

**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
Halifax, NS
03 October 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; Aldermen Holland, Fitzgerald, Downey, Pottie, Hanson, Jeffrey, Flynn, and Stone.

ALSO PRESENT: Ms. Mary Ellen Donovan, 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:

**Tex-Park Building - Lease Between City of Halifax & Texaco
Canada Limited**

This matter was forwarded to this meeting from the Finance and Executive Committee meeting held earlier on this date.

MOVED by Alderman Holland, seconded by Alderman Downey that as recommended by the Finance and Executive Committee, Halifax City Council authorize the City Solicitor to consent to the assignment of the Tex-Park Limited lease to Ultramar Canada Inc.

Motion carried.

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

**Public Hearing Re: Case No. 6164: Appeal of Minor Variance
Refusal - 2399 MacDonald Street**

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

A staff report dated 28 August 1990 was submitted.

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Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the reasons why the minor variance of the side yard requirement of the Land Use Bylaw for the single family dwelling at 2390 MacDonald Street was refused (as illustrated in the staff report). Mr. Hanusiak advised that the application was refused on July 25, 1990 and the decision was being appealed by the applicant.

Mr. Hanusiak responded to questions from Council.

In response to a question by Alderman Flynn, Mr. Hanusiak advised that staff has not received any letters in opposition to the refusal and has received one letter in support.

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

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

Motion carried.

At 7:45 Alderman Meagher enters the meeting.

Public Hearing Re: Case No. 6158: Rezoning - P to R-1, 6517
Coburg Road

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

Mr. Boyd Algee, Development Officer, addressed Council and, using diagrams, outlined the application to rezone 6517 Coburg Road from P (Park and Institutional) Zone to R-1 (Single Family Dwelling) Zone (as illustrated in the 23 July 1990 staff report).

Mr. Algee responded to questions from Council.

Ms. Dawna J. Ring addressed Council and advised that she was representing the applicant Mr. Douglas Tupper, a previous resident of the dwelling.

In her comments, Ms. Ring spoke briefly about the history of the property and advised that the home had been in existence for approximately 70 years with single family owners.

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She noted that the current owners intend to maintain the home as a single family dwelling as well.

Ms. Ring suggested that the zoning of Park and Institutional was simply an oversight, and that, because the surrounding areas were mainly single family residences, it was appropriate to have this property zoned R-1.

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

MOVED by Alderman Fitzgerald, seconded by Alderman Downy that the rezoning of 6517 Coburg Road, Lands of A. Douglas Tupper from P (Park and Institutional) Zone to R-1 (Single Family Dwelling) Zone as shown on Plan P200/17911 of Case No. 6158, be approved.

Motion carried.

Public Hearing Re: Case No. 6187: Appeal of Minor Variance - 5747 Ogilvie Street

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

A staff report dated 13 September 1990 was submitted.

Mr. Boyd Algee, Development Officer, addressed Council and outlined the reasons why the application for a minor variance of the side yard requirement of the land use bylaw to permit the newly constructed attached garage to remain in its present location, 0.7 ft. from the east lot line was refused (as illustrated in the 13 September 1990 staff report).

Mr. Algee advised that the application was refused on September 4, 1990 and that the applicant was appealing the decision.

At 8:00 p.m. Alderman Grant enters the meeting.

Mr. Algee responded to questions from Council.

Dr. Brian Davis and Mrs. Rita Davis addressed Council and advised that they were the owners of the property in question and were appealing the Development Officer's decision of refusal of their request for a minor variance.

Using photographs and site plans of the property, Dr. Davis reviewed his reasons for purchasing this property, one of

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which was the opportunity of having an attached garage to the house.

Dr. Davis advised that, due to a misunderstanding between the City and the architect, he and his wife understood that they could demolish the existing garage and rebuild it in the same location, attached to the new addition to the house.

Dr. Davis referred to the staff report and indicated that there were three discrepancies which he believed should be brought to Council's attention. He advised that the staff report indicates that he, as the owner, made the application to the City, when in fact it was the architect who made the application on behalf of he and his wife.

Dr. Davis pointed out that another discrepancy in the staff report was with respect to a returned copy of the Plan from the City, given to him by the architect, after he obtained a building permit. Dr. Davis pointed out that the staff report advised that the permit had been granted after the garage had been demolished in its entirety, but on the returned copy of the Plan from the City, the garage was marked as "existing garage". He added that, on one hand, the staff report says the garage had been demolished in its entirety before the permit was issued, and on the other hand, the returned copy of the Plan with the building permit indicates the garage as existing.

Dr. Davis advised that the third discrepancy was regarding staff's view of when the new garage was constructed. He noted that the staff report indicates that it was constructed between the 16th and 26th of July, 1990, but his records indicated that the garage was started on the 8th of June, and the floor was poured on 13th of July. In support of this point, Dr. Davis presented a photograph, dated July 6, 1990 which illustrated that the garage was under construction before the 16th of July.

In reference to the possible precedent setting aspect of this application, Dr. Davis requested that Council consider this application on its own merits. He added that considerable time and money has been spent renovating his home and this in turn has added to the value of the properties in the neighbourhood. In support of this statement, Dr. Davis read and submitted a letter from Don Myatt, Branch Manager, Royal LePage Residential Real Estate Services confirming that such renovations add to the value of the home and homes in the surrounding area.

Dr. Davis then advised that he and his wife canvassed the neighbourhood for opinions on their minor variance request,

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and using a shaded map, Dr. Davis pointed out that of those canvassed, 19 properties had no objections, 3 objected, and the others were non committal.

In conclusion, Dr. Davis suggested that it would be a great injustice if he and his wife were required to tear down the garage, and he requested Council's favourable consideration of his appeal.

Ms. Mary Joe Mahody, a resident of 5739 Ogilvie Street, addressed Council and submitted a petition with eight signatures in support of staff report on this matter (a copy of this submission may be found in the official file of this meeting).

Ms. Mahody expressed concern about the possible precedent setting nature of this application and suggested that, if approved, the character of the neighbourhood would be destroyed. She pointed out that she had received five telephone calls with respect to this matter and they were in full support of the staff report.

Ms. Martha Haley, a resident of 5740 Harbourview Drive, addressed Council and indicated that she objected to the proposed minor variance request.

In her comments, Ms. Haley advised that the property in question appears to be overly crowded with the addition to the house and the garage, and she requested that Council uphold the Development Officer's decision on this matter.

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

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

Motion carried.

Public Hearing Re: Case No. 6135: Development Agreement -
6054/56 Cunard Street

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

A supplementary staff report dated 02 October 1990 was submitted.

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Mr. Paul Dunphy, Planner, addressed Council and, using diagrams, outlined the proposed development agreement for 6054/56 Cunard Street (as contained in the supplementary staff report of 02 October 1990).

Ms. Erin O'Brien Edmonds addressed Council and advised that she was representing the applicant, Miss Ella M. Corbin.

Ms. Edmonds advised that her client purchased the property 12 years ago and at that time she was led to believe that the four dwelling units contained in the building were permitted. She noted that after Miss Corbin purchased the property she was informed that at one time the building had been two units but was converted to four units by the previous owner, and, therefore, Miss Corbin continued to presume that the four units were appropriate.

Ms. Edmonds advised that a meeting with staff has resulted in an equitable solution to allow Miss Corbin to recover financially from the situation. She added that the proposed "phased" solution was fair because it would allow her client to prepare financially for the conversion and if she sold the property, it would only be fair that the property should be converted to the legal occupancy. Ms. Edmonds noted that, until the conversion takes place, Miss Corbin would maintain the status quo regarding density.

Ms. Edmonds suggested that the proposed development agreement would also give the City the appearance that it was dealing fairly with Miss Corbin. She added that it would not become precedent setting because Miss Corbin was an honest person who dealt in good faith but who was deceived, and she was now dealing with a very expensive proposition.

