded by Alderman Jeffrey that the matter be referred to the Tax and Grants Committee for a report at the next meeting of City Council on the appropriateness of the allocation of funds in the amount recommended by Alderman Flynn of \$8500 to the Halifax City Market Association.

Alderman Meagher informed Council that there was only an amount of \$12,318 remaining in the Tax and Grants fund for this year and noted that a portion of this amount had already been committed. He, therefore, suggested that it would be difficult for the Tax and Grants Committee to allocate the amount of funding being recommended to the Farmers Market.

Motion of referral was put and defeated.

The discussion continued with Alderman Pottie moving, seconded by Alderman O'Malley that the motion be amended to replace the figure of "\$1500" with the figure of "\$300".

The motion to amend was passed.

As a result, Council now considered the following motion as amended:

" That Council approve a rental subsidy to the Halifax City Market Vendors Association of \$7000 plus \$300 for 1990: and further, that this subsidy be subject to review at the end of the current fiscal year."

Responding to a question raised by Alderman Jeffrey, the City Manager advised that the subsidy to the Farmers Market was budgeted for under the Development and Planning Departmental budget.

After a further debate, the motion, as amended, was put and passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 5 September 1990, as follows:

Early Lay-Offs - Local 108

An information report dated 7 September 1990 was submitted.

The following motion was defeated by the Finance and Executive Committee: that Council approve an overexpenditure in the Engineering and Works Department budget of an amount not to exceed \$150,000 for the purposes of rehiring for an additional two-week period those employees scheduled to be laid off as of 5 September 1990.

Alderman Downey addressed the matter and referred to the petition which was forwarded to all members of City Council concerning the early lay-off of some Local 108 workers. He noted that the item was placed on the Sept. 5 Committee of the Whole Council agenda with the request that the lay-off scheduled for September 25 be deferred pending receipt of a staff report addressing how these workers could be protected. Alderman Downey noted that the information report of September 5 indicated that the amount of money that it would take to protect these jobs would be \$150,000. The Alderman went on to note that he had put forward a motion on September 5 that Council approve an expenditure of \$150,000 to protect these

workers. However, he advised that the motion was defeated very much to his surprise and disappointment. Alderman Downey expressed the concern that a total of 49 jobs were lost. In concluding Alderman Downey suggested that Mr. MacDougall, President of Local 108, appear at a future Committee of the Whole Council meeting or meet with the City Manager to discuss the situation in order to try and prevent this crisis from happening next year.

Alderman Fitzgerald agreed with Alderman Downey's suggestion that Mr. MacDougall appear before a Committee of the Whole Council meeting to ask and address questions. The Alderman expressed concern with respect to the fact that a financial hardship is placed on the families of these workers who are being laid off.

The Chairman suggested that Management was always willing to meet with the Union.

His Worship advised that there was no motion on the floor and Alderman Downey acknowledged that a motion was presented at the last Committee of the Whole Council meeting on the subject which was defeated.

A discussion followed with Alderman Grant noting that it was his understanding that sometime ago a previous Alderman on Council suggested that Council meet with various Department Heads and the Union, either in an informal session or at a Committee of the Whole Council meeting, at least once a year just to dialogue. He suggested that this matter be looked into.

**Heritage Fund Grant Application -
Cornwallis Street Baptist Church**

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council approve a Heritage Fund grant to the Cornwallis Street Baptist Church for \$3,000 for 1990; and further, that the City Manager and the City's Heritage Coordinator be instructed to meet with Reverend Mack to discuss the matter in greater detail and to identify, if at all possible, other funding alternatives to be used for the completion of the renovations at the Cornwallis Street Baptist Church.

Motion passed.

Municipal Round Tables on the Environment
and the Economy (Deputy Mayor Ducharme)

MOVED by Deputy Mayor Ducharme, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Halifax City Council establish a "Municipal Round Table on the Environment and Economy" as an advisory body to Council and consisting of six (6) citizens with an interest in and knowledge of the environment and two (2) members of staff.

Deputy Mayor Ducharme asked that the appointments to this Round Table be advertised in the up-coming call for volunteers scheduled for November.

The motion was put and passed.

Inequities in the Home Support Program

An information report dated 10 September 1990 was submitted.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Fitzgerald that City Council request the Department of Health or the Department of Community Services to cover the cost of Home Support Services for all citizens who require care up to the first 28 hours of care per week, and to cost-share at the rate of 75 percent for any care that exceeds the 28 hours of care and, further, that Council invite the Provincial Minister of Health and Fitness and the Minister of Community Services, or their designates, to appear before the Committee of the Whole Council to explain the policy.

Motion passed.

Tender #90-106 - Computers (Hardware and Software)
- Automated Building Permit System

MOVED by Alderman Flynn, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #90-106 for computers (hardware and software), Automated Building Permit System, to Vertex Systems Limited/P.C. Plus (Atlantic) Ltd. at a cost of \$80,535.00 (funds to be made available in the following accounts: Engineering #126110.09900.DS347, and Planning and Development #122603.A0635 - Special Items. Building Permits System).

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

9:35 p.m. His Worship Mayor Wallace retired from the meeting with Deputy Mayor Ducharme assuming the seat of the Chair.

Tender #90-108 - Ten 1991 Police Patrol Vehicles

A supplementary staff report dated 7 September 1990 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Fitzgerald that Tender #90-108 for ten (10) 1991 police patrol vehicles be awarded to Wood Motors Limited in the amount of \$178,287.00 with delivery to be made in 70 days (funds to be made available from the Replacement Vehicle Account).

Motion passed.

Proposed License - Fenwick Place

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute the licensing agreement with Dalhousie University as attached to the confidential staff report of 24 August 1990.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 5 September 1990, as follows:

Recycling

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Committee on Works, staff investigate methods which could be implemented for the disposal of bottles, tins, plastics, and composting; and to establish with the Metropolitan Authority hazardous waste collection twice a year, and provide a report to Council within 90 days.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 5 September 1990 as follows:

**Case No. 5621: Proposed Development Agreement -
Spring Garden Road and Summer Street
(SET DATE FOR PUBLIC HEARING)**

Correspondence, dated 12 September 1990, was submitted from Mr. F. B. Wickwire, Q.C., on behalf of the applicant, Brenhold Limited, together with correspondence, dated 10 September 1990, from Ms. Carol MacLennan-Young, 89 Gloria Avenue, Lower Sackville, N.S.

Following is the recommendation from the 5 September meeting of the City Planning Committee:

- (a) that Council set a date for a public hearing to consider the proposed development agreement to permit a mixed-use development adjacent to the northwest corner of the intersection of Spring Garden Road and Summer Street (as illustrated in Sketch 1 of the staff report dated 27 August 1990); and
- (b) that the matter be referred to the Planning Advisory Committee for comment.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that Case No. 5621, regarding the proposed development agreement to permit a mixed-use development adjacent to the northwest corner of the intersection of Spring Garden Road and Summer Street (as illustrated in Sketch 1 of the staff report dated 27 August 1990), be forwarded to the Planning Advisory Committee for review and recommendation at its earliest possible convenience.

Alderman Meagher noted that, should this motion be approved, it would be unlikely that Council would schedule a public hearing date until it has received the PAC's recommendation on this matter or at least some indication of when that recommendation would be forthcoming. As a member of the Planning Advisory Committee, the Alderman emphasized the significance of this particular application, and strongly recommended that the PAC be given ample opportunity to review the possible ramifications of the proposed development.

9:50 p.m. - His Worship Mayor Wallace returns to the meeting with Deputy Mayor Ducharme assuming her usual seat on Council.

Alderman Richard Grant spoke in opposition to the motion currently on the floor, expressing concern that since there are no legislative requirements that planning matters of this nature be considered by the Planning Advisory Committee, the decision to do so might represent an unwarranted obstacle to the progress of this development application, as well as adding unnecessarily to the workload of the PAC.

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The City Solicitor concurred with Alderman Grant's assertion that an amendment to the Municipal Planning Strategy is not required by this development application. However, he emphasized that similar applications have been referred to the PAC in the past, simply because of their extremely sensitive nature and Council's desire to obtain as much input on the matter as possible on which to base their final decision. Mr. Anstey also pointed out that the PAC's recommendations are frequently used to assist Council to determine the specifics of the advertisements which will subsequently be developed prior to the public hearing process.

