

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

Council Chamber
Halifax City Hall
22 May 1991
5:00 P. M.

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

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

ALSO PRESENT: Mr. Barry S. Allen, representing the City Solicitor; Ms. Karen F. Swim, Acting City Clerk; and other members of City staff.

**Case No. 6198: Lounges in Minor and Mixed Residential/
Commercial Areas (Proposal for Plan and Land Use
Bylaw Amendments)**

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 16 May 1991 (a public hearing had previously been held on Wednesday, 8 May).

MOVED by Alderman Downey, seconded by Alderman Grant that Council approve amendments to the Municipal Development Plan and to the Land Use Bylaw for the Spring Garden Road area as set out in Appendix I of the 21 March 1991 staff report.

The motion was put and passed.

NOTE: Subsequent to this meeting, it was brought to staff's attention that an insufficient number of Council members had been present on 22 May during the vote on this proposed amendment to the Municipal Development Plan. On that basis, it is proposed that the matter be referred to the next regular meeting of Halifax City Council (scheduled for THURSDAY, 30 MAY 1991) for further consideration.

Award of Tender #91-01: Paving Renewal, Watermain
Renewal and Combined Sewer - Young Street

This item had been forwarded from a regular meeting of the Committee on Works held earlier in the day.

MOVED by Alderman Flynn, seconded by Alderman Jeffrey that, as recommended by the Committee on Works:

- 1) Council award Tender #91-01 for the project, materials and services listed for the unit prices quoted at a total project cost of \$275,000.00 to L.J. Casavechia Contracting Ltd. with \$68,000.00 recoverable from the Halifax Water Commission; and,
- 2) funding in the amount of \$207,000.00 for this project be authorized from Capital Accounts No. 94010 (\$120,000.00), No. 91407 (\$73,000.00) and No. 92662 (\$14,000.00).

The motion was put and passed.

Award of Tender #91-49: Cracksealing Streets

This item had been forwarded from a regular meeting of the Committee on Works held earlier in the day.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Committee on Works, City Council award Tender #91-49 to Road Savers Maritime Ltd. for the unit prices quoted until the allocated funds of \$60,000.00 in Account No. 669 have been expended.

The motion was put and passed.

Award of Tender #91-50: Surface Sealing Paved Streets

This item had been forwarded from a regular meeting of the Committee on Works held earlier in the day.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Jeffrey that, as recommended by the Committee on Works:

1. City Council approve the streets program proposed by the Engineering and Works Department shown in Appendix "A" and "B" (attached to the staff report dated 7 May 1991) and funded in the 1991 Approved Operating Budget;

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2. authority be granted to award Tender #91-50 to Atlantic Colas Limited for the unit prices quoted; and,
3. authority be granted to proceed with the surface sealing of the indicated streets until the allocated funds of \$132,000.00 in Account No. 669 have been expended.

The motion was put and passed.

Provincial/City Cost-Sharing Agreement #44

This item had been forwarded from a regular meeting of the Committee on Works held earlier in the day.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, Council:

- (a) approve Cost Sharing Agreement #44 as attached to the staff report of 9 May 1991; and,
- (b) authorize His Worship the Mayor and City Clerk to sign this Agreement on behalf of the City.

The motion was put and passed.

Award of Tender #91-15: Retaining Wall
(MacKay Bridge Ramp)

This item had been forwarded from a regular meeting of the Committee on Works held earlier in the day.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Pottie that, as recommended by the Committee on Works, Council award Tender #91-15 for the project, materials and services listed and for the unit prices quoted at a total bid price of \$28,790.00 and a total project cost of \$35,000.00 to Dexter Construction.

The motion was put and passed.

Recommendation of the Tax Concession
and Grants Committee

This matter had been forwarded from a regular meeting of the Finance and Executive Committee held earlier in the day.

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MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, a maximum grant of \$500.00 be awarded to the "Black is Beautiful" Beauty Pageant.

The motion was put and passed.

Public Hearing Re: Heritage Properties
- 5536 Sackville Street (Irving Oil)

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

A supplementary report dated 22 May 1991 was submitted.

Mr. Dan Norris, Heritage Planner and Mr. Stephen Townsend, Chairman of the Heritage Advisory Committee were in attendance and indicated that they were prepared to respond to any questions Council may have on this matter.

Mr. Norris noted that this is the second time this matter has come before Council. Mr. Norris advised that additional information with respect to this property has come to light through the Public Archives of Nova Scotia. He added that this is the only station of this type in Halifax, and it is one of four such stations in all of the Province. Mr. Norris added that the building plans, dated 30 May 1929, were found in the Archives and were designed by a Saint John architect.