In conclusion, Ms. Edmonds advised that her client would prefer the phase-in period to be over a longer period of time, but if the City feels that five years was an appropriate length of time for conversion, her client would accept that. Ms. Edmonds then requested that Council carefully consider the situation and give Miss Corbin the time required to make the conversion without undue hardship.

Ms. Edmonds responded to questions from Council.

Ms. Marie Palmer, property owner and resident of 6035 Compton Avenue, addressed Council and indicated that she was dismayed that Council was willing to approve this development

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agreement. She advised that the staff report clearly points out the problems in this matter, which were that the development was inconsistent with the neighbourhood regarding land use and intensity of development, and it does not provide any public or commercial service to the neighbourhood.

Ms. Palmer suggested that approval would establish a dangerous precedent and that such a development would destroy the integrity of the neighbourhood. In conclusion, Ms. Palmer urged Council to maintain the integrity of the neighbourhood.

Mr. Larry Burke, a resident of 6061 Compton Street, addressed Council and, in reference to the staff report, advised that he agreed with staff comments regarding the breach of R-2 zoning regulations with respect to the inconsistency of the neighbourhood and the development therein.

Mr. Burke expressed concern about this type of development and he suggested that, even though parking was designated for two units, it was not adequate. He advised that this matter could set a dangerous precedent because the development regulations were not adhered to and there was nothing to deter other developments of the same nature from occurring.

Mr. Burke noted that another concern he had was that the property owner did not reside in the building. He suggested that property owners who do not live in the building were less considerate of the upkeep of the property than those who live in the building.

In conclusion, Mr. Burke advised that he did not wish to see Miss Corbin prosecuted or endure further hardship, but that the regulations and bylaws in this situation were overlooked and he was concerned that it may happen again if not properly addressed by the City.

Mr. Ike Whitehead, a resident of 6039 Compton Avenue, addressed Council and indicated that he agreed with the comments of the previous speakers with respect to enforcing the City's zoning regulations.

Alderman Fitzgerald addressed the matter and, noting that Miss Corbin had been so agreeable on this matter, requested staff's opinion as to whether it would be possible to extend the phase-in period to seven years.

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

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The following submissions had been received:

A note in the official file from the City Clerk advising that on 03 October 1990 Mr. David Hopper, co-owner of 6033 and 6035 Compton Avenue forwarded his objection to the development agreement at 6054/56 Cunard Street.

A letter dated 04 October 1990 submitted by Ms. Marie Palmer, 6035 Compton Avenue, Halifax, NS, B3K 1E8.

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

Motion carried.

Public Hearing Re: Case No. 6057: Proposed Development Agreement - 1673-75 Bedford Row

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using architectural drawings, outlined the application for a development agreement to permit construction of a 144 unit hotel at 1673-75 Bedford Row (as illustrated in the 10 August 1990 staff report).

Mr. Hanusiak responded to questions from Council.

In response to a question by Alderman Jeffrey, Mr. Hanusiak advised that no common taxi stands have been allocated for this development, but that a 9 ft. by 60 ft. lay-by was proposed.

Alderman Jeffrey then requested that the developer look into the possibility of establishing a common taxi stand.

Mr. Nicholas Carson, President of the Hotel Association, Metro Halifax, addressed Council and advised that he was neither for nor against this proposal, but that he was concerned about the impact it would have on the existing hotels in the area.

Mr. Carson, in referring to the staff report which suggested that the proposed hotel did not contain a restaurant and large scale conference facilities and would not have an adverse impact on existing facilities, contended that this was

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not the case, saying that the addition of any hotel rooms in Halifax would create considerable adverse impact on existing hotels.

Mr. Carson suggested that international chain hotels had the ability to attract new business to the City but that a small independent operation did not have that ability and that it could only take business away from existing operations.

Mr. Bruce Christmas addressed Council and advised that he was representing the project managers of the proposed development.

Mr. Christmas advised that the developer of the project has carried out complete studies of the marketplace with independent consultants and they have determined that there is a need for the type of accommodation they were proposing. He added that, in the near future they would be finalizing plans which would join them with one of the world's largest hotel chains.

Mr. Christmas referred to the tax revenue the City would receive and pointed out that after the hotel's first year of operation, the City would be receiving approximately \$400,000 in tax revenue.

In conclusion, Mr. Christmas advised that the proposed development would be good for the area and it would provide additional business to other businesses in the immediate area.

Mr. Christmas responded to questions from Council.

In response to Alderman Jeffrey's question concerning common taxi stands, Mr. Christmas advised that he would discuss the matter with the developer.

Alderman Flynn retired from the meeting.

Mr. Ted Brown, architect for the proposed development, addressed Council and advised that he wanted to clarify one aspect of the proposal.

Mr. Brown advised that along Bedford Row the proposed development was over 20 feet below the view plane, the penthouse was 11 feet below the view plane, and that, with the exception of one corner of the elevator penthouse, which was within 6 inches of the view plane, the rest of the building was 10 to 20 feet below the view plane. He also noted that a

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shadow line that comes from the Joseph Howe Building affects the view plane but that the building was 80 feet below this shadow line.

Mr. Alan Ruffman, addressed Council and advised that he was a tenant of a building near the proposed development. Mr. Ruffman expressed concern about effects on landscaping and he advised that the proposal would not complement the historical buildings in this area.

Mr. Ruffman suggested that above the first few storeys, the building resembled a box and was not compatible with buildings in the area. He suggested that additional negotiations should have taken place with the developer.

Mr. Bob Douglas, the developer, addressed Council and advised that he believed that by bringing this development to the City it would be filling a much needed demand. He added that the location was one of the best in the City for a hotel, and although it was not proposed to be as grand as other hotels, his intention was to build a hotel which was sensitive to the area and would also be profitable for its investors.

Referring to Alderman Jeffrey's request for common taxi stands, Mr. Douglas advised that one taxi could remain in the lay-by on a regular basis, but he did not see a need for more than one taxi at a time. He added that although their first proposal was not deemed acceptable by staff, after working with City staff and the Heritage Advisory Committee, he was very pleased with the proposed design and felt that it complemented the other buildings in the area.

In conclusion, Mr. Douglas indicated that in approximately two years, when the development was in operation, Halifax would again see economic growth and their facility would be very much required.

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

MOVED by Alderman Downey, 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 10:00 p.m.

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DEPUTY MAYOR DUCHARME
CHAIRMAN

/sm

HEADLINES FOR CITY COUNCIL MINUTES
of 10/03/90

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CITY COUNCIL
MINUTES

Council Chamber
City Hall
Halifax, Nova Scotia
11 October 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, Pottie, Grant, Hanson, Jeffrey, Flynn, and Stone.

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

Presentation: Task Force on Drug Awareness:

Mr. Stewart McInnes, Q.C., Chairman of the Mayor's Task Force on Drug Awareness, addressed Council and formally presented the final report of the Task Force dated 11 October 1990. Mr. McInnes expressed appreciation on behalf of the Task Force to His Worship Mayor Wallace for his support.

His Worship Mayor Wallace recognized that the Task Force and the City were very fortunate to have had Mr. McInnes leading the Task Force on Drug Awareness.

MOVED by Alderman Flynn, seconded by Alderman Fitzgerald that the Final Report of the Mayor's Task Force on Drug Awareness dated 11 October 1990 be tabled.

Motion passed.

MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 27 September 1990, were approved as circulated on a motion by Alderman Stone, seconded by Alderman Fitzgerald.