With reference to the City Solicitor's comments, His Worship Mayor Wallace indicated that, on occasion, the Planning Advisory Committee has also been successful in negotiating with the developer in order to effect changes to the application which are more appropriate, in their opinion, to the site in question. In this context, Mayor Wallace referred to the letter recently received from Mr. F. B. Wickwire, which states, in part, that "Brenhold Limited . . . and its officers fully support Planning Advisory Committee's consideration of this matter and the company will do all that it can to assist in the PAC process." His Worship reiterated that, owing to the possible implications of this development agreement on the surrounding neighborhood, Council should, in his opinion, take every precaution to ensure that the application is comprehensively reviewed.

Alderman Flynn made further reference to Mr. Wickwire's letter of 12 September, noting that, in terms of this particular development application, there would appear to be grounds for concern regarding a possible conflict of interest involving one or more members of the Planning Advisory Committee.

His Worship Mayor Wallace emphasized that the matter would be brought to the immediate attention of the PAC Chairman to be dealt with accordingly.

On the suggestion of the City Manager, it was agreed that the Planning Advisory Committee would be requested to provide Council with some indication as to when their report might be forthcoming so that Council might then proceed to schedule the required public hearing. In this context, reference was made to Mr. Wickwire's letter of 12 September in which it was suggested that a public hearing date of either 7 November or 21 November would be preferable for the applicant.

On this same matter, it was suggested by Alderman Jeffrey that, if the Planning Advisory Committee cannot provide Council with a specific date on which they intend to submit their recommendation, they could consider providing a "progress report" on the matter in time for Council's first meeting in November.

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

Case No. 5505: Amendments to the Municipal Planning Strategy and Land Use Bylaw - Outdoor Storage
(SET DATE FOR PUBLIC HEARING)

A supplementary report, dated 13 September 1990, was submitted.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee:

- 1) Council set a date for a public hearing to amend the Municipal Development Plan and the Land Use Bylaw to restrict derelict vehicle compounds and junk yards to I-3 (General Industrial) Zones on the Mainland by development agreement. Such agreements would follow the guidelines listed in Policy 4.6 of the Municipal Development Plan (with amendments) as outlined in the staff report of 23 July 1990. Such uses shall continue to be permitted in C-5 (Harbour-Related Industrial) Zones on the Peninsula where the operation is marine related; and that
- 2) a transfer depot for hazardous wastes be established under the Metropolitan Authority, with strict adherence to federal and provincial regulations.

The motion was put and passed.

The City Clerk advised that the proposed public hearing would be scheduled for **WEDNESDAY, 17 OCTOBER 1990** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Role of the Metropolitan Area Planning Commission (MAPC)

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Flynn, seconded by Deputy Mayor Ducharme that Halifax City Council **not** endorse the proposal to revitalize the Metropolitan Area Planning Commission (MAPC), but that it urge the chief executive officers of the four municipalities, the Metropolitan Authority, and the appropriate provincial agencies to meet and prepare a list of priorities and the means to handle them, and to report to the Authority and to their councils.

The motion was put and passed.

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Responding to a question from Deputy Mayor Ducharme, His Worship Mayor Wallace indicated that he would undertake to advise Mr. Mort Jackson, Executive Director of the Metropolitan Authority, of Council's decision on this matter.

Basement Apartments in R-1 Zones

Following is the recommendation forwarded to Council from the 5 September meeting of the City Planning Committee:

That this matter (i.e., basement apartments in R-1 Zones) be fully investigated and clarified (specifically as to how two incomes can be derived from a residence in an R-1 Zone not occupied by its owner); and further that no occupancy permit be issued for the basement apartment referred to by Deputy Mayor Ducharme in her comments on 5 September until the matter has been investigated.

An Information Report, dated 13 September 1990, was submitted.

Deputy Mayor Ducharme expressed her concern regarding the comments contained the 13 September Information Report and asked for clarification from staff as to whether there are instances (other than those involving day care centres) in which a dwelling unit in an R-1 Zone can be used to provide two incomes, despite the fact that the owner of that property does not reside at that address.

Mr. Richard J. Matthews, Director of Development and Planning, advised that the partial use of a residence in an R-1 zone as a day care centre also enables another portion of that residence to be used as a rental unit, despite the fact that the owner does not reside on the property. Responding to a further question from Deputy Mayor Ducharme, he acknowledged that, in addition to this "special status" attributed to day care centres, there are other types of home occupations (such as doctors' offices) which also entitle the owner to use another part of the structure for a residential use.

The Deputy Mayor emphasized that, while she would not pursue the matter at this time, a number of Mainland North residents are extremely concerned about zoning provisions which permit this kind of R-1 usage. She concluded her remarks by suggesting that a request for an amendment to the Land Use Bylaw may be forthcoming at some future date, and thanked staff for providing the requested information.

**Major Commercial and Industrial Development
(Information Report Dated 21 August 1990)**

This matter had been forwarded to Council without recommendation.

Referring to the Information Report, dated 21 August 1990 concerning major commercial and industrial development in the City of Halifax over the last 12-month period (and including a 10-year synopsis of the years 1980-90), Alderman Flynn noted that, in general, the City made some commendable efforts over the last few years in terms of commercial construction. However, the Alderman went on to make specific reference to the fact that, according to that Information Report, out of the more than 2.1 million square feet of warehouse space constructed between 1981 and 1991 in the metropolitan area, "approximately ninety percent of this growth took place in Dartmouth." In this same context, Alderman Flynn referred to recent media reports concerning zoning changes being considered by Dartmouth City Council which, if approved, will permit office buildings of even greater height in the Burnside Industrial Park. The Alderman emphasized that developers have admitted that their intention in requesting this zoning amendment was to attract tenants away from downtown Halifax.

Alderman Flynn expressed his very deep concern with regard to these reports, suggesting that this trend toward construction of major office buildings away from metropolitan central business cores is inconsistent with the objectives of the Regional Development Plan. He indicated that he was particularly concerned that in the next several years, if this trend were allowed to continue unopposed, downtown Halifax may well witness an outflow of its long-term businesses to more attractive and accessible locations in such suburban areas as Burnside and Bedford/Sackville.

Alderman Flynn strongly recommended that staff be requested to undertake a review of the Regional Development Plan to ascertain if its policies continue to be relevant in light of current trends toward suburban office space. In this context, he suggested that the review should examine not only the City's downtown core, but also its outlying areas such as the Armdale Rotary, Mumford Road, and Kempt Road where services have already been installed and for which an active marketing strategy might be developed.

The Alderman further suggested that staff contact other municipalities to ascertain what steps they are taking to maintain their present tenants and to protect their commercial tax base. He added that the City's Municipal Planning Strategy (particularly its policies pertaining to commercial and industrial development) might also be reviewed to determine if

there is anything that might be done to attract more business and industry to Halifax.

Acknowledging the inroads made by Dartmouth in this regard, Alderman Flynn concluded his remarks by emphasizing that, in his opinion, the City of Halifax must take an aggressive approach to marketing its commercial and industrial potential (particularly in its downtown core) and to protecting its position as the economic and business centre of Atlantic Canada. In this regard, the Alderman further suggested that meetings with prominent Halifax businessmen might be recommenced so that Council and staff might have a clearer idea of the concerns and problems facing the City's long-term tenants.

Concurring with Alderman Flynn's remarks, Alderman Grant, a member of the Halifax Industrial Commission, further noted that a study very much along the lines as that suggested by Alderman Flynn (although focusing on the City's industrial lands) has already been undertaken by the IIC. Alderman Grant further expressed the hope that the two studies might be conducted in tandem so that a comprehensive marketing strategy might be developed for the City as a whole.

MISCELLANEOUS BUSINESS

Appointments

A report, dated 13 September 1990, was submitted from His Worship Mayor Wallace.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that Ms. Pam Cole be appointed to the LAKES AND WATERWAYS ADVISORY COMMITTEE, for a term to expire on 31 January 1993.

The motion was put and passed.