Ms. Carol Baxter addressed Council and introduced Mr. Roger Burns and indicated that they were representing Irving Oil Limited on this matter.

Ms. Baxter then read and submitted a letter advising that Irving Oil Limited would not object to the designation of the building in question as a Municipal Heritage Property.

Mr. Alan Ruffman, a resident of Ferguson's Cove, addressed Council and indicated that he was very pleased to hear that Irving Oil Limited did not object to the heritage designation.

Mr. Ruffman submitted an article from the New York Times, dated December 15, 1988 regarding the heritage designation of a gas station in the state of New York.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that 5536 Sackville Street - Irving Oil Station be designated a heritage property.

Motion carried.

His Worship indicated that he would forward a letter on behalf of Council to Mr. Arthur Irving expressing Council's appreciation for his co-operation on this matter.

Appeal of Minor Variance Refusal - 6501 Young Street

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

A staff report dated 02 May 1991 was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, advised that this application was an appeal against his decision as Acting Development Officer for refusal of a minor variance of the lot area and side yard requirements of the land use bylaw to legalize the existing three unit apartment at 6501 Young Street.

Mr. Hanusiak then submitted a petition containing 25 signatures in support of the applicant's request.

Mr. Tom Doane, the applicant, addressed Council, advising that he has owned the property in question for five years and that when he bought the property he had assumed that all three units were permitted. He added that the matter of the third illegal unit came to light when he tried to sell the property, and it was during this process that he found out that only two units were permitted. Mr. Doane advised that when the previous owner constructed the third unit, he did not obtain the proper permits.

Mr. Peter Burns addressed Council and advised that he resided next to the property in question.

Mr. Burns indicated that he supported Mr. Doane's request for a minor variance but was concerned that it would become precedent setting. He added that as long as the status quo did not change he could support the applicant's request.

In response to Mr. Burns concern, Mr. Hanusiak pointed out that, should there be similar cases in the future, each would be unique and would have to be looked at individually. He added that, in his opinion, if approved, this application would not become precedent setting.

Alderman Pottie addressed the matter and noted that if Council approved the application, then the property could never be converted to more than three units. He added that in this area there is not another similar situation which would

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come before Council, and it was for these reasons that he was comfortable in recommending the legalization of the third unit.

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

MOVED by Alderman Pottie, seconded by Deputy Mayor O'Malley that the decision of the Acting Development Officer be overturned and that the minor variance of the lot area and side yard requirements of the land use bylaw to legalize the existing three unit apartment at 6501 Young Street be granted.

Motion carried.

There being no further business to discuss, the meeting adjourned at 5:35 p.m.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

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HEADLINES

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

Council Chamber
Halifax City Hall
Halifax, Nova Scotia
30 May 1991
8:00 P. M.

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

His Worship Mayor Wallace called the meeting to order with members of Council, led by Alderman Grant, joining in the recitation of the Lord's Prayer.

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

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

ACCESS AWARENESS WEEK

His Worship Mayor Wallace read a proclamation proclaiming May 26 - June 1, 1991, National Access Awareness Week in Halifax.

Mr. Charles MacDonald, a member of the National Access Awareness Committee, accompanied by his seeing eye dog, addressed Council. Mr. MacDonald briefly commented on the five themes that are of particular importance to persons with disabilities to enhance access and their full participation in society as follows: access to transportation, access to education, access to employment, access to recreation and access to housing. He noted that these five star areas of access are the key areas that the National Access Awareness Week Committee promotes.

In closing, Mr. MacDonald challenged the City of Halifax to join in the five star program next year and to try and earn a star in access.

His Worship Mayor Wallace, on behalf of Council, advised that the City will take up that challenge and thanked Mr. MacDonald for being such a valuable member on the City's Committee on Access.

Proclamation - Census Day

His Worship Mayor Wallace commented that Statistics Canada will conduct a census of population on June 4, 1991 and read a proclamation declaring the week of June 2-8, 1991, as Census Week in Halifax.

Presentation: Retirement Scroll - Mr. Frederick W. Newbury

On behalf of members of Halifax City Council, His Worship Mayor Wallace presented Mr. Frederick W. Newbury (35 years service) with the City's Long Service Award in recognition of his dedicated work and outstanding service with the Engineering and Works Department.

Deputy Mayor O'Malley presented Mrs. Newbury with a corsage.