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

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

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- 5.5 Case No. 6120: Modification of Lot Frontage - 25 Melody Drive
- 20.1 Condominiums - Garbage Collection and Tipping Fees (Alderman Fitzgerald)
- 20.2 Sidewalk - Feldspar Crescent (Alderman Grant)
- 20.3 Case No. 6060: Rezoning from R-2 to R-2P, 24-26 Melrose Avenue
- 20.4 Bulk Highway Salt - ASTM D632 95% NaCl
- 20.5 Collective Agreement - Municipal Association of Police Personnel

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

- 20.6 Purchase of TAP Building Gottingen Street

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

- 20.7 6228 Duncan Street

The agenda, as amended, was approved on a motion by Alderman Flynn, seconded by Alderman Stone.

DEFERRED ITEMS

Case No. 6164: Appeal of Minor Variance Refusal - 2390 MacDonald Street

A public hearing on this matter was held on 3 October 1990.

Responding to a question from Alderman Flynn, the City Clerk advised that no correspondence in favour of or opposed to the application had been received.

Alderman Flynn noted that he had always considered play houses and sundecks to be part of the open space of homes rather than part of the structure and, therefore, MOVED, seconded by Deputy Mayor Ducharme that the decision of the Acting Development Officer to refuse the application for a minor variance of the side yard requirement and of the Land Use Bylaw for the single family dwelling at 2390 MacDonald Street be overturned and the minor variance granted.

Motion passed.

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Case No. 6187: Appeal of Minor Variance Refusal -
5747 Ogilvie Street

A public hearing on this matter was held on 3 October 1990.

A supplementary staff report dated 9 October 1990 was submitted. A letter from Dr. Brian Davis, applicant, dated 11 October 1990, was also submitted.

Alderman Holland, noting that the staff report was just received and that Council had not had an opportunity to read it, MOVED, seconded by Alderman Grant that this matter be deferred to the regular meeting of City Council scheduled for Thursday, 15 November 1990.

Motion to defer was put and passed.

The Chairman suggested that the item would be deferred to the next regular Committee of the Whole Council meeting.

Later in the meeting, it was agreed that the item be deferred to the November 15th City Council meeting.

Case No. 6135: Development Agreement - 6054/56 Cunard Street

A public hearing on this matter was held on 3 October 1990.

The following correspondence was submitted subsequent to the public hearing on this matter:

A letter dated 2 October 1990 from Mr. David B. Hopper, 6033 Compton Avenue.

A letter dated 5 October 1990 from Mr. Brian Morrow, 6053 Compton Avenue.

A letter dated 4 October 1990 from Marie Palmer, 6035 Compton Avenue.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the City enter into an agreement with Ella M. Corbin to permit the use of 6054/56 Cunard Street as a four dwelling units and its phased conversion to two units within five years.

Motion passed.

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**Case No. 6057: Proposed Development Agreement -
1673/75 Bedford Row**

A staff report dated 3 October 1990 was submitted.

MOVED by Alderman Downey, seconded by Alderman Grant
that City Council grant Stage I and Stage II approval for a
development agreement to permit construction of a hotel at
1673-75 Bedford Row, provided the development is in substantial
compliance with Plan Nos. P200/17852-55, 17781, 17944 and
17863-66 of Case No. 6057 (attached to the staff report of 10
August 1990).

The City Clerk noted that Alderman Flynn was unable
to attend the public hearing on this matter and therefore
should not participate in the vote.

Motion passed with Alderman Flynn abstaining.

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

This matter was added to the agenda during the
setting of the agenda at the request of the City Clerk.

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

A staff report dated 3 October 1990 was submitted.

At the request of Alderman Stone, it was agreed that
this item be deferred to the next Committee of the Whole
Council meeting scheduled for 17 October 1990 due to the fact
that he has not had an opportunity to bring this report to the
residents in his area.

PETITIONS AND DELEGATIONS

**Petition Alderman Fitzgerald Re: Tipping Fees Charged
to Condominiums**

Alderman Fitzgerald submitted a letter from the Nova
Scotia Condominium Association dated 2 October 1990 with four
petitions attached from residents of condominium's in Halifax
concerning the tipping fees charged to them by the Metropolitan
Authority.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 3 October 1990, as follows:

Annual Review of Licenses, Permits and Fees

MOVED by Alderman Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council authorize the City Solicitor to seek changes to the various ordinances to effect increases, as indicated in the report attached to the staff report of 29 August 1990, and, further, that these changes, as well as those not governed by ordinances, be increased effective 1 January 1991.

Motion passed.

Encroachment License: Civic No. 5690 Woodill Street

MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of a set of steps over the street line at Civic #5690 Woodill Street.

Motion passed.

Grant of Easement - Lot 26 Colpitt Lake Road

MOVED by Alderman Grant, seconded by Deputy Mayor Ducharme that, as recommended by the Finance and Executive Committee, the easement shown on plan TT-42-30142 be granted to the owners of civic #21 Colpitt Lake Road for \$469.

Motion passed.

Acquisition of Parcels W-2 & W-3 -
Inverness & Joyce Avenue Area

MOVED by Alderman Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive, parcels W-2 & W-3 as shown on plan TT-43-30270 (as attached to the staff report of 26 September 1990) be acquired from Highview Estates Ltd. for \$9000 (funds are available in account #CK035, the Capital Account for the project).

Motion passed.

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Current Borrowing Resolution - Nova Scotia
Municipal Finance Corporation

MOVED by Alderman Holland, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be empowered to sign a temporary borrowing resolution for \$4,000,000 in accordance with Section 3 of the Municipal Affairs Act, a copy of which is attached to the staff report of 26 September 1990.

Motion passed.

Mardi Gras

Information reports dated 9th and 11th October 1990 were submitted.

MOVED by Alderman Pottic, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the report submitted by the Mardi Gras Review Committee be accepted; and further, that the City maintain the status quo relevant to its involvement in the annual Mardi Gras festival, while taking all necessary and reasonable precautions.

Alderman Fitzgerald referred to the report from the Mardi Gras Review Committee dated 2 October 1990 and expressed the opinion that this report is a good one and contains some recommendations that, if carried out, could make Mardi Gras a fun filled festival at little or no cost to the City of Halifax. He advised that the Committee was very concerned that there was no individual to coordinate the event. The Alderman suggested that by encouraging a group or individual to coordinate the event, enough money might be obtained to provide outdoor washrooms "Johnny on the Spots", pay for policing, and could make the event more people orientated.

A discussion ensued with Alderman Jeffrey questioning the liability of the City with respect to this event.

The City Solicitor advised that the responsibility of the City is to respond in a reasonable manner in respect of those services which it normally provides i.e. police, fire, etc. He noted that items listed on page three of the report from the Mardi Gras Committee are generally of the nature of services that the City would normally be expected to be involved in. The City Solicitor suggested that, as long as the City responds in respect to these matters reasonably within the financial capabilities of the City and within the personnel that is reasonably available to them, in his opinion, would tend to absolve the City of any liability.

Alderman Jeffrey noted that he had received a recent telephone call from a member of the Atlantic Health Unit

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concerning the lack of washroom facilities for the Mardi Gras event. He noted that the Atlantic Health Unit is concerned that the lack of washroom facilities during this event could cause a health problem in the downtown core. The Alderman questioned whether or not this concern was being addressed and indicated that he would like to know the views of the Atlantic Health Unit with respect to the matter.

Following a lengthy discussion, at the suggestion of Deputy Mayor Ducharme, Council agreed to amend the motion by adding the words "and, for future Mardi Gras Festivals, presentations be called for to be presented to the Mardi Gras Committee from individuals interested in coordinating the Mardi Gras for the City of Halifax."

Alderman Jeffrey, during the debate, reiterated his concern with respect to the lack of washroom facilities and his request that the Atlantic Health Unit provide a report addressing the possible health problems associated with the lack of these facilities.