MOVED by Alderman Hanson, seconded by Deputy Mayor Ducharme that Ms. Beverly W. Miller be appointed to the HERITAGE ADVISORY COMMITTEE, for a term to expire 31 January 1993.

The motion was put and passed.

QUESTIONS

Question Deputy Mayor Ducharme Re: Bayview Road

Deputy Mayor Ducharme asked that the Traffic Authority be requested to undertake a further traffic count on Bayview Road, particularly in light of the fact that the City's colleges and universities have commenced their Fall semesters.

Question Deputy Mayor Ducharme Re: Centennial Pool

Responding to a question from Deputy Mayor Ducharme, Alderman Meagher, the Chairman of the City's Tax Concessions and Grants Committee, advised that, owing to the absence of one of the Committee members from the last Committee meeting, a decision on the matter had not yet been reached. The Alderman emphasized, however, that the matter would be addressed at another meeting to be scheduled shortly.

Question Deputy Mayor Ducharme Re:
Farmers Market Committee

Referring to remarks made earlier in the meeting's agenda concerning the rental subsidy for the Farmers Market, Deputy Mayor Ducharme asked for information with regard to the membership of the committee established by Council several months ago to liaise with the Market, as well as a list of the concerns that have been addressed by that committee to date.

Alderman O'Malley, a member of the Farmers Market Committee, clarified that the group had initially been established solely for the purpose of exploring possible options for the Market's relocation. While acknowledging that that particular matter has now been resolved, the Alderman indicated that she would welcome the opportunity for the Committee to meet further to address other areas of concern with regard to the Farmers Market.

11:00 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Ducharme assuming the Chair.

Question Alderman Jeffrey Re:
Snowplows

Alderman Jeffrey made reference to the damage previously done by City snowplows to grassed areas on Botany Terrace and in the Springvale Avenue, and noted that these lawns had not been replaced again this year. In this context, the Alderman asked for information from staff with regard to the markers which were to be erected at these locations.

**Question Alderman Jeffrey Re:
City-Owned Playground**

Alderman Jeffrey noted that there are increasing incidents of vandalism as well as reports of teenagers loitering in the City-owned playground located on Veronica Drive, and asked for a report from the Halifax Police Department on this matter.

**Question Alderman Jeffrey Re:
Vehicular Traffic - Intersection of Main and Willett**

Alderman Jeffrey noted that he has received a number of calls from concerned parents regarding the high volumes of vehicular traffic using the intersection at Main and Willett Streets and the large numbers of school children also using this route. The Alderman asked that the Halifax Police Department be requested to investigate the matter, particularly from the perspective of perhaps assigning a school crossing guard to this intersection.

**Question Alderman Jeffrey Re:
Street Cleaning**

Alderman Jeffrey advised that he has received a number of calls from residents of the Frederick Avenue/Springvale Avenue area, complaining that their streets have not yet been cleaned. The Alderman asked that the City's street cleaners be directed to these areas as quickly as possible, and that a report on the matter be requested from the Director of Engineering and Works.

**Question Alderman O'Malley Re:
Proposed Removal of Mail Box - Novalea Drive**

Alderman O'Malley, on behalf of residents of the Dr. Samuel Prince Manor, expressed her very deep concern regarding Canada Post's proposal to remove the letter box which has been located for some years directly in front of the seniors complex. In her remarks, the Alderman emphasized that this mail box has always proven a considerable convenience particularly to the senior residents of Novalea Drive, adding that to walk the six blocks to the box's new location will be a definite hardship, especially during the winter months.

Alderman O'Malley therefore suggested that Halifax City Council go on record as opposing this relocation, and that the City Manager be requested to forward a letter to Canada Post recording Council's opposition and asking for information as to why the box is being removed.

**Question Alderman Hanson Re:
Sewer and Water Services**

Alderman Hanson made reference to the long-standing inadequacies pertaining to sewer and water services between Quarry Road and the Northwest Arm Drive. Stressing the urgent need for improvements, the Alderman requested that City staff make every effort to negotiate with the Province of Nova Scotia to obtain a commitment so that the project can be commenced as quickly as possible. Acknowledging that funding is the major obstacle to this project, Alderman Hanson advised that he would be meeting shortly with the Deputy Premier on this matter, and asked that the City continue its negotiations at the staff level.

Question Alderman Fitzgerald Re: Early Lay-Offs

Alderman Fitzgerald made reference to Council's deliberations concerning this matter earlier in the meeting's agenda, and asked for information as to the ratio of workers laid off in proportion to supervisors.

Question Alderman Fitzgerald Re: City Club

Alderman Fitzgerald requested a further "progress report" relevant to the City Club which was acquired by the City of Halifax some months ago.

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

Alderman Fitzgerald requested a "progress report" with reference to the St. Mary's Boat Club property.

**Question Alderman Fitzgerald Re:
Tipping Fees and Garbage Removal from Condominiums**

Alderman Fitzgerald requested a "progress report" concerning the tipping fees currently in effect at the City's landfill site and the general matter of garbage removal from condominium units.

**Question Alderman Fitzgerald Re:
Odor Problem - Ward Two**

Alderman Fitzgerald noted that he has received a number of complaints concerning an offensive odor presumably emanating from Ben's Bakery on the evening of Thursday, 13 September, and asked that staff investigate the matter and submit a report.

Question Alderman Meagher Re:
Vehicular Traffic - Chebucto Road/Cunard Street

Alderman Meagher expressed concern regarding the high traffic volumes at the intersection of Chebucto Road and Cunard Street, emphasizing that, despite the large number of school children using this route, motorists appear to have little regard for the painted crosswalks. The Alderman suggested that crossing guards may be warranted in this situation, and asked that the City Traffic Authority and the Halifax Police Department review the matter and submit a report.

Question Alderman Meagher Re:
Left-Hand Turns Off Robie Street

Alderman Meagher expressed concern regarding the increasing number of left-hand turns being made off Robie Street onto such residential streets as Compton and Welsford between the hours of 4:00-6:00 p.m. (in order to avoid the traffic lights), and asked that the Halifax Police Department and the City's Traffic Authority take steps to rectify the situation.

Question Alderman Meagher Re:
Halifax Civic Hospital

Responding to a question from Alderman Meagher, the City Manager advised that negotiations between the City of Halifax and the Province regarding the take-over of this building are continuing, with the next meeting scheduled for Monday, 17 September.

11:20 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Ducharme assuming her usual seat on Council.

Question Alderman Pottic Re:
Truck Traffic on Connaught Avenue

Alderman Pottic indicated that, based on the number of telephone calls he continues to receive from concerned residents of Connaught Avenue, recent police efforts to monitor truck traffic on that thoroughfare do not appear to have made any appreciable impact.

The Alderman therefore asked for information from the Traffic Authority as to whether the Connaught Avenue signage (at the Windsor Street and Bayers Road intersections), relevant to the restrictions on truck traffic, could in any way be improved so as to emphasize the fact that the street is closed to trucks between 9:00 p.m. - 7:00 a.m.

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11:20 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor Ducharme assuming her usual seat on Council.

Question Alderman Pottie Re:
Truck Traffic on Connaught Avenue

Alderman Pottie indicated that, based on the number of telephone calls he continues to receive from concerned residents of Connaught Avenue, recent police efforts to monitor truck traffic on that thoroughfare do not appear to have made any appreciable impact.

The Alderman therefore asked for information from the Traffic Authority as to whether the Connaught Avenue signage (at the Windsor Street and Bayers Road intersections), relevant to the restrictions on truck traffic, could in any way be improved so as to emphasize the fact that the street is closed to trucks between 9:00 p.m. - 7:00 a.m.

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In this same context, Alderman Pottie made reference to an Information Report, dated 31 August 1990, in which it was noted that a total of six tickets were issued to trucks using Connaught Avenue. The Alderman asked for information from the Deputy Chief of Police as to how many of these six tickets were subsequently voided.