Proclamation - Cultural Development Day

Alderman Ducharme, Chairman of the Cultural Policy Committee, noted that May 31st was designated as the first international day for cultural development. Alderman Ducharme then read a proclamation proclaiming May 31st the world day for cultural development in Halifax.

MINUTES

The minutes of the last regular meeting of Halifax City Council, held on Thursday, 16 May 1991, were approved on a motion by Alderman Jeffrey, seconded by Alderman Ducharme.

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

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

- 20.1 Transfer Station - Policy (Alderman Jeffrey)
- 20.2 Route 5 Bus Stop (In front of 6276 Chebucto Road) - (Alderman Meagher)
- 20.3 F.C.M. Nomination - Board of Governors (Alderman Flynn)
- 20.4 Liquidation Sales (Alderman Flynn)

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

20.5 Acorn Road (Alderman Grant)

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

20.6 Proposed Bylaw Amendment (Alderman Holland)

It was agreed that items 20.2, and 20.6 be dealt with at the beginning of the agenda under deferred items.

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

2.3 Presentations - Retirement Scrolls -
Halifax Fire Department

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

DEFERRED ITEMS

Case No. 6198: Lounges in Minor and Mixed Residential/Commercial Areas (Proposal for Plan and Land Use Bylaw Amendments)

This item was deferred from the Special meeting of City Council held on 22 May 1991.

A supplementary staff report dated 27 May 1991 was submitted.

The Chairman explained that the proper number of eligible members of Council were not present when the vote on this item was taken at the special meeting of City Council on 22 May 1991.

The City Clerk advised that the following members of Council present were eligible to vote on this item: Alderman Downey, Deputy Mayor O'Malley, Alderman Pottie, Alderman Grant, Alderman Hanson, Alderman Ducharme, and Alderman Stone. He pointed out that all eligible members had to vote in favour in order for the motion to pass.

MOVED by Alderman Downey, seconded by Alderman Grant that Council adopt the plan and bylaw amendments for the Spring

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Garden Road area as set out in Appendix I of the 21 March 1991 staff report relating to Lounges in Minor and Mixed Residential/Commercial areas.

Motion passed unanimously.

8:30 p.m. Alderman Fitzgerald entered the meeting.

Case No. 6023: Rezoning of 6-8 Flamingo Drive & 3 Queen Avenue

This item was deferred from the last regular meeting of City Council held on 16 May 1991.

An information report dated 22 May 1991 was submitted.

A letter dated 27 May 1991 from Bernie Dockrill, Rockingham Professional Centre Limited, was submitted.

A letter dated 30 May 1991 was also submitted by Allan Turner, Vice-President; Barbara Mulrooney, Secretary; and Eric Kay, Treasurer; for the Ward Twelve Community Association.

Alderman Stone addressed the matter and noted that, as Council was aware, a public hearing was held on this matter on 8 May 1991. Alderman Stone expressed the opinion that some of the information presented at the public hearing was inaccurate and that there were a number of inconsistencies that needed to be clarified before a decision was made. The Alderman advised that an information report and a letter from the developer was subsequently received from staff (recorded above). He went on to advise that the developer has indicated that he is willing to consider reducing the proposal from R-4 to R-3 and to reduce the height of the building and number of units.

Because of the fact that the residents in the area concerned have not had the opportunity to review this new information, it was MOVED by Alderman Stone, seconded by Alderman Jeffrey that this matter be deferred to the next regular meeting of City Council to be held 13 June 1991.

Alderman Stone indicated that he wished to have the opportunity to be sure that the residents in the immediate area have an opportunity to see what is being proposed.

Referring to the information report of 22 May 1991, Alderman Fitzgerald expressed the opinion that this report was a little caustic and appeared to be an attack on an individual. He expressed the concern that this could intimidate the public

from making presentations to Council noting that the public should be encouraged to participate and address City Council. Alderman Fitzgerald asked that staff be mindful of this in the future.

Motion of deferral was put and passed.

Proposed Bylaw Amendment (Alderman Holland)

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

Alderman Holland addressed the matter and asked that staff provide a report on a proposed bylaw amendment. He referred specifically to a situation on Oakland Road and on South Street where properties are being developed contrary to the intention of the bylaw. Alderman Holland expressed the opinion that something needed to be done to preserve these neighbourhoods.