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

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

Tender #910555 - Incandescent and Fluorescent
Lamp Annual Order (Stores Inventory)

Alderman Flynn addressed the matter and indicated that he could not support the motion from the Finance and Executive Committee to accept the lowest tender. He expressed the opinion that the second tender should be accepted primarily because the second lowest bidder is a taxpayer within the City of Halifax and has been located in the City for more than 60 years. The Alderman expressed concern with regard to purchasing from an outside firm when there is only about a one percent difference between the two tenders. Alderman Flynn went on to question why the equipment was going to be stored at City Field and suggested that the supplier should store it rather than the City getting involved with the cost of handling.

MOVED by Alderman Flynn, seconded by Alderman Meagher that authority be granted to purchase incandescent and fluorescent lamps from Westburne Ind. Ent., the second lowest bidder meeting specifications, for a tendered price of \$73,793.19, on an as and when required basis.

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Speaking in opposition to the motion, Alderman Pottie noting that he was a member of the Tendering Committee and that the City of Halifax has a policy which has been in place for numerous years that the lowest tender be accepted. He indicated that it has been Council's decision from time to time to make an exception and accept a higher bid from a company in the City of Halifax as opposed to one from outside the City if Council can be satisfied that there is a saving. However, Alderman Pottie indicated that he was very concerned about swaying from the City's tendering practice in this case.

In response to a question from Alderman Pottie, the City Manager agreed that Council almost always accepts the lowest tender. He went on to explain that there have been times when, due to certain circumstances with respect to costs of servicing etc., that the City accepted a higher tender from a firm in Halifax as opposed to one from outside.

Following a discussion, Alderman Downey observed that Mr. Connolly, Litemor Distributors, had requested an opportunity to address Council with respect to the matter. In all fairness to Mr. Connolly, the Alderman suggested that Council should hear from Mr. Connolly at the next Committee of the Whole Council meeting.

MOVED by Alderman Downey, seconded by Alderman Stone that the matter be deferred to the next Committee of the Whole Council meeting scheduled for **Wednesday, 17 October 1990**, at which time both companies (Litemor Distributors and Westburne Ind. Ent.) be given the opportunity to address the Council.

Alderman Flynn asked for clarification with respect to the purchase of the goods on an "as and when required basis" and, noting that this was a per item bid, asked for a breakdown on the items and unit prices of each item that made up the total for each tender.

The motion was put and passed.

Mulgrave Park - Special Review Committee

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council strike an ad hoc committee, consisting of representatives from Canada Mortgage and Housing Corporation, Nova Scotia Department of Housing, the Mulgrave Park Tenants Association, the Halifax Housing Authority, and the City of Halifax, to review proposals for the rehabilitation of the physical environment of the Mulgrave Park residential area in the context of appropriate long-term physical and social objectives for housing of this nature, and to report back to Council within a six-month period.

Motion passed.

Tax Concessions and Grants Committee - Recommendations

MOVED by Alderman Meagher, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, the following grants be approved:

Atlantic Film Festival	\$ 500.00
Centennial Arena Commission	\$25,000.00
Ecology Action Centre	\$ 1,000.00
Epilepsy Assoc. of N.S.	\$ 1,000.00
Gander Masonic Memorial Complex	\$ 0.00
Halifax Regional Library Black History Month	\$ 0.00
Little Dutch Church	\$1,000.00
MicMac Native Friendship Society (Grand Council of the MicMac Nation)	\$ 1,000.00
Nova Scotia Special Olympics	\$ 0.00
Public Housing Tenants Assoc.	\$ 1,000.00
Resolutes Amateur Athletic Club	\$ 0.00
Spencer House Seniors Centre	\$ 1,000.00 *
Spryfield Lions Club Rink	\$18,828.41
Theatre Arts Guild	\$ 1,360.00
Upstart Theatre	\$ 0.00

* Additional to previously approved amount
of \$6,500.00

and further, that Council approve, under Section 201(1) of the City Charter, an amount of \$18,828.41 to the Spryfield Lions Club Rink in order to enable the Club to pay the balance of their 1990 taxes outstanding.

Motion passed.

CN Railway - Springvale/Fairmount Area

A staff report dated 9 October 1990 was submitted.

Alderman Jeffrey addressed the matter and thanked the City Solicitor for his letter of October 3rd which he sent to Mr. Blackwell, Vice President of Atlantic Regional for Canadian National, and also for the staff report of October 9th.

Alderman Jeffrey explained to Council the problem being experienced by the residents in the area. He referred to a letter he had received this week from one of the constituents in his Ward complaining about the train whistles in the early mornings. The Alderman indicated that the residents want some peace and quiet and that it was his understanding that staff was discussing the possibility with CN of having these trains go through during the day rather than during the night.

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Responding to a question from Alderman Jeffrey, the City Solicitor advised that unfortunately the Train Whistle Ordinance does not apply to CN because they are a Crown Corporation and are not subject to the City's bylaws.

10:00 p.m. His Worship Mayor Wallace returned to the meeting with Deputy Mayor Ducharme taking her usual seat in Council.

Referring to the staff report of October 9th, Alderman Jeffrey noted that the report recommends that discussion of this matter be deferred until the meeting of the Committee of the Whole scheduled for Wednesday, 17 October 1990, in order to give staff the opportunity to carry on further discussions with CN officials. The Alderman advised that it was his hope that this would take place.

The City Solicitor advised, for the information of Alderman Jeffrey and the residents of the area watching, that he had received a telephone call from Mr. Pierce, Transportation Manager for CN. During his conversation with Mr. Pierce, the City Solicitor advised that they discussed the general problem of whistle blowing at crossings and the exemption from the regulations. He informed Council that the procedure which is being worked out between CN and the Transport Commission is now reaching what Mr. Pierce thinks is a final stage.

The City Solicitor also advised that he discussed with Mr. Pierce the problem that the residents are experiencing with respect to late night and early morning train whistle blowing. Mr. Anstey commented that Mr. Pierce indicated that they now recognize the difficulty that the train whistles are causing. He noted that Mr. Pierce indicated that it was his intention to immediately contact and set up a meeting of the local people to see if there was a way of, at least until the exemption is obtained, to reschedule the trains so that they go to the Industrial Park during the day time or at least during the early evening hours. Mr. Anstey indicated that he was not certain that there would be anything further to report by Wednesday's Committee of the Whole Council meeting. However, he indicated that he was hopeful that something would happen not only to resolve the problem on a long term basis but in the short term.

**Municipal Association of Police Personnel/City
of Halifax: Tentative Collective Agreement Report**

It was agreed that Council would address the above-mentioned matter at this time.

A private and confidential report, dated 11 October 1990, was submitted.

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MOVED by Alderman Pottie, seconded by Alderman Flynn that Halifax City Council authorize the Mayor and City Clerk to affix their signatures to a new collective agreement incorporating the terms as set out in the private and confidential staff report of 11 October 1990, effective 1 January 1990 to 31 December 1992, pending ratification by the Union membership.

Commenting on the motion, Alderman Fitzgerald noted that, according to the staff report, "this tentative agreement marks the first time in the history of Police/City negotiations that a tentative agreement was reached without the services of a Conciliation Officer, the taking of a Strike Vote, or other Third Party intervention." On behalf of the members of City Council, the Alderman commended both sides of the negotiating team for their efforts in reaching this agreement.

The motion was put and passed with unanimous support.

Accounting Software Purchase

MOVED by Alderman Holland, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, staff be authorized to enter into negotiations with Management Guidance Corporation for the provision of accounting software at a total cost of \$93,470 (US) with the total cost not to exceed \$180,000 Canadian (including additional hardware where required); that \$120,000 of the amount be provided from the Finance Department budget; and that Council approve, under Section 201(1) of the City Charter, authority to overspend the Finance Department budget in the amount of \$60,000.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council consider the report of the Committee on Works from its meeting held on Wednesday, 3 October 1990, as follows:

Petition Re: Edward Street

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Committee on Works, staff be requested to consider the installation of two four-way stop signs (namely, at the intersection of Edward and Binny Streets; and at the intersection of Edward and Bliss Streets) for the reasons identified in the petition submitted to City Council on 27 September 1990 by approximately 100 residents of the Edward Street area.