Question Alderman Richard Grant Re:
Ramp - A. Murray McKay Bridge

Alderman Richard Grant made reference to the exit ramp from the A. Murray McKay Bridge leading to Windsor Street/Robie Street and the Bedford Highway, and noted that the ramp has been in what he termed "a deplorable condition" for the last 3-4 years. In this context, the Alderman emphasized that the ramp, because of the state of its surface, is particularly hazardous during the winter months and asked for information as to whether there are plans to undertake improvements prior to the 1990/91 winter season.

Question Alderman Richard Grant Re:
City Field Property Adjacent to Bridge Ramp

Alderman Richard Grant advised that he has received a number of complaints regarding the condition of the City Field property adjacent to the exit ramp of the A. Murray McKay Bridge.

Suggesting that, in its current condition, the property looks like a "junk yard," the Alderman emphasized that, in his opinion, the facility does not create a good first impression of Halifax. He therefore strongly recommended that steps be taken either to improve its appearance by clearing up the site and/or buffering it from public view, or that consideration be given to relocating the facility to a site in the vicinity of the new Parks and Grounds property in Cowie Hill or to the Industrial Park. Alderman Grant suggested that, if the facility were moved from its current location, the vacated property could then be used more appropriately for industrial or marine-related uses.

Question Alderman Richard Grant Re:
Promotion of the City of Halifax

Alderman Grant made reference to comments made earlier in the meeting by Alderman Flynn to the effect that the Farmers Market "promotes the City of Halifax." In this context, the Alderman asked for information as to the amount of money expended by the Farmers Market Association to promote the City, as well as the specifics of this promotional strategy.

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Alderman Grant also inquired as to whether Tourism Halifax actively promotes the Farmers Market in any way, and, if not, whether this possibility be considered.

NOTICES OF MOTION

**Notice of Motion Deputy Mayor Ducharme Re:
Amendments to Ordinance 155, the Truck Route Ordinance**

Deputy Mayor Ducharme gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for **27 September 1990**, she proposes to introduce a motion to amend Ordinance 155, the Truck Route Ordinance, for updating purposes.

ADDED ITEMS

**Case No. 6033: 12 and 14 Vimy Avenue
- Rezoning from R-2P to R-2AM**

This matter was last discussed at a regular meeting of Halifax City Council held on Thursday, 30 August 1990, at which time a public hearing had been scheduled for **Wednesday, 3 October**.

A supplementary staff report, dated 12 September 1990, was submitted in which it was recommended that a revised hearing date be set in order to allow the various advertising requirements relevant to a proposed Plan amendment to be met.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Hanson that the matter be deferred to the next regular meeting of Halifax City Council **scheduled for Thursday, 27 September 1990**, so that staff and the owner of the property in question might discuss the subject matter of the proposed public hearing in greater detail.

The motion to defer was put and passed.

**Award of Tender #90-34: Sanitary Sewer and Watermain
Renewal - New Concrete Curb and Gutter (Sunnybrae Avenue)**

A staff report, dated 10 September 1990, was submitted.

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Ducharme that:

- 1) Council increase net funding in Capital Account No. DB064, Sunnybrae Avenue Sewer Renewal, to \$134,000.00

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- by transferring \$64,000.00 from Capital Account No. CA016, New Curb and Gutter, Sunnybrae Avenue;
- 2) Council increase gross funding in Capital Account No. DB064 to \$178,000.00 with no increase in the net City cost and with appropriate recoveries to be executed from the Halifax Water Commission;
 - 3) Council award Tender #90-34 for project materials and services listed at the unit prices quoted, at a total project cost of \$178,000.00, to B. H. Fancy Construction Limited;
 - 4) funding for this project be authorized from Capital Account No. DB064.

The motion was put and passed.

Richmond Terminal (Alderman Richard Grant)

This matter had been added to the agenda at the request of Alderman Richard Grant who made reference to remarks made by the Vice President (Atlantic Region) of Canadian National at a recent Ports Day gathering.

Alderman Grant indicated that it was his understanding that CN representatives would be most interested to meet with City officials regarding various railway-related matters, and, on that basis, strongly recommended that His Worship Mayor Wallace write to the CN Vice President to invite him to an informal meeting with members of City Council and senior staff.

The Chairman concurred with Alderman Grant's suggestion, and indicated that he would undertake to extend such an invitation shortly.

There being no further business to be discussed, the meeting was adjourned at approximately 11:30 p.m.

HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR MOIRA DUCHARME
CHAIRMEN

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

Council Chamber
Halifax City Hall
19 September 1990
7:30 p.m.

A special meeting of Halifax City Council 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 Downey, Meagher, O'Malley, Pottie, Grant, Hanson, and Stone.

ALSO PRESENT: Ms. Beatrice Renton, representing the City Solicitor, City Clerk, and other members of City staff.

Public Hearing Re Case No. 5505: Amendments to the Municipal Planning Strategy and Land Use Bylaw - Outdoor Storage

The City Clerk advised that the purpose of the meeting was to consider changing the commencement time of the Public Hearing scheduled for 17 October 1990 from 7:30 p.m. to 5:00 p.m. as there was only one Public Hearing scheduled for that evening and the item was of a minor nature.

MOVED by Alderman Hanson, seconded by Alderman Pottie that, with respect to the public hearing scheduled for 17 October 1990 at 7:30 p.m. on the subject of Case No. 5505: Amendments to the Municipal Planning Strategy and Land Use Bylaw - Outdoor Storage, the commencement time of the Public Hearing be changed from 7:30 p.m. to 5:00 p.m.

Motion carried.

Award of Tender #90-35: Curb and Gutter - Sunnybrae Avenue

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

MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Committee on Works,

Special Council
19 September 1990

1. Council increase gross and net funding in Capital Account No. CA016, New Curb & Gutter, Sunnybrae Avenue to \$213,000.00 by bringing forward \$52,000.00 from 1991 to 1990.
2. Council award Tender #90-35 for project, materials and services listed and for the unit prices quoted at a Total Project Cost of \$213,000.00, to Standard Paving Maritime Limited.
3. Funding for this project be authorized from Capital Account No. CA016, New Curb and Gutter Sunnybrae Avenue.

Motion carried.

There being no further business to discuss, the meeting adjourned at 7:40 p.m.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

/sm

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09/19/90

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

Council Chamber
City Hall
Halifax, Nova Scotia
27 September 1990
8:00 P. M.

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

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

ALSO PRESENT: Ms. Mildred M. Royer, Acting City Manager; City Solicitor; City Clerk; and other members of City staff.

Presentation of Retirement Scrolls: Captain Thomas B. Dixon, Captain Joseph A. Walker, and Firefighter Robert L. Ryan

On behalf of the members of Halifax City Council, His Worship Mayor Wallace presented Captain Thomas B. Dixon (32 years' service), Captain Joseph A. Walker (32 years' service), and Firefighter Robert L. Ryan (32.5 years service) with the City's Long Service Award in recognition of their dedicated work and outstanding service with the Halifax Fire Department.

Corsages were presented to Mrs. Marian Dixon, Mrs. Marie Walker, and Mrs. Joan Ryan by Deputy Mayor Moira Ducharme.

Fire Chief Thomas Power expressed his personal appreciation to the men for their years of service to the Department, and wished all of them many long years of health and happiness.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 13 September 1990, and of two special meetings held on Wednesday, 5 September and Wednesday, 19 September, were approved as circulated on a motion by Alderman Jeffrey, seconded by Alderman Stone.

CITY COUNCIL
27 SEPTEMBER 1990

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

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

- 20.1 Briar Lane (Rear of Halifax YMCA)
- 20.2 Capital Project - Lacewood Drive

At the request of Deputy Mayor Ducharme, Council
agreed to add:

- 20.3 Traffic Conditions at the Intersection
of Lacewood Drive/Bayview Road

At the request of Alderman Richard Grant, Council
agreed to add:

- 20.4 Mardi Gras Committee - UPDATE

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

DEFERRED ITEMS

**Case No. 6033: 12 and 14 Vimy Avenue
- Rezoning from R-2P to R-2AM**

This matter had been deferred from a regular meeting
of Halifax City Council held on Thursday, 13 September 1990, so
that staff and the owner of the property in question might
discuss the parameters of the proposed public hearing in
greater detail.

An Information Report, dated 26 September 1990, was
submitted.