With reference to a proposed development on Oakland Road, Alderman Holland expressed the concern that the character of this neighbourhood could be destroyed. He went on to note that he would like staff to provide a report, or at least an interim report, hopefully at the next Committee of the Whole Council meeting scheduled for Wednesday, 5 June 1991. Alderman Holland added that the residents concerned about this matter could come forward and address Council at that time.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that this matter be added to the Committee of the Whole Council agenda for Wednesday, 5 June 1991, and that staff provide an interim report on the issue at that time.

Motion passed.

Route 5 Bus Stop (In front of 6276 Chebucto Road)

Alderman Meagher addressed the matter and noted that several weeks ago he had raised a problem with respect to a bus stop on Chebucto Road. He went on to explain that the bus stop was moved, but was moved to an even worse location than before. Alderman Meagher expressed the opinion that there is no need for the number of bus stops which presently exist on Chebucto Road and that the bus stop in front of Chebucto Road should be eliminated or moved further down the street towards Chebucto Village across from the music school. He asked that Council allow Mr. David O'Leary to express his concerns about the situation at this time, to which Council agreed.

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Mr. David O'Leary, 6276 Chebucto Road, addressed Council and advised that on May 31st a bus stop appeared in front of his home without any notification. Mr. O'Leary commented that this bus stop was moved slightly but was still of concern to him. He pointed out that he had done a lot of improvements to his property and had to acquire various permits in the process. Mr. O'Leary questioned why the Metropolitan Authority did not have to go through the same procedure.

Mr. O'Leary went on to advise that there are several small children getting off the bus at this location at the corner of Dublin Street and Chebucto Road where there is no crosswalk or crossing guard. He added that there was a total of three bus stops in about 400 yards and asked that the bus stop in front of his property be relocated or eliminated.

MOVED by Alderman Meagher, seconded by Alderman Flynn that a recommendation be forwarded to the Metropolitan Authority that the location of the bus stop at 6276 Chebucto Road be eliminated.

Alderman Flynn noted that he too had a problem with bus stops in residential areas and the fact that there seems to be a cavalier approach by the Metropolitan Authority and Metro Transit as to where these bus stops are located. He added that there does not appear to be any consideration given to the impact of these bus stops on residential neighbourhoods.

Alderman Flynn expressed particular concern about the location of a bus stop in front of a property on Desmond Avenue. He commented that this bus stop has caused intolerable problems to the owner of the property explaining that there are some irresponsible persons who wait for the bus and damage automobiles, drop garbage, etc. He asked that a request go to the Metropolitan Authority that this bus stop on Desmond Avenue be eliminated as well. Alderman Flynn further requested that the whole matter of the location of bus stops in residential areas be referred to the Transit Advisory Committee for discussion with the Metropolitan Authority. He suggested that there needed to be a better policy with respect to the location of bus stops.

Alderman Jeffrey expressed concern about the dangerous situation which existed because of a bus stop location at the corner of Rosedale Avenue and Alex Street which is heavily used by children travelling to and from the Burton-Ettinger School. He noted that he had received a letter about a month ago stating that this bus stop was going to be removed, but commented that this has not been done to date. Alderman Jeffrey indicated that he would like to have the situation resolved as soon as possible.

Deputy Mayor O'Malley noted that she had written a letter to Mr. C.H. Prentice, Manager, Metro Transit, asking

that consideration be given to removing a bus stop at the corner of Novalea Drive and Stanley Place. She explained that the homeowner at this corner has a picket fence on his property which is being damaged by persons waiting for the bus and also that garbage is being left on his premises.

The Chairman noted that all of the above concerns would be forwarded to the Metropolitan Authority for a report back to City Council.

Motion passed.

PETITIONS AND DELEGATIONS

Petition Alderman Meagher Re: 6226/8 Duncan Street

Alderman Meagher submitted a petition containing 10 signatures of persons lodging a complaint regarding 6226/8 Duncan Street where extensive building and renovations are presently in progress.

Alderman Meagher asked that this matter be placed on the agenda of the Committee of the Whole Council meeting for Wednesday, 5 June 1991. He noted that he will invite the neighbours in the area to attend this meeting and also suggested that the persons involved with the inspection of this property, Building Inspection and the Fire Department, be in attendance. Alderman Meagher went on to ask that all of the reports that had been circulated previously on this property be re-circulated and that staff indicate the changes that have been made to the property since the original application.

MOVED by Alderman Meagher, seconded by Alderman Downey that this matter be placed on the agenda of the Committee of the Whole Council meeting for Wednesday, 5 June 1991.

Motion passed.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 22 May 1991, as follows:

Annual Report on the Local Economy (TO BE TABLED)

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive

Committee, the City of Halifax Annual Report on the Local Economy be tabled.