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In putting forward this motion, Alderman Fitzgerald asked that the Traffic Authority prepare a report on this matter for Council's consideration as quickly as possible.

The motion was put and passed.

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

MOVED by Deputy Mayor Ducharme, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, City Council request the Traffic Authority to implement no left turns off Dunbrack Street between 7:00 - 9:00 a.m.; and further, that staff be requested to forward their suggestions for a short-term solution to the Bayview Road traffic problems.

In the discussion that followed, Alderman Stone emphasized that while he and his Ward 12 constituents sincerely sympathize with the discomfort and inconvenience suffered by the residents of Bayview Road, he could not support the motion currently on the floor, particularly as it pertains to the implementation of no left turns off Dunbrack Street. The Alderman pointed out that residents of Ward 12 (i.e., those living in the Dunbrack Street area) feel that, as taxpayers in the City of Halifax, they should be entitled to use Bayview Road just as they are entitled to use any of the other City streets. In this context, Alderman Stone made reference to the statistics quoted by Deputy Mayor Ducharme during the 3 October meeting of the Works Committee, and noted that the majority of motorists using Bayview Road originate not outside the City's boundaries, but in Clayton Park and the other subdivisions in the Mainland North area.

Alderman Stone observed that a similar proposal (i.e., to initiate no left turns off Dunbrack Street) had been put forward in 1987, a two-month trial period being recommended. Referring to staff reports submitted at that time, the Alderman emphasized that the Traffic Authority had stated quite clearly that he could not support the request "from a traffic engineering point of view," and added that Council had been further advised that Dunbrack Street had been specifically designed to accommodate left-hand turns.

Alderman Stone went on to indicate that staff had also cautioned Council concerning the consequences of such closures, noting, in particular, that there would be continual violation of the signed closures, accident potential would be increased, local residents would be inconvenienced, and traffic would, in large part, be diverted to other residential streets. In this same context, the Alderman pointed out that in 1987 staff had estimated that, for a two-month trial period only, the proposed closures would cost the City approximately \$10,000 to implement and to enforce. So saying, Alderman Stone

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emphasized that, in his estimation, nothing had changed in Mainland North over the last three years to suggest that staff might be willing to amend its previous recommendation.

In summary, Alderman Stone expressed the very strong opinion that the implementation of no left turns off Dunbrack Street would be futile in terms of providing a viable and long-term solution to the traffic problems on Bayview Road. As an alternative, he recommended that staff comment on a suggestion previously brought forward; namely that of connecting Dunbrack Street to Lacewood Drive (past Bayview Road) and to Vimy Avenue. An overpass could then be constructed to link the roadway with the approach roads to the bridges. Alderman Stone pointed out that, in this way, motorists would have a more direct access to downtown Halifax, to the Dartmouth bridges, and to such major thoroughfares as Robie Street, Windsor Street, and Kempt Road. He added that he is particularly supportive of this proposal, given the fact that the Mainland North area will continue to develop over the next 5-10 years and that the Bedford Highway will with time no longer be a viable transportation alternative for the majority of motorists originating in Mainland North.

Concurring with Alderman Stone's comments, Alderman Hanson suggested that, from the perspective of long-term solutions to this problem, staff might concentrate on recommending alternate modes of transportation (and, in particular, greater and improved use of Metro Transit).

Alderman Flynn referred to the motion currently on the floor as being "completely unrealistic" and urged Council to forego its decision on the matter pending receipt of recommendations from the Task Force on Traffic which, he suggested, will provide a more coordinated approach to the City's traffic problems.

After some further discussion, Deputy Mayor Ducharme suggested (and it was so agreed) that the motion be divided into two distinct parts.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Fitzgerald that staff be requested to forward their suggestions for a short-term solution to the Bayview Road traffic problems.

The motion was put and passed.

Alderman Grant requested that staff also look at the feasibility of initiating no left turns off Bayview Road and Gateway Road.

MOVED by Deputy Mayor Ducharme, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, City Council request the Traffic Authority to implement no left turns off Dunbrack Street between the hours of 7:00 - 9:00 a.m.

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Alderman Jeffrey referred to the fact that he had seconded this motion during the 3 October meeting of Committee of the Whole Council. He emphasized, however, that he had done so under the assumption that the restriction on left-hand turns would be applied only to those streets in the immediate vicinity of Bayview Road, and not to all left-hand exits along Dunbrack Street.

The motion was put and lost.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, 3 October 1990, as follows:

Safe Cities Committee

MOVED by Deputy Mayor Ducharme, seconded by Alderman Fitzgerald that, as recommended by the Safety Committee:

- (a) City Council endorse the concept of community economic and social development as a means of reducing poverty and increasing safety within the City of Halifax;
- (b) endorse the approach as outlined in the report of 21 September 1990 and the concept of increased co-ordination of services at all levels of government and;
- (c) authorize the Working Committee to continue with the process and to establish a consultation process with the community and other elected municipal officials. (this process would result in (a) an action plan that looks at both the short- and long-term objectives for creating a safe city; and (b) a presentation for the April, 1991 Conference that will look at a vision of Halifax for the year 1999.

The motion was put and passed.

REPORT - COMMITTEE OF THE WHOLE, BOARDS AND COMMISSIONS

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

This matter had been given First Reading at a regular meeting of Halifax City Council held on Thursday, 27 September 1990, and had been further considered during a meeting of the Finance and Executive Committee held on Wednesday, 3 October.

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MOVED by Alderman Stone, seconded by Alderman Flynn
that, as recommended by the Finance and Executive Committee,
Council give **SECOND READING** to the proposed changes to Ordinance
No. 155, Truck Routes (as attached to the staff report of 27
August 1990), to include an expanded definition of "highway" to
coincide with a recent amendment to the Motor Vehicle Act; an
amendment 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."

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, 3 October 1990, as
follows:

**Case No. 5944: Sobey's - Herring Cove Road at
Spry Avenue (Request to Amend the Municipal
Development Plan and Land Use Bylaw):**
SET DATE FOR PUBLIC HEARING

A supplementary staff report, dated 9 October 1990,
was submitted.

MOVED by Alderman Grant, seconded by Alderman Hanson
that, as recommended by the City Planning Committee, Council set
a date for a public hearing to consider the revised proposal
from Sobey's as shown on map the map attached to the staff
report of 4 May 1990 **excluding the portion of Sobey's land
forming the Ferguson Road right-of-way as well as a strip of
land directly south of this right-of-way.**

The motion was put and passed.

The City Clerk advised that the requested public
hearing would be scheduled (as suggested by Alderman Grant) for
WEDNESDAY, 5 DECEMBER 1990 at 7:30 p.m. in the Council Chamber,
Halifax City Hall.

**Case No. 6143: Development Agreement - 1466 Carlton
Street - SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Stone, seconded by Alderman Flynn
that, as recommended by the City Planning Committee, Council set
a date for a public hearing to consider the application to
convert the registered heritage property at 1466 Carlton Street
from two dwelling units to four.

The motion was put and passed.

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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. 6168: Development Agreement - 1468 Carlton Street - SET DATE FOR PUBLIC HEARING

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the application to convert the registered Heritage property at 1468 Carlton Street to four dwelling units.

The motion was put and passed.

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.

MOTIONS

Motion Alderman Meagher Re: Amendment to Ordinance No. 170, the Tax Concessions Ordinance - FIRST READING

Notice of Motion with regard to this proposed amendment was given by Alderman Meagher at a regular meeting of Halifax City Council held on Thursday, 27 September 1990.

A report, dated 3 October 1990, was submitted by the City Solicitor.