Deputy Mayor Ducharme advised that, after some
consideration, the applicant has decided against applying for
various lot and yard modifications with regard to the property
situated at 12 and 14 Vimy Avenue.

It was therefore moved by Deputy Mayor Ducharme,
seconded by Alderman Flynn that Halifax City Council schedule a
public hearing to consider amendments to the Municipal
Development Plan and Land Use Bylaw relevant to the property
located at 12 and 14 Vimy Avenue (as described in the staff
report dated 26 April 1990).

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

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 7 NOVEMBER 1990** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

**Case No. 6011: Proposed Peninsula North Secondary
Planning Strategy**

This matter had last been discussed during a regular meeting of Halifax City Council held on Thursday, 26 July 1990; a public meeting concerning the proposed Peninsula North Secondary Planning Strategy was subsequently held on Wednesday, 19 September.

An Information Report, dated 26 September 1990, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the matter be deferred to the **Wednesday, 17 October meeting of Committee of the Whole Council**, pending receipt of further information from staff.

Speaking on the motion to defer, Alderman Flynn noted that, based on the presentations received during the 19 September public meeting, it would seem readily apparent that the majority of commercial property owners are opposed to any down-zoning of their properties. He therefore strongly recommended that, during its future deliberations, Council consider proceeding to a public hearing with only those parts of the Strategy which to date have met with little or no objection. By adopting this approach, the Alderman suggested that staff energies could be used more efficiently and this matter of some long-standing could finally be resolved.

Alderman Grant referred to the previous speaker's suggestion that certain portions of the Peninsula North Strategy be deleted, and asked for information from the City Solicitor as to whether the City is legally obligated to develop planning strategies for all areas of the City.

The motion to defer was put and passed.

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PETITIONS AND DELEGATIONS

**Petition Alderman O'Malley Re:
Sidewalk Renewal - Leaman Street**

Alderman O'Malley submitted a petition signed by approximately 26 residents of Leaman Street, requesting that renewal of the sidewalks on the east side of Leaman Street between Drummond Court and Leeds Street be included in the City's 1991 Capital Budget.

In submitting this petition, the Alderman requested that copies be distributed to the appropriate members of City staff for further consideration.

[NOTE: Later in the meeting's agenda (during "Question Period"), Alderman O'Malley further requested that staff undertake a deficiency assessment of the Leaman Street sidewalks and submit a report on the matter.]

**Petition Alderman Fitzgerald Re:
Four-Way Stop Signs - Edward Street Intersections**

Alderman Fitzgerald submitted a petition signed by approximately 100 residents of the Edward Street area, requesting that the City consider the installation of four-way stop signs at the intersections of Edward and Binny Streets, and at Edward and Bliss.

The Alderman further requested that this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 3 OCTOBER 1990.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 19 September 1990, as follows:

**Case No. 6094: Cost-Sharing -
Caxton Close, Clayton Park West**

MOVED by Alderman Stone, seconded by Deputy Mayor Ducharme that, as recommended by the Finance and Executive Committee, City Council agree to cost-share in the construction of the oversize storm sewer at Caxton Close within the Clayton Park West Subdivision in the estimated amount of \$16,700, subject to final billings based on the quantities and unit prices of the tender.

The motion was put and passed.

Acquisition - Parcel H-224, Civic No.
204 Herring Cove Road

MOVED by Alderman Hanson, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, Parcel H-224, as shown on Plan No. TT-43-30462, be acquired from Mr. Frank E. and Mrs. Mary E. Keddy for \$10,150 as settlement in full (funds are available in Account No. C3012, Herring Cove Widening, Phase III).

The motion was put and passed.

Archbishop's Residence and St. Mary's Boat Club
Property - Acquisition

Supplementary reports, dated 24 September and 27 September 1990, were submitted.

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

- 1) the Archbishop's Residence and the St. Mary's Boat Club properties be purchased for \$2,340,000, in accordance with the arrangement proposed by the letter from Archbishop Hayes on 27 June 1990;
- 2) a down payment of \$250,000 be provided through section 231(1) of the City Charter and form a claim on the 1991 budget; and
- 3) the balance of payments, together with the interest which the letter indicates will accrue at 2 percent below prime, be placed in subsequent budgets.

A discussion ensued pertaining to the negotiations still ongoing between the City Manager and the Archdiocese, with His Worship Mayor Wallace emphasizing to members of Council that these talks are still in their very preliminary stages and that no specific details have yet been finalized with regard, for instance, to the schedule of payments or to a date on which the Archbishop would be expected to vacate his residence. In this context, Mayor Wallace indicated that undoubtedly the City Manager would upon his return ensure that Council is kept well advised of any progress being made.

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

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Renovations - Recreation Department
Offices (Scotia Square)

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the renovations of the Recreation offices at Scotia Square be continued and the \$15,000 covering this expense be paid for out of the City's contingency fund.

The motion was put and passed.

Fine Structures

This matter had last been discussed during the 19 September meeting of the Finance and Executive Committee at which time Alderman Jeffrey had requested information from the City Solicitor as to the avenues which Council might explore pertaining to a possible increase in fines for truck route violations.

A report, dated 20 September 1990, was submitted by Mr. Wayne Anstey, City Solicitor.

Alderman Jeffrey emphasized that the use of City streets (particularly those in residential neighborhoods), which are not designated for truck traffic, has become a very disturbing and widespread problem affecting every ward of the City. The Alderman went on to advise that he had recently undertaken a personal survey of the kinds of signage posted by the City with regard to truck traffic, and suggested that steps should be taken to render these signs more conspicuous. He also strongly recommended that the Halifax Police Department be directed to initiate a period of selective enforcement aimed at ticketing those trucks found to be in violation of the City's Truck Route Ordinance. In particular, Alderman Jeffrey took exception to the kinds of fines that are currently in effect with regard to Ordinance violations, calling a \$15.00 fine (for a first offence) "deplorable" and completely useless as a deterrent to would-be offenders.

It was therefore moved by Alderman Jeffrey, seconded by Deputy Mayor Ducharme that Council approach the Minister of Transportation with a request that the following schedule of fines (relevant to violations of the City's Truck Route Ordinance) be implemented:

first offense	- not less than \$200
second offense	- not less than \$300
third offense	- not less than \$500

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In putting forward this motion, Alderman Jeffrey also asked for information from the City Solicitor as to whether points are deducted from trucker' licenses when they are found to be guilty of this type of violation.

Concurring with Alderman Jeffrey's remarks, Deputy Mayor Ducharme made reference to the situation on Bayview Road in the City's Mainland North area in which trucks consistently use the street as a connecting route between Lacewood Drive and the Bedford Highway. In this context, an amendment to the motion was moved by Deputy Mayor Ducharme, seconded by Alderman Jeffrey that His Worship Mayor Wallace write to the Minister of Transportation, asking him to personally ensure that this matter is dealt with as quickly as possible, not only with regard to an increase in the minimum fines, but also pertaining to the introduction of prohibitive signs for trucks on those residential streets with traffic volumes of more than 5,000 per day.

Deputy Mayor Ducharme further suggested that the City Solicitor review the proposed legislation previously forwarded to the Province concerning this matter to ensure that Council has not already made a recommendation concerning fine increases.

Alderman Grant strongly recommended that residents of those neighborhoods bothered by large numbers of illegal truck traffic make every effort to record license numbers and company names. The Alderman noted that, if this information is given to the Police, every effort will be made to contact the company owner and issue an appropriate warning. In this context, Alderman Grant further suggested that HPD maintain a list of the companies and/or truck drivers to whom warnings have been issued for future reference.

Alderman Stone asked for information as to the manner in which truck drivers (particularly those from out of town) familiarize themselves with the City's truck routes. In this context, the Alderman suggested that if it is staff's opinion that improvements to the method of information dissemination are required, this might be a project the City could undertake on its own while waiting for the 1991 session of the Legislature to rule on amendments to the fine schedule.

9:05 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor Ducharme assuming the Chair.