Motion passed.

Voluntary Planning - Intermodal Freight Terminal (TO BE TABLED)

MOVED by Alderman Grant, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the submitted letter dated 29 January 1991 from Mr. Elwood Dillman, Chairman, Voluntary Planning Transportation Sector, be tabled.

Motion passed.

Deputy Mayor O'Malley questioned when staff expects the plans for the CNR intermodal terminal to come before Council.

The City Manager advised that complete plans have not been received as of two weeks ago and, therefore, noted that there is no indication at this time when they will be submitted to Council.

The Deputy Mayor asked for a written response in this regard.

Tendering Committee Re: Sale of City Mementoes

This matter was forwarded to Council without recommendation, pending a further report from staff.

Alderman Grant noted that a report had just been completed, but was not circulated in time for this meeting. It was, therefore, MOVED by Alderman Grant, seconded by Alderman Hanson that this item be deferred.

Motion passed.

Tendering Committee Re: Policy Statement on Using Fax Machines for Quotations

This matter was forwarded to Council without recommendation, pending receipt of a staff report.

Alderman Grant noted that this was a house-keeping matter and that the Tendering Committee was recommending that this procedure which is presently taking place be formally approved in policy.

MOVED by Alderman Grant, seconded by Alderman Jeffrey that City Council formally approve a policy to send request for quotations by fax and receive quotations by fax.

Motion passed.

Expropriation Settlement - 218-220 Herring Cove Road

MOVED by Alderman Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, civic #218-220 Herring Cove Road be acquired from Esso Petroleum Canada Ltd. for \$125,000, subject to the removal of approximately 600 cubic metres of contaminated soil from the site, the acquisition of the property will thereby settle the outstanding expropriation of the easement shown on Plan TT-34-27688 of the staff report dated 7 May 1991 (funds to be made available in Account #91504, the Herring Cove Road Widening Account).

In moving the motion, Alderman Grant asked that, upon the acquisition of the property, the City move as expeditiously as possible to have the property used to its highest and best use, and that consideration be given to having a portion of the said land, near where the easement is that goes through to Circle Drive, be set aside for a "tot lot" if possible.

Motion passed.

Floating Restaurant - Ferry Terminal

MOVED by Alderman Downey, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, the City enter into an agreement with Lobsters Ahoy Ltd. for a one year period ending 30 April 1992 and, further, based on performance, and if it is the City's desire to keep a floating restaurant at this site, Mr. O'Hearn be afforded the right of first refusal on a lease for one year there following.

Motion passed.

Transfer of Funds - Coordinated Home Care Program

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, a transfer of \$56,049 net be transferred from the social assistance budget to the non-shareable grants account.

Motion passed.

Alderman Flynn asked for a report on the impact of the recent announcement with regard to the 3% cap on homes for special care.

Fully Elected School Boards

Alderman Grant addressed the matter and reiterated his comments made at the last Committee of the Whole Council meeting with respect to the tremendous lack of consideration and involvement with professional groups and all stake holders in education in this province on this change. He went on to ask that staff, under the Freedom of Information Act, determine the authors of this particular document.

At approximately 9:10 p.m. His Worship Mayor Wallace retired from the meeting with Deputy Mayor O'Malley assuming the seat of the Chair.

MOVED by Alderman Fitzgerald, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, Council authorize staff to develop a position paper in opposition to the Bill concerning fully elected school boards and that, subsequent to Council review, the paper be submitted to the Province's Law Amendments Committee and further, that staff, under the Freedom of Information Act, find out the authors of this particular document.

Following a discussion, the motion was put and passed.

At approximately 9:25 p.m. His Worship Mayor Wallace returned to the meeting with Deputy Mayor O'Malley taking her usual seat in Council.

Ordinance #170 Approvals

MOVED by Alderman Meagher, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve in principle amendments proposed to Schedules "A" and "B" of Ordinance #170 (attached to the 22 May 1991 report from the Tax Concessions and Grants Committee); and further, that staff be requested to prepare the legal resolution necessary for these amendments.

Motion passed.

Department of Environment Inspection:
4 and 6 Cherry Lane, 150 Old Sambre Road

MOVED by Alderman Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, staff be requested to prepare a report concerning the viability of asking the Department of the Environment to carry out an inspection of the premises in question.

The motion was put and passed.