MOVED by Alderman Meagher, seconded by Alderman Pottie that Halifax City Council give **FIRST READING** to the amendments proposed for Ordinance 170, the Tax Concessions Ordinance (attached as Appendix "A" to the staff report dated 3 October 1990); and further, that the matter be forwarded to the next regular meeting of the Finance and Executive Committee **scheduled for Wednesday, 17 October 1990** for consideration and report.

The motion was put and passed.

MISCELLANEOUS BUSINESS

"The Wave" - Sackville Landing (Supplementary Report)

This matter was last discussed during a regular meeting of Halifax City Council held on Thursday, 26 July 1990.

A supplementary staff report, dated 3 October 1990, was submitted.

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MOVED by Alderman Downey, seconded by Alderman Fitzgerald that Council accept the proposals for the modification of the ground area around "The Wave," as proposed by the artist and illustrated in the sketch contained in the 3 October staff report, on condition that, if, within two years of completion, Council finds that these measures do not provide a sufficient level of protection to the public, Council will require the Waterfront Development Corporation Ltd. to install additional protection at its own expense, to a design to be submitted to and approved by Council.

The motion was put and passed.

**Guidelines for the Placement of Public Art: Request
from the Atlantic Chief and Petty Officers Association
(Supplementary Report)**

This matter had last been discussed during a regular meeting of Halifax City Council held on Thursday, 30 August 1990, and again during a special meeting held on Wednesday, 5 September.

A supplementary report, dated 4 October 1990, was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee established by the Council motion of 30 August 1990, the Sailor Statue proposed by the Atlantic Chief and Petty Officers Association be located in Sackville Landing at or near the position presently occupied by "The Bird of Spring," on the understanding that a more suitable site will be found for the latter.

The motion was put and passed.

QUESTIONS

**Question Alderman Pottie Re:
Truck Traffic on Connaught Avenue**

Alderman Pottie made reference to concerns previously expressed regarding the illegal use by trucks of Connaught Avenue, particularly between the hours of 10:00 p.m. - 6:00 a.m. and especially on that section of the street between Windsor Street and Bayers Road.

The Alderman emphasized that, despite the fact that he has raised this matter on several occasions, the situation is steadily deteriorating, much to the discomfort of area residents. He therefore asked that the Chief of Police be

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immediately directed to initiate special police enforcement of this area during the hours indicated above, and further, that the Traffic Authority again be asked to submit his comments pertaining to Alderman Pottie's previous suggestion that signage relating to truck traffic be improved. In this same context, the Alderman suggested that signs could also be posted on Kempt Road, Lady Hammond Road and Bayers Road warning trucks away from Windsor Street (and therefore from Connaught Avenue).

Question Alderman Jeffrey Re:
Expropriation of Property

Responding to a question from Alderman Jeffrey, Mr. Richard J. Matthews, Director of Development and Planning advised that staff are now expecting arrangements pertaining to the expropriation of the property located at the corner of Alma Crescent and Dutch Village Road to be completed within a maximum of 60 days.

Question Alderman Jeffrey Re: Walkway
Between Percy Street and Joseph Howe Drive

Alderman Jeffrey noted that the walkway between Percy Street and Joseph Howe Drive is currently in a very bad state of repair, to the point where a lady had recently fallen and injured herself. The Alderman indicated that it had been understanding that improvements to this walkway had been scheduled as part of this year's Capital Budget, and asked for information from staff as to whether indeed that assumption was correct, and, if so, when repairs to the walkway are scheduled to take place.

Question Alderman Jeffrey Re: Storm Sewer
- Rockwood Avenue

Alderman Jeffrey made reference to a storm sewer project undertaken earlier this summer on Rockwood Avenue, adding that it was his understanding that, while the work is as yet incomplete, the contractor has gone into bankruptcy.

The Alderman pointed out that, because work appears to have halted, several residents on the street are being considerably inconvenienced by the absence of adequate landscaping and retaining walls. Alderman Jeffrey referred to information received from the City's Director of Engineering and Works concerning this project, and asked for a further report (which could be conveyed to the residents of Rockwood Avenue) clearly indicating the parties responsible for any damages incurred.

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Question Alderman Jeffrey Re:
Request for School Crossing Guards

Alderman Jeffrey made reference to the fact that, on a previous occasion, he had requested that an additional crossing guard be added to the intersection of Dunbrack and Main Streets, particularly in light of the heavy volume of school children travelling this route.

In this same context, the Alderman noted that he had recently received other calls from parents in his area, asking that a school crossing guard be assigned to the intersection of Dunbrack and Willett Streets. Alderman Jeffrey added that he understood this request had previously been brought forward by Deputy Mayor Ducharme, who had been advised that the City does not allocate crossing guards to intersections already regulated by traffic lights. He emphasized, however, that, in his opinion, guards and lights were being used in conjunction with each other in other parts of the City, and asked for staff's comments on the matter.

Question Alderman Jeffrey Re:
School Crossing Guards - Motor Vehicles

Alderman Jeffrey expressed concern that crossing guards throughout the City are reporting increasing incidents of motorists refusing to acknowledge their instructions to stop in order to allow school children to proceed. In this context, the Alderman asked for information from staff as to what steps could be taken to address this problem (e.g., the possibility of prosecution if the license number of the offender is recorder by the crossing guard, whether the guards themselves could be empowered to issue tickets to offenders, etc.).

Question Alderman Downey Re:
Service Station - Spring Garden Road

Alderman Downey noted that the Esso service station at the corner of Spring Garden Road and Dresden Row appears to have closed, and asked for information from staff as to whether any development permits have been requested for this site.

Question Alderman Downey Re:
Moosehead Grand Prix - Review

Alderman Downey noted that he had received a number of calls from residents of Bauer and North Park Streets expressing their concern regarding the recent Moosehead Grand Prix event and asking that they be involved in the upcoming review process. In this context, the Alderman asked to have this request brought to staff's attention, suggesting that these individuals might be notified as to the exact date of the meeting (to be scheduled for November) at which the event will be reviewed in detail.

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In putting forward this request, however, Alderman Downey emphasized his concern that, during the upcoming review, the positive aspects (as well as the negative) of the Grand Prix be seriously considered. As examples, the Alderman pointed out that local hoteliers would appear to have profited to a considerable extent from the event, as did such spin-off businesses as the local taxi industry.

Question Alderman Fitzgerald Re:
1991 Capital Budget Review

Responding to a question from Alderman Fitzgerald, His Worship Mayor Wallace advised that a date pertaining to the commencement of the Capital Budget review process would be arranged, and Council subsequently advised.

Question Alderman Fitzgerald Re:
Unpaid Taxes

Alderman Fitzgerald asked for information from the Director of Finance as to the amount of unpaid taxes currently outstanding.

Question Alderman Fitzgerald Re:
Leasing Arrangements - Former Halifax Civic Hospital Facility

Alderman Fitzgerald asked for a progress report pertaining to the leasing arrangements for the former Halifax Civic Hospital facility.

Question Alderman Fitzgerald Re:
Update - Recreation Committee

Responding to a question from Alderman Fitzgerald, His Worship Mayor advised that Council will be provided with an update by the City Manager on the administrative matter involving the Recreation Committee during the coming week.

Question Alderman Fitzgerald Re:
Recycling Project - LeMarchant/St. Thomas School

Alderman Fitzgerald made reference to the recycling efforts currently underway at LeMarchant/St. Thomas School, emphasizing that, owing to the overwhelming success of the project, the organizers are experiencing difficulty in coping with the volume of recyclable goods.

The Alderman therefore asked that staff be asked to contact the organizers of the LeMarchant/St. Thomas project, and to provide every possible assistance in this regard.