Alderman Flynn, concurring with remarks made previously concerning the inadequacies of the City's truck route signs, pointed out that the City of Dartmouth posts signs indicating "No Trucks Allowed" on many of its residential streets. While acknowledging that the Halifax Traffic Authority had already indicated his reluctance to adopt such a strategy, Alderman Flynn strongly recommended that this option

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be re-examined, particularly in conjunction with the report to be submitted from staff relevant to Agenda Item 16.1, "Amendments to Ordinance No. 155, the Truck Route Ordinance - First Reading."

Alderman Hanson noted that another aspect of this problem pertains to trucks travelling through residential neighborhoods on their way to and from construction sites. Using the Crown Drive site as an example, Alderman Hanson emphasized that, under these kinds of circumstances, heavily loaded trucks travel these streets (which are often extremely narrow) at all hours of the day and night, posing definite safety and environmental problems. The Alderman recommended that consideration be given by staff to devising methods by which trucks might be discouraged from using neighborhood streets as a route to and from construction sites.

Alderman Richard Grant made reference to a previous endeavor during which the Department of Transportation cooperated with the City of Halifax in using portable scales to weigh heavy trucks. The Alderman suggested that perhaps this project could be reinstated (particularly with regard to trucks found to be illegally using residential streets), adding that if the Province no longer wished to participate, perhaps the City could investigate the cost of acquiring these scales for its own use.

Closing the discussion, Alderman Jeffrey strongly urged that the concerns raised during this evening's deliberations be forwarded to the City's Traffic Authority with a request that some kind of action be taken in order to ensure the residents of Halifax the kind of peace and tranquillity they deserve.

The amendment to the motion was put and passed.

The motion, as amended, was put and passed.

Subletting of Mobile Canteen Locations

This matter had last been discussed during the 19 September meeting of the Finance and Executive Committee at which time Alderman O'Malley had requested information from the City Solicitor regarding the legality of "subletting" tendered mobile canteen locations.

A report, dated 26 September 1990, was submitted from Mr. Wayne Anstey, Q.C., City Solicitor.

Alderman O'Malley made reference to the 20 September report from the City Solicitor, emphasizing that "a license to vend from a site **shall not be transferable** without the permission of City Council." In this context, therefore, the

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Alderman asked that the Halifax Police Department be requested to investigate whether the City's mobile street vendors are indeed complying with this regulation.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on 19 September 1990 as follows:

Appointment - Acting Chief of Police

A staff report dated 20 September 1990 was submitted.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that Deputy Police Chief Arthur Wyatt be appointed the Chief Officer of the Halifax Police Force Department until such time as a permanent Chief Officer is appointed pursuant to the selection process established by City Council on 30 August 1990.

Motion passed.

Traffic Conditions at Lacewood Drive and Bayview Road
(Deputy Mayor Ducharme)

This item was added during the setting of the agenda by Deputy Mayor Ducharme. Because there was such a large representation of residents from the Mainland North area present, Council agreed to deal with this item at this time.

Deputy Mayor Ducharme addressed the matter and advised that Council must be aware of the recent demonstrations of the residents of the Lacewood Drive and Bayview Road area. She noted that these demonstrations are caused by the frustration the residents of this area are experiencing with regard to the on-going traffic problems.

Deputy Mayor Ducharme went on to refer to an incident which had just occurred this evening at the corner of Bayview Road and Lacewood Drive. She explained that there were members of the Halifax Police Department present at this location during the residents' demonstrations. The Deputy Mayor advised that a gentleman who was not involved with the demonstrations was crossing the street while the police were directing traffic. She expressed the concern that this gentleman was stopped by the police for disobeying them and that, when two residents tried to explain to the police that this young man was not involved with the demonstration, they were also taken in for disobeying the police. The Deputy Mayor asked that the Mayor's Office address this matter with the Police Department.

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Deputy Mayor Ducharme pointed out that the City had sought the assistance of the Province in addressing the traffic problems in this area on repeated occasions with no solutions being met. She noted that Council had approved a motion last February asking staff to remove the flashing green signal at the Bedford Highway entrance to Clayton Park and advised that this was not done. The Deputy Mayor also noted that Council had approved a motion asking staff to meet with the residents of the area to bring about a solution to address the needs of the people rather than the needs of the motor vehicle drivers. She noted that no action had been taken with regard to this direction of Council to date.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Jeffrey that staff be requested to meet with residents of the Bayview Road and Lacewood Drive area prior to the next Committee of the Whole Council meeting schedule for Wednesday, 3 October 1990, and provide a staff report on their recommendations with respect to short term solutions to the traffic problems being experienced in this area.

In seconding the motion, Alderman Jeffrey concurred with the concerns put forward by the Deputy Mayor with regard to the heavy volume of traffic in this particular area. He noted that he had requested staff in the past to look at ways of keeping the traffic from turning off Dunbrack Street onto side streets such as Lacewood Drive and Bayview Road until a major street is reached which could better handle the traffic.

Alderman Stone suggested that one solution would be to bring the traffic downtown by routing it on Dunbrack Street down Lacewood Drive to Vimy Avenue. He suggested that consideration be given to an overpass from Vimy Avenue over the Bedford Highway to the left of the Fairview overpass which will connect to the approach roads to the bridge. The Alderman noted that this route would not affect too many residents.

Alderman Hanson pointed out that traffic problems not only existed in Mainland North, but were a problem for the whole of the mainland and that there was a need for new sidewalks to provide for the safety and welfare of the citizens of this area.

Following a discussion, the motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on 19 September 1990 as follows:

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Mainland Common Master Plan - Proposal Call Process
and Terms of Reference

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, Council approve the proposal call process and the terms of reference for the Mainland Common master plan as attached to the staff report of 13 September 1990.

Motion passed.

MOTIONS

Motion, Deputy Mayor Ducharme Re: Amendments to Ordinance No.
155, the Truck Route Ordinance - FIRST READING

A staff report dated 27 August 1990 was submitted.

On behalf of Deputy Mayor Ducharme it was MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that City Council give FIRST READING to the proposed changes to Ordinance 155 (as attached to the staff report of 27 August 1990), Truck Routes, to include an expanded definition of "highway" to coincide with a recent amendment to the Motor Vehicle Act, an adjustment in the weight exemption to coincide with the terms of the Motor Vehicle Act, a small wording change to Section 4 to clarify its meaning and new schedules "A" and "B".

Motion passed.

MISCELLANEOUS BUSINESS

Tender 910555 - Incandescent and Fluorescent Lamp
Annual Order - Stores Inventory

A staff report dated 18 September 1990 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Haddon that authority be granted to purchase incandescent and fluorescent lamps from Litemor Distributors Limited, the lowest bidder meeting specifications at \$72,997.12, on an as and when required basis.

Alderman Flynn addressed the matter and noted that there was a difference of \$796.00 between the second and lowest tenders. The Alderman advised that he wanted to be assured that the high pressure sodium lamps that are being quoted on are of Canadian Manufacture and not foreign which might not meet Canadian standards.

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Mr. Smith advised that staff could provide a report at the next Committee of the Whole Council meeting in response to Alderman Flynn's question.

It was therefore MOVED by Alderman Flynn, seconded by Alderman Hanson that the matter be deferred to the next Committee of the Whole Council meeting scheduled for Wednesday, 3 October 1990.

Motion of deferral passed.

QUESTIONS

Question Alderman Downey Re: Moosehead Grand Prix Update

Alderman Downey asked that staff at this time provide an update on the Moosehead Grand Prix race scheduled for the Thanksgiving Day weekend.

Mr. Tom Abraham, Executive Assistant to the City Manager, addressed Council and outlined the route on the monitor as illustrated in the sketch attached to information report of 24 September 1990 and addressed questions concerning the event.

Question Alderman Downey Re: Provincial Litter Abatement Act

Alderman Downey explained that he has been receiving a number of calls lately from persons who are receiving letters from the City concerning litter. Alderman Downey questioned whether or not the new Provincial Litter Abatement Act overrides the City's legislation covering the same.

Mayor Wallace commented that the City had sent out letters to certain establishments with respect to the litter.

Mr. Peter S. Connell, Director of Engineering and Works, addressed Council and advised that to the best of his knowledge there was a Provincial Abatement Act but the City also has existing regulations under the street ordinance covering litter.

The City Solicitor advised that the more stringent of the regulations would apply in any particular situation.