Transit Review - Mainland South

The Chairman advised that this item had been deleted from the agenda.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 22 May, 1991, as follows:

Fence - Burton Ettinger School

Following is the recommendation from the 22 May meeting of the Committee on Works regarding this matter:

That this matter be forwarded to the next regular meeting of City Council, scheduled for Thursday, 30 May 1991, pending a report from staff on the availability of funding for this project.

An Information Report, dated 29 May 1991, was submitted.

Alderman Jeffrey reiterated comments made during the 22 May meeting regarding complaints received from area residents (particularly from two property owners on Central and Sunnybrae Avenues) concerning property damage and other inconveniences which have resulted from the proximity of the Burton Ettinger sports field and the lack of adequate fencing. Noting that he had been given to understand by staff that the necessary fencing would cost in the vicinity of \$5,800, the Alderman emphasized that he wished the project to proceed as quickly as possible, particularly given the fact that these problems have been in existence for a number of years.

Elaborating on points raised in the Information Report of 29 May, the City Manager pointed out that while this expenditure had initially been included by Alderman Jeffrey as

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part of in the 1991 proposed budget (under "Special Projects"), it had ultimately been deleted owing to the necessity to restrict overall City spending to a 2 percent increase. Mr. Murphy therefore sought direction as to whether he was now being instructed to identify funds for this project from other sources.

A motion was therefore proposed by Alderman Jeffrey that the fencing for the Burton Ettinger School sports field (estimated at \$5,800) be approved and installed as quickly as possible.

Alderman Holland expressed concern that, in endorsing this expenditure, Council would be establishing a precedent for other such projects, thereby detracting from the objectives of the City's approved budget for the 1991 fiscal year. He went on to emphasize that the potential for these kinds of projects exists in every ward of the City, and indicated that, on that basis, he could not support Alderman Jeffrey's proposal.

After some further discussion, it was moved by Alderman Jeffrey, seconded by Alderman Grant that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 5 June 1991), so that the City Manager might identify a possible source of funding for this project.

The motion to defer was put and passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, 22 May 1991, as follows:

Report - Task Force on City Traffic

MOVED by Alderman Fitzgerald, seconded by Alderman Ducharme that, as recommended by the Safety Committee, the Report of the Task Force on City Traffic be accepted; and further, that a Special Meeting of Committee of the Whole Council be scheduled for MONDAY, 3 JUNE 1991 at 7:30 p.m. in the Council Chamber to consider and debate the report.

Responding to a question from Alderman Ducharme, His Worship Mayor Wallace clarified that the purpose of the 3 June meeting was merely to provide an opportunity for members of Council to discuss the report with the Task Force on City Traffic and to comprehensively debate its recommendations. It was emphasized that, if deemed appropriate, additional meetings

would be scheduled at which time members of the public would be encouraged to submit presentations.

The motion was put and passed.

Transit Advisory Committee Re:
Park and Ride Opportunity

MOVED by Alderman Stone, seconded by Alderman Ducharme that, as recommended by the Safety Committee, City Council:

- 1) endorse the recommendation of the Transit Advisory Committee by giving consideration to implementing Concept "C", Kearney Lake Road/Dunbrack Street Park and Ride facility (as outlined on p. 7 of the report dated 2 May 1991), as a pilot project in park and ride, and,
- 2) forward this recommendation to the Metropolitan Authority as a recommendation from Council to further investigate park and ride in the metropolitan area.

Responding to comments made by Alderman Grant regarding a park and ride project presently proposed for Mainland South, Alderman Stone indicated that the facility suggested by the Transit Advisory Committee for consideration in Mainland North is being recommended in conjunction with an application for commercial development in the Kearney Lake Road area.

The motion was put and passed.

Installation of Four-Way Stop Signs - Various Locations

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Safety Committee, the Traffic Authority provide a report with respect to the installation of a four-way stop sign at either the corner of Edward and Bliss Streets, or at Edward and Binney Streets, as well as at the corner of Beech and Oak Streets.

In seconding this motion, Alderman Meagher suggested that this was a matter which should also be raised during Council's 3 June meeting with members of the Task Force on City Traffic.

The motion was put and passed.

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

**Amendment to Ordinance 105, Respecting the Establishment
of Committees of Council (Recreation Committee) -
SECOND READING**

First Reading of the proposed amendments to Ordinance 105 has been given during a regular meeting of Halifax City Council held on Thursday, 31 January 1991.

The matter had been deferred from a regular meeting of City Council, held on Thursday, 25 April, so that the City Manager and members of the Recreation Committee might further discuss the implications of "advisory" committee status.

A supplementary report, dated 29 May 1991, was submitted from the City Manager.