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Question Alderman Fitzgerald Re:
Refuse Collection Tender

Responding to a question from Alderman Fitzgerald, the City Manager advised that this item has been included on the agenda for the next regular meeting of Committee of the Whole scheduled for Wednesday, 17 October 1990.

Question Alderman Stone Re:
Recycling Project - Duc D'Anville School

Referring to remarks made earlier by Alderman Fitzgerald, Alderman Stone advised that the organizers of the recycling project at Duc D'Anville School are also experiencing difficulties, and asked that staff also be requested to provide whatever assistance the City can offer in this regard.

Question Alderman Stone Re:
Dunbrack Street Connector Proposal

Alderman Stone made reference to remarks made earlier in the meeting with regard to the traffic conditions at Lacewood Drive and Bayview Road, and, in particular, to his suggestion with regard to the construction of a Dunbrack Street connector, linking Dunbrack Street with the Bridge approaches.

Alderman Stone indicated that he had been given to understand that staff had submitted their comments on this proposal at some previous time and, in this context, asked to be provided with a copy of that report.

Question Alderman Stone Re:
Pedestrian Safety Week

Alderman Stone suggested that, in conjunction with Pedestrian Safety Week (now scheduled for the week of 15 October), a visit be made by "MacGruff, the Crime Prevention Dog," to the crossing guard in the vicinity of Kearney Lake Road, Castlehill Drive and Wedgewood Avenue. In this context, the Alderman noted that problems have been experienced at this location with motorists choosing to ignore directions from the crossing guard, and suggested that some increased publicity during Safety Week may serve to improve the situation.

Question Alderman Stone Re:
Speeding - Dunbrack Street

Alderman Stone asked that a period of selective enforcement be initiated by the Halifax Police Department with regard to speeding violations on Dunbrack Street and on Kearney Lake Road (in the immediate vicinity of the Bicentennial Highway).

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Question Alderman Holland Re:
Case No. 6187 - 5747 Ogilvie Street

Referring to remarks made earlier in the meeting concerning this agenda item, Alderman Holland requested (and it was so agreed) that Case No. 6187 - 5747 Ogilvie Street: Appeal of a Minor Variance Refusal be deferred to the 15 November meeting of City Council.

Question Alderman Flynn Re:
Tender for Two Brush Chippers

Alderman Flynn made reference to a City of Halifax tender for two brush chippers which he understood is slated to be awarded to a Toronto firm, rather than to a Halifax-based operation. The Alderman asked for information from staff concerning this tender and also requested that, if the tender has not yet been officially awarded, such action be deferred until Council has had an opportunity to review the matter further.

Question Alderman Flynn Re:
Wilson's Business World Inc.

Alderman Flynn noted that he and several other members of Council had been approached by Mr. Len Wilson with regard to negotiations over the last several months between Wilson's Business World Inc. and the Halifax Industrial Commission. The Alderman added that he understood from speaking with Mr. Wilson that the HIC has now decided not to pursue his (Mr. Wilson's) proposal.

Alderman Flynn asked for a report from the Industrial Commission on this matter, and further suggested that, in light of what is happening in Dartmouth, the Commission's Terms of Reference might be considered for amendment, particularly with regard to current regulations pertaining to the price of land.

His Worship Mayor Wallace noted that the Industrial Commission has already requested an opportunity to make a presentation to members of Council on another matter, and suggested that Alderman Flynn's concern could be addressed at the same time.

Question Deputy Mayor Ducharme Re:
Gail's Erotic Aerobics

With reference to a question from Deputy Mayor Ducharme, His Worship Mayor Wallace advised that staff has prepared an information report on the occupancy permit recently issued to "Gail's Erotic Aerobics," adding that the Deputy Mayor should be receiving this material within the next several days.

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Question Deputy Mayor Ducharme Re:
Tender - Greenwaste Systems

In response to a question from Deputy Mayor Ducharme concerning a letter recently received by members of Council from Greenwaste Systems, the City Manager advised that the matter would be included on the agenda for the 17 October meeting of Committee of the Whole Council.

Question Deputy Mayor Ducharme Re:
Request - Indo-Canadian Association

Deputy Mayor Ducharme noted that a request received from the Indo-Canadian Association regarding meeting-room space (preferably in the Titus Smith School or at the Bloomfield School) had been forwarded to Mr. Howard Oehmen, Director of Recreation, for comment. The Deputy Mayor emphasized that, to date, the Association has not been contacted in this regard, and asked if staff could follow up on the matter.

Question Deputy Mayor Ducharme Re:
City of Halifax Recycling Initiatives

Deputy Mayor Ducharme made reference to a report recently received from Mr. Jim Bauld, the staff member responsible for the City's recycling initiatives, and emphasized, that, in her opinion, Mr. Bauld is to be commended for his efforts.

The Deputy Mayor went on to note that the leaf collection program is about to commence, and asked that members of Council be provided with specific information as to which "heavily treed streets" will be addressed as part of this project.

Question Deputy Mayor Ducharme Re:
Local 108 - Layoffs

Deputy Mayor Ducharme referred to Council's recent discussions concerning the Local 108 layoffs, and emphasized that the staff report subsequently received on the subject had gone a long way to clarify the issue and to dispel some of the misconceptions that had arisen.

In this context, the Deputy Mayor recommended that a copy of that report be forwarded to Mr. Eric O'Rourke, one of the City's seasonal workers, who had made a presentation on this matter to the 5 September meeting of Committee of the Whole Council.

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Question Alderman Hanson Re:
Capital Budget Items

Alderman Hanson made reference to the various projects which had been deferred to 1991 in the City's Capital Budget as a result of the additional funding required in 1990 relevant to the Halifax District School Board. The Alderman wondered if perhaps some savings had since been identified in terms of other programs, and asked for information from staff as to whether tender calls might therefore be prepared for any of those previously deferred projects.

Question Alderman Hanson Re:
Presentation - Metro Transit

Alderman Hanson recommended that representatives of Metro Transit be invited to make a brief (15-20 minutes) presentation to a future meeting of Committee of the Whole Council in order to provide Council with information regarding their bus-shelter program, the route review process now underway, possible suggestions for park and ride programs, etc.

11:30 p.m. - His Worship Mayor Wallace retires, with Deputy Mayor Ducharme assuming the Chair.

Question Alderman Meagher Re:
Impact on Seniors of Rising Fuel Prices

Alderman Meagher reported that he had recently received a number of calls from senior citizens regarding the impact of the current "oil crisis" on their ability to obtain furnace oil. The Alderman asked for information from the Social Planning Department as to whether the City (through its social assistance budget) will be able to provide these individuals with assistance in this regard during the upcoming winter months.

At Alderman Meagher's request, it was agreed that this matter be added to the agenda for the 17 OCTOBER meeting of Committee of the Whole Council so that the Director of Social Planning might comment on the situation.

Question Alderman Meagher Re:
Residential Parking Permits

Alderman Meagher asked for information from staff as to whether residential parking permits apply to a 12-month period commencing on their date of purchase, or whether, in fact, they are valid only until the end of the calendar year in which they are obtained. The Alderman also noted that, in his opinion, the purchase price of \$25.00 appeared somewhat high, and suggested that that price might be reviewed.

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Question Alderman Richard Grant Re:
Petition - 100 Leiblin Drive

Alderman Grant made reference to a petition that had been submitted to Council in August 1990 from residents concerning the rezoning of 100 Leiblin Drive. The Alderman asked for a written chronological report from staff as to the progress being made in this regard (including the investigations that have taken place pertaining to this property), as well as an update on the current situation. In this context, Alderman Grant noted that he has recently received a number of complaints from residents regarding excessive noise, machines operating during the early morning hours, etc.