The City Manager suggested that the Alderman was referring to some recent amendments to the Provincial environmental legislation and that the matter would be referred to both the Legal and Development and Planning Departments to investigate and respond.

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Question Alderman Stone Re: Rose Bushes on Dunbrack Street

Alderman Stone noted that he had received an information report in response to a question he had raised at a previous Council meeting regarding the rose bushes on Dunbrack Street. The Alderman indicated that he was pleased to see that the rosebushes which were causing visibility problems had been cut back on the newly installed sidewalks. He also indicated that he was glad that the bushes causing site problems along intersections were going to be cut back particularly along Radcliffe Drive and Dunbrack Street and expressed the hope that this review would continue. The Alderman asked that staff continue to look at the various intersections with rosebushes to determine if visibility problems are being caused by these bushes. Alderman Stone referred to an accident at the crosswalk in front of the Northcliffe Pool and advised that this accident was apparently caused in part due to the rose bushes.

Question Alderman Stone Re: Stop Sign at Lincoln Cross and Meadowlark Crescent

Alderman Stone advised that he had read information recently stating that the Traffic Authority, as a result of a traffic study, is relocating a stop sign in the area of Lincoln Cross and Meadowlark Crescent. He noted that this area includes the subdivision of Sheffield in the Park and also the Bridgeview subdivision. Alderman Stone advised that he was concerned that the relocation of this stop sign could cause a dangerous situation for the residents who are not used to stopping at this location. The Alderman therefore asked that the Police Department be asked to monitor the situation, at least for a couple of days beginning tomorrow morning, until the residents are fully aware of the erection of this new stop sign.

Question Alderman Stone Re: Collection of Hazardous Household Products

Alderman Stone referred to a recent notice in the newspaper indicating that the Ecology Action Centre is going to collect hazardous household products on Saturday, 13 October 1998. Alderman Stone advised that he wanted to make certain that the public was well informed that the depot for this collection was going to be located in the Sears Parking lot.

His Worship advised that this was a Metropolitan Authority program with the involvement of the Ecology Action Centre. He noted that there will be 8 depots with only one being located in Halifax. Mayor Wallace suggested that the program will be advertised.

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Question Alderman Jeffrey Re: Burton Ettinger School
Recycling Program

Alderman Jeffrey noted that the Burton Ettinger School has been the location of a fine recycling depot, but advised that there is concern that there is no place to keep the recycling items. The Alderman asked that staff meet with the teachers and/or the Parent Teachers' Association to find out what can be done to solve this problem.

Question Alderman Jeffrey Re: Expropriation of Property at the
Corner of Alma Crescent and Dutch Village Road

Alderman Jeffrey advised that he has been trying for some time to have the property at the corner of Alma Crescent and Dutch Village Road expropriated. He noted that staff have advised him that the reason for the delay in the expropriation process was because they had difficulty in reaching the owner. Alderman Jeffrey indicated that if staff drew up the expropriation order that he would see to it that the owner received it. The Alderman asked that the Director of Development and Planning make every effort to try and resolve this problem immediately.

Question Alderman Jeffrey Re: Sidewalk Renewal on Yale Street

Alderman Jeffrey noted that approximately 30 percent of the sidewalk on Yale Street was asphalt and asked that staff consider including this street for sidewalk renewal in the 1991 capital budget.

Question Alderman Jeffrey Re: Truck Traffic

Alderman Jeffrey advised that a resident had informed him that there has been a recent increase in the number of trucks coming into the City. He went on to advise that the resident had contacted the Halifax Police Department concerning the matter and was advised that the reason for the increase was due to the closure of the Hammonds Plains Road or another road to trucks. The Alderman asked that the Traffic Authority provide him with a report outlining the reason for the increased truck traffic into the City and which street was closed to trucks.

Question Alderman Jeffrey Re: Mooshead Grand Prix

Alderman Jeffrey referred to a newspaper clipping entitled "False start by the Grand Prix" by Mr. Harry Flemming.

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He noted that Mr. Flemming, in this article, commented that the Mayor was out of town when Council had met and approved the Moosehead Grand Prix item. Alderman Jeffrey noted that this statement was incorrect.

His Worship Mayor Wallace advised that the statement was incorrect.

Question Alderman Grant Re: Informal Meeting with CN

Alderman Grant advised that at the last meeting of City Council held on September 13th he had raised a question with respect to an informal meeting with CN. He went on to note that His Worship had forwarded a letter to the present Chief Executive Office for Canadian National with respect to containers and double stacking. Alderman Grant indicated that he had also requested that an informal meeting be arranged with Marve Blackwell with respect to informal discussions with Council about the whole of the CN entity in the City.

His Worship Mayor Wallace suggested that this meeting was being arranged but that he would follow up on it.

Alderman Grant went on to refer to a letter received from MacInnes Cooper and Robertson dated September 21 about the Kempt Road clean up and the two varying points with respect to the idea of contamination of those properties. The Alderman questioned if there was some way of dealing with this matter.

Mayor Wallace advised that within the next couple of weeks the Solicitors for CN and the experts are getting together with the Metropolitan Authority to see if something can't be worked out.

Question Alderman Grant Re: Rules - Traffic Authority

Alderman Grant advised that there were two or three areas in his Ward where he was attempting to get various things done i.e. stop signs, traffic lights, etc.

Alderman Grant went on to question the City's persistence on maintaining the Canadian warrants or the "Manual of Uniform Traffic Control Devices". He questioned why the City of Halifax had to maintain these particular warrants when it was his understanding that, in areas of grave concern, the City should have the leeway and flexibility to establish something that could possibly prevent serious injury. The Alderman noted that in other municipalities, particularly Dartmouth, major traffic concerns are addressed. Alderman Grant indicated that he would like to know the rules in other municipalities compared to the rules the City of Halifax had to abide by.

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Question Alderman Grant Re: Sobey's - Herring Cove Road

Alderman Grant asked for an update on the Sobey's proposal on the Herring Cove Road.

Question Alderman Grant Re: Revenue Committee

As Chairman of the Revenue Committee, Alderman Grant indicated that he had sent letters to all the Boards and Commissions with respect to the position of the Revenue Committee in trying to investigate alternate sources of revenue. Alderman Grant advised that the Recreation Committee had considered the letters at one of their meetings and passed a motion that no action be taken. The Alderman suggested that it was up to the Recreation staff to respond to the letters and not the Recreation Committee. Alderman Grant questioned why the matter went to the Recreation Committee and why the staff of the Recreation staff were not responding to the letters of the Revenue Committee.

Question Alderman O'Malley Re: Leaman Street

Alderman O'Malley noted that earlier this evening she had tabled a petition on behalf of the residents of Leaman Street and asked, at this time, that staff do a deficiency assessment of Leaman Street as outlined in the petition and that a report be provided to her on the matter.

Question Alderman O'Malley Re: Moosehead Grand Prix

Alderman O'Malley advised that she had a few concerns expressed to her from citizens about the Moosehead Grand Prix scheduled for the Thanksgiving weekend. She explained that her concerns were with respect to the safety of the citizens and the cost of the event to the City. The Alderman noted that she had been informed that Moosehead was covering all the expenses associated with the event. Alderman O'Malley went on to question whether the City could be held liable for any accident which might occur during the event.

The City Solicitor advised that they have attempted to ensure under the Agreement that there is no liability on part of the City. He indicated that they have had clauses put in the Agreement to provide that all responsibilities for any claims of any sort are those of the sponsor's, Moosehead, and that Moosehead would indemnify the City if any claims were made against the City. In addition, the City Solicitor advised that they had reviewed their insurance situation very carefully and also had it reviewed by the City's insurance consultants. Mr.

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Anstey noted that the City's insurance consultants have assured that between the combination of the insurance that will be carried by Moosehead and the City's insurance, that the City will be covered completely even if a claim is made.

Question Alderman O'Malley Re: Mardi Gras

Alderman O'Malley questioned if the City could be held liable for any tragic happening during Mardi Gras.

The City Solicitor advised that because Mardi Gras has been held for a number of years, staff can generally take the necessary precautions to avoid claims. However, he suggested that if a claim did inadvertently arise that the City does have adequate coverage to cover any claim.