On the recommendation of the City Manager, it was moved by Alderman Jeffrey, seconded by Alderman Flynn that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 13 June 1991.

The motion to defer was put and passed.

MOTIONS

**Motion Alderman Ducharme Re: Amendments to Ordinance 105,
Respecting the Establishment of Standing Committees of
Council (Tourism Halifax) - FIRST READING**

Notice of Motion with regard to this matter had been given by Alderman Ducharme during a regular meeting of Halifax City Council held on Thursday, 16 May 1991.

A report, dated 22 May 1991, was submitted from the City Solicitor.

MOVED by Alderman Ducharme, seconded by Alderman Fitzgerald that Council give FIRST READING to amendments proposed for Ordinance 105, Respecting the Establishment of Standing Committees of Council (attached as Appendix "A" to the 22 May report from the City Solicitor).

In putting forward this motion, Alderman Ducharme advised that the purpose of these proposed amendments was to clarify the duties and responsibilities of the Tourism Halifax Committee and to establish it as an advisory committee.

On the recommendation of Alderman Grant, it was generally agreed that the motion be amended to reduce Aldermanic membership on the Tourism Halifax Committee, namely from His Worship the Mayor ex officio and four members of City Council, to His Worship the Mayor ex officio and two members of Council.

The motion, as amended, was put and passed.

QUESTIONS

Question Deputy Mayor O'Malley Re:
Container - Former Dump Site

Deputy Mayor O'Malley made reference to a matter raised during a meeting of Halifax City Council on 25 April 1991 concerning a container presently located on the site of the former City dump which contains PCB's and/or other hazardous materials. The Deputy Mayor went on to note that she had subsequently received an Information Report (dated 16 May 1991) which advised that this site has been approved by the Provincial Department of the Environment and will be in effect until 1992.

Deputy Mayor O'Malley expressed concern that an open container of this nature would be left to stand for such a long period of time, particularly in the vicinity of Seaview Park, and asked for a written report as to the location of other such sites in the City.

Question Deputy Mayor O'Malley Re:
Hiring - Director of Recreation

Deputy Mayor O'Malley made reference to the newspaper advertisements previously published regarding the position of Director of Recreation for the City of Halifax, and asked for an update on the matter, particularly with regard to the number of applications received, the composition of the search committee, etc.

Question Deputy Mayor O'Malley Re:
Monthly Payment of Municipal Taxes

Deputy Mayor O'Malley noted that she had only recently been advised that the City of Halifax has a procedure under which taxes can be paid on a monthly basis. The Deputy Mayor commended this approach, noting that for many people monthly tax payments might prove a welcome alternative. She went on to suggest, however, that this procedure deserves to be better publicized, and, in this context, recommended that the Director of Finance prepare a report on the matter clarifying the procedure to be used.

The Deputy Mayor also suggested that, once this report is received, a small advertisement might be inserted in the local newspapers, and/or the reporters normally responsible for covering City Hall might devote an article to this matter so that more Haligonians might be advised of the options that are now available to them.

**Question Alderman Downey Re: Report -
Crime Statistics (Halifax Police Department)**

Alderman Downey made reference to a crime statistics report recently released by the Chief of Police and expressed concern at the large number of incidents (particularly pertaining to break and enters) which had been attributed to "Charlie Zone."

The Alderman emphasized that what is not immediately evident is that "Charlie Zone" is composed of a number of municipal wards, particularly that ward comprising the City's downtown area in which crime tends to be more prevalent. He therefore suggested that future statistical reports relay information on a ward basis, rather than according to police zones.

**Question Alderman Downey Re:
Removal of Public Telephones - Gottingen Street**

Alderman Downey advised that Maritime Tel and Tel have recently undertaken to remove all the public telephones from Gottingen Street, adding that this has caused considerable concern from a safety perspective. In this same context, the Alderman noted that area businessmen are now being asked more and more frequently to allow their company phones to be used by area residents.

Alderman Downey asked that efforts be made either to have the telephones replaced as quickly as possible, or that a report be submitted outlining why their removal had been deemed necessary.

Question Alderman Downey Re: Street Improvements

Alderman Downey asked for information as to the street paving/patching schedule proposed by the City of Halifax for the next several months.

Question Alderman Jeffrey Re: Community-Based Policing

Alderman Jeffrey made reference to the statistics recently released by the Halifax Police Department, noting that while crime would appear to be on the increase in almost all categories, increases were particularly prevalent in terms of

break and enters and armed robberies. The Alderman questioned whether, in view of these statistics, the community-based policing project could be viewed as being effective, and indicated that he would be questioning the Chief of Police on this matter during the Chief's next presentation to Committee of the Whole Council.