Question Alderman Richard Grant Re:
Tourism Map

Alderman Grant expressed concern that a new map recently released by the Province is not consistent in that it displays only certain of the City's historical neighborhoods such as "Fernleigh," "Fairmount," "Melville Cove," and "Boulderwood" and not others (such as "Richmond," "Ardmore," or "Citadel"). In this context, the Alderman asked for information as to whether any of our own City staff had been involved in the development of this map, and on what basis was it decided to include only certain of the City's older communities.

Question Alderman Richard Grant Re:
Metro Transit Service

Alderman Richard Grant brought to Council's attention that a resident of Ward 7 recently took a #14 Metro Transit bus to the City's hospital area, leaving his residence at 8:20 a.m. and arriving at his destination at approximately 9:30 a.m. The Alderman pointed out that the same trip could be made by private vehicle in about 25 minutes.

The Alderman expressed the view that this could not be considered to be "rapid transit" and asked for information from Metro Transit staff as to how they intend to address this problem.

Question Alderman Jeffrey Re:
Recycling Project - Burton Etinger School

Alderman Jeffrey made reference to comments previously made (during "Question Period" at the 27 September meeting of City Council) concerning the problems experienced by the Burton Etinger School pertaining to the removal of recyclable materials delivered to the site. The Alderman noted that he had asked staff to investigate the matter to determine if assistance in some form could be provided by the City, but added that no response had been received to date.

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**Question Alderman Meagher Re:
Non-Returnable Bottles, Etc.**

Alderman Meagher made reference to a letter forwarded on Council's behalf to the Provincial Government regarding the implementation of regulations pertaining to non-returnable bottles, and asked if the City Solicitor's Department might follow up on that letter.

The Alderman also made reference to a suggestion made previously that an approach be made by the City to the various fast-food chains regarding changes in their food packaging. The City Manager indicated that he would investigate the matter and submit a report to Alderman Meagher.

NOTICES OF MOTION

**Notice of Motion Alderman Downey Re:
Proposed Amendments - Ordinance No. 181,
the Spring Garden Road B.I.D. Commission Ordinance**

Alderman Downey gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for Thursday, 25 October 1990**, he proposes to introduce an amendment to Ordinance 181, the Spring Garden Road Business Improvement District Commission Ordinance.

Alderman Meagher noted that the proposed amendments are being brought forward at the request of the Spring Garden Road B.I.D. Commission, and are intended to change the required number of meetings from once a month to ten times per year.

**Notice of Motion Alderman Jeffrey Re:
Proposed Amendments - Ordinance No. 116, the Taxi Ordinance**

Alderman Jeffrey gave Notice of Motion that at the next regular meeting of Halifax City Council, **scheduled for Thursday, 25 October 1990**, he proposes to introduce an amendment to Ordinance No. 116, the Taxi Ordinance.

Alderman Jeffrey advised that the proposed amendments are intended to pertain to the following: (1) current taxi rates; (2) the Taxi Driver Education Course; and (3) driver protection.

**Notice of Motion Alderman Grant Re:
Proposed Amendments - Ordinance No. 145,
Respecting the Payment and Collection of Taxes**

Alderman Richard Grant gave Notice of Motion that, at the next regular meeting of Halifax City Council, **scheduled for**

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25 October 1990, he proposes to introduce an amendment to Ordinance No. 145, Respecting the Payment and Collection of Taxes.

Alderman Grant noted that the proposed amendment is intended to adjust the dates for payment of taxes as a result of the change in the City's fiscal year end.

ADDED ITEMS

Condominiums - Garbage Collection and Tipping Fees (Alderman Fitzgerald)

This matter had been added to the agenda by Alderman Fitzgerald.

Correspondence, dated 4 October 1990, was received from the following residents of the condominiums located at 45 Vimy Avenue:

- Mr. Peter Collier, Unit #612
- Mrs. Isabel C. Davison, Unit #224
- M. S. Power, Unit #220
- C. Corkett, Unit #1225
- Douglas Owen, Unit #1214
- Richard G. B. Brown, Unit #817
- Helen M. Watson, Unit #315
- M. W. Knowles
- Marion and Edmund Burns, Unit #712
- Edith Harvie, Unit #115

Alderman Fitzgerald reiterated his concerns that condominium dwellers are not being treated fairly in terms of the services provided them by the City of Halifax for garbage collection.

The Alderman therefore asked (and it was so agreed) that this matter be added to the agenda at the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 17 OCTOBER 1990.

Sidewalk - Feldspar Crescent (Alderman Grant)

This matter had been added to the agenda at the request of Alderman Richard Grant, who noted that residents of Feldspar Crescent had recently received notices from the City to the effect that they will be expected to contribute toward the repair of the sidewalks previously installed on this street.

The Alderman expressed concern that these sidewalks are less than three years old; furthermore, the majority of the residential units have been constructed only within the last 12 months or so. Alderman Grant further pointed out that the work

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relevant to the installation of these sidewalks had been contracted by the Nova Scotia Housing Commission, rather than by the City of Halifax as is normally the case.

The Alderman emphasized that, under the circumstances, the residents of Feldspar Crescent are opposed to contributing to these repairs. He therefore asked that any action to be taken in this matter be deferred until discussions can be held by the City with the Housing Commission and, if possible, the contractor directly responsible for the sidewalk installation.

The City Manager indicated that the Alderman's suggestion represented a reasonable approach to the problem, and that he would follow up on it before any other action on the part of the City is taken.

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

This matter had last been discussed during a regular meeting of Halifax City Council held on Thursday, 28 June 1990, at which time staff had been directed to continue their negotiations with the property owner in question.

A supplementary staff report, dated 4 October 1990, was submitted.

Noting that no further progress has been made in staff's attempt to resolve the matter with the property owner, Alderman Jeffrey proposed that the matter be deferred to the City Council meeting scheduled for Thursday, 29 November 1990.

A discussion ensued, with Council being reminded that, unless a public hearing advertisement is published by 17 October, the City will be deemed to have refused the application to rezone the property at 24-26 Melrose Avenue from R-2 to R-2P.

Alderman Jeffrey subsequently suggested (and it was so agreed) that the matter be deferred, and that staff again be directed to continue their negotiations with the property owner in question.

Bulk Highway Salt - ASTM D632 95% NaCl

A private and confidential staff report, dated 9 October 1990, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that Canadian Salt be awarded the contract for the supply

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of salt for the 1990/91 winter period (taxes to be extra where applicable).

The motion was put and passed.

Purchase of "The Tap" Building - Gottingen Street (Alderman Downey)

This item was added to the agenda at the request of Alderman Downey who requested (and it was so agreed) that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 17 OCTOBER 1990.

6228 Duncan Street (Alderman Meagher)

This matter had been added to the agenda at the request of Alderman Meagher who reported that a resident of Duncan Street has expressed concern regarding the encroachment into her privacy posed by the renovations currently underway at 6228 Duncan Street. In this context, the Alderman noted that this individual (who resides on the east side of the property in question) has suggested that because of the construction of external stairways at the rear of the building, her private enjoyment of her back yard space will be infringed upon; in addition, owing to the position of the third-floor dormers at 6228 Duncan Street, tenants will be able to look into her living room, kitchen and bedroom.

Alderman Meagher noted that it had always been his understanding that, when applications for additions or conversions were made, one of the major considerations in the approval process was the protection of abutters' privacy. Under the circumstances, therefore, the Alderman asked that the Legal Department consult with the Building Inspector Division regarding this situation and advise as to the legal protection afforded the complainant in this instance (with regard to the protection of her privacy).

The Alderman went on to query whether the situation at 6228 Duncan could realistically be considered to be a "conversion," particularly since the stairs are being removed from the building's interior (to create more space) and added to the outside of the unit. He also suggested that, when major changes of this nature are proposed for a building, the City should undertake to notify abutters within a certain geographical range. Alderman Meagher concluded his remarks by asking that the City Solicitor also comment on these suggestions.

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

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HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR MOIRA DUCHARME
CHAIRMEN

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