Alderman O'Malley requested that a staff report be submitted at the next Committee of the Whole Council meeting scheduled for **Wednesday, 3 October 1990**, addressing the following questions concerning costs associated with Mardi Gras: 1) The cost of policing for last year and what the proposed expenditure is for this year; 2) The cost of setting up and dismantling for last year's event and the expected cost for this year; 3) The cost of clean up for last year and the expected cost for this year; 4) Any unforeseen costs from last year and possibly this year that the City would be responsible for.

Question Alderman Holland Re: Seniors' Games

Alderman Holland advised that he had visited MacKeen Manor last evening and the matter with respect to the Seniors' Games was discussed and concern expressed that the Games have not been held to date this year. He advised that he would like to know if plans were being made to hold these Games and what meetings have taken place in connection with the Games since the events last took place about a year and a half ago.

Question Alderman Meagher Re: Fees to attend
the Moosehead Grand Prix

Alderman Meagher advised that some of the residents in his Ward are asking for a ruling from the City Solicitor concerning the payment of fees to attend these Grand Prix races. The Alderman questioned whether the sponsor could charge a fee for seats in the stands that are put up on public lands to watch the race.

His Worship Mayor Wallace advised that an arrangement has been made between the sponsor and Parks Canada with respect

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to the use of the Citadel for this purpose and the City is not involved.

Mr. Tom Abraham, Executive Assistant to the Mayor, responded to the Alderman's question by advising that the North Commons from Cornwallis Street down to the Willow Tree will be fenced off and that there will be a fee charged similar to the Canada Games in '69.

The City Solicitor advised that the fee would be charged for the viewing of the event from the stands. He noted that this has been done in the past i.e. Canada Games.

Alderman Meagher advised that there is some objection from the public that there is a fee being charged.

Question Alderman Meagher Re: Change of Year End

Alderman Meagher asked that staff attempt to reverse the decision of the Province with respect to the change in year end from 12 months to 15 months. He expressed the concern that the change will be a burden on staff and the citizens of Halifax and that it will not be financially beneficial to the City.

Mayor Wallace advised that the City had made some overtures to the Province with regard to the matter and noted that the change had already been passed by the Legislature.

Alderman Meagher indicated that he would like to have the matter further discussed at a later date.

Question Alderman Meagher Re: Sidewalk Renewal Summit Street

Alderman Meagher advised that several weeks ago he had asked that staff consider including Summit Street in the 1991 sidewalk renewal capital budget. He noted that he had not received any information back from staff on his request. Alderman Meagher asked that the Engineering and Works Department investigate the northern side of Summit Street from Windsor Street through to Gladstone Street.

Question Deputy Mayor Ducharme Re:
Mainland North Facility Development

Deputy Mayor Ducharme noted that a recent report from the Recreation Committee included a motion which was passed stating that the proposal for the Mainland North facility development be tabled. The Deputy Mayor asked that the Recreation Department provide her with a copy of this report.

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Question Deputy Mayor Ducharme Re: Hemeo Securities

Deputy Mayor Ducharme noted that she had received a letter concerning Hemeo Securities and asked for an update report on what has been done to date with the proposal by Hemeo Security.

Question Deputy Mayor Ducharme Re: U.I.C. Act

Deputy Mayor Ducharme noted that Council had recently agreed to urge the Senate to approve the U.I.C. Act in order for the City to acquire the amount of funds that were set aside. The Deputy Mayor suggested that, now that there is a Senator from Halifax, that the City urge him to pursue the approval of this Act through the Senate in order that the City can acquire those funds before the end of the year.

Mayor Wallace advised that there is some confusion and conflicting information with respect to the matter and advised that staff was pursuing the matter with the U.I.C. people in order to acquire all the proper information.

Question Alderman Fitzgerald Re: Update on the Khyber and City Club Building

Alderman Fitzgerald asked for an update report on the Khyber and City Club building.

Question Alderman Fitzgerald Re: Via Rail Service

Alderman Fitzgerald noted that it appears that the cost of fuel oil might be increased. He noted that Council had debated and joined forces with other municipalities to talk about train travel. In light of the increasing cost of oil and gas, the Alderman questioned if the City was making any efforts to have train services restored.

Question Alderman Fitzgerald Re: Buses - Vernon Street

Alderman Fitzgerald expressed his concern about the number of buses using Vernon Street and other streets as a cut through. He asked that staff investigate the legal and technical aspect of this situation with the buses and provide him with a report.

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Question Alderman Fitzgerald Re: Soot - Summer Gardens

Alderman Fitzgerald noted that he had received numerous calls from residents of Summer Gardens and the surrounding area with respect to the soot problem. The Alderman asked for an update report as to what is happening with this situation.

Question Alderman Fitzgerald Re: Moosehead Grand Prix

Alderman Fitzgerald questioned whether there would be a complete evaluation following the Grand Prix event and that it would be raised at a Committee of the Whole Council meeting for discussion.

His Worship Mayor Wallace confirmed that there would be a very careful assessment of the event to determine if it was beneficial to the City of Halifax.

Question Alderman Fitzgerald Re: Harbour Clean Up

Alderman Fitzgerald noted that he had read where the construction of the Harbour Clean Up might not get started for another 18 months to two and a half years. He went on to ask that a report be provided indicating when construction might begin and the steps that have to be taken with respect to the project and the time frame expected for each one.

NOTICES OF MOTIONS

Notice of Motion Alderman Meagher Re:
the Tax Concession Ordinance

Alderman Meagher gave notice of motion that at the next regular meeting of the City Council of the City of Halifax to be held on Thursday, the 11th day of October 1990, he proposes to introduce an amendment to Ordinance Number 170, the Tax Concession Ordinance. The purpose of the amendment is to amend Schedules "A" and "B" of the aforesaid Ordinance, being a list of these organizations receiving real property tax concessions for the year 1990.

ADDED ITEMS

Briar Lane (Rear of Halifax YMCA)

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

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A supplementary staff report dated 11 September 1990, with an attached letter from Peter J.E. McDonough, was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that Council approve the lifting of the streets lines encumbering the portion of Briar Lane to the rear of the YMCA for purposes of entering into a one year lease with the YMCA.

Motion passed.

Capital Project - Lacewood Drive

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

A staff report dated 24 September 1990 was submitted.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that:

1. City Council approve the increase in commitment of funds in 1991 from \$200,000 to \$350,000 for the completion of Lacewood Drive between Dunbrack Street and Willett Street.
2. Authorize staff to negotiate and proceed with the construction of median and final lift of asphalt with Clayton Development's contractor in the spring/summer of 1991.

Motion passed.

Mardi Gras Committee Up-date (Alderman Grant)

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

Alderman Grant addressed the matter and advised that he had received a number of calls from residents who are of the belief that the City is the organizer of Mardi Gras. The Alderman pointed out that, to the best of his knowledge, there has never been a City committee established to organize Mardi Gras. Alderman Grant advised that the citizens of Halifax should be informed that the City does not organize this event.

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His Worship advised that the City must take certain precautions when any large gathering of this kind is happening in the City.

Alderman Grant went on to note that it was his recollection that when the Mardi Gras event was held on Halloween night (whether it be a Monday or a Tuesday), it seemed to be more controllable than being held on a Saturday. The Alderman advised that it was his hope that consideration be given to holding Mardi Gras on Halloween night rather than on a particular Saturday. The Alderman also questioned whose responsibility it was to pay for advertising associated with Mardi Gras.

Alderman Fitzgerald commented that it has been clearly stated in recent newspaper articles about Mardi Gras that the City of Halifax does not sponsor or organize the event. He went on to advise that the mandate of the Mardi Gras Committee which was formed last year was to report to Council with recommendations concerning the direction Council should take with respect to the future Mardi Gras. He emphasized that the City has to make certain provisions for the safety, security, and health of the citizens when such events take place, but does not organize, control, or set dates with respect to Mardi Gras. The Alderman advised that Council would be provided with a report for discussion at the next Committee of the Whole Council meeting scheduled for Wednesday, 3 October 1990.

At approximately 11:00 p.m. the meeting adjourned.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

K/MMD