Question Alderman Jeffrey Re: Expropriation
- Alma Crescent/Dutch Village Road

Alderman Jeffrey requested that staff provide an update concerning the expropriation currently underway of the property located at the corner of Alma Crescent and Dutch Village Road.

Question Alderman Jeffrey Re: Major Stevens School

Alderman Jeffrey made reference to the Major Stevens School which, it was his understanding, is scheduled to be closed. The Alderman asked for information as quickly as possible as to (1) the existing zoning of the property; (2) the proposed zoning of the site; and (3) the City's plans for this property once the closure has been effected.

Question Alderman Jeffrey Re:
Blue Bag Pick-Up

Alderman Jeffrey noted that he had recently received a complaint from a resident of Frederick Avenue that City garbage vehicles appeared to be picking up blue bags of recyclable materials together with normal household refuse. The Alderman asked for an explanation as to why this procedure was being used.

Question Alderman Jeffrey Re:
Land Abutting Our Lady of Lebanon Church

Alderman Jeffrey made reference to a small portion of land abutting Our Lady of Lebanon Church which the Church is interested in acquiring. The Alderman noted that it was his understanding that an appraisal of this property is currently underway, and asked for information from staff as to when this information will be available.

Question Alderman Jeffrey Re: Le Bar
(Dutch Village Road)

Alderman Jeffrey made reference to Le Bar Restaurant adjacent to the Princess Restaurant on Dutch Village Road, noting that he has received numerous complaints concerning the establishment's hours of operation and the noise being generated. In this context, the Alderman advised that it is his understanding that, while the bar is supposed to close at

2:00 a.m., there are often customers on the premises until the 4:00 a.m.

Alderman Jeffrey expressed concern with regard to this situation, pointing out that there are residential neighborhoods in the immediate vicinity which have been considerably inconvenienced by the bar's operation. He therefore requested information concerning the provisions of the permit issued to Le Bar by the Liquor Licensing Board, as well as comments from staff as to whether a business of this nature can be legally operated under the zoning presently in effect in this area.

**Question Alderman Pottie Re: Wage Restraints
- Nova Scotia Teachers**

Alderman Pottie made reference to the wage restraints presently proposed for Nova Scotia teachers, and asked for information from staff as to the amount of money which could be saved by the City of Halifax, should this legislation be approved. In this same context, the Alderman asked for comments from the City's Director of Finance as to whether these cost savings could be used to decrease the 1991 tax rate.

**Question Alderman Pottie Re:
Repairs to Driveway Ramps**

Alderman Pottie drew attention to complaints received concerning the damage caused to private automobiles by the condition of various driveways, particularly those on Edinburgh Street and on George Dauphinee Avenue. In his remarks, the Alderman noted that while the maintenance of private driveways is considered to be the responsibility of the property owner, there is a portion of the ramp immediately adjacent to the asphalt street paving which, in his opinion, the City should oversee, particularly since repairs are frequently required.

Reiterating that this has been an ongoing problem for many residents of Halifax, Alderman Pottie asked that the City Manager investigate the situation to ascertain if something might be done to revise the City's stance on this matter.

**Question Alderman Fitzgerald Re:
Activity - Corner of Summer and Sackville Streets**

Alderman Fitzgerald reported that there is considerable "people" activity at the corner of Sackville and Summer Streets during various parts of the day and in the evenings. Noting that this situation has been ongoing for a number of months and that complaints are being received, the Alderman asked for a report on the matter from the Chief of Police.

Question Alderman Fitzgerald Re: Power Disruptions

Alderman Fitzgerald made reference to the fact that residents of his ward are experiencing an increase in power disruptions, and asked for comments from staff as to the cause of these problems.

The Alderman went on to note that it had been suggested to him that the disruptions were caused by tree growth, and expressed concern that tree cutting might be necessary in order to address these difficulties.

Question Alderman Fitzgerald Re:
Tipping Fees - Condominium Owners

Alderman Fitzgerald made reference to a previously requested report concerning the elimination of tipping fees as they are applied to condominium owners. Noting that the report in question has been anxiously awaited, the Alderman asked for information as to when Council might anticipate its receipt.

Question Alderman Fitzgerald Re:
Litter - School Neighborhoods

Alderman Fitzgerald made reference to the numerous complaints received from residents of areas in which various of the City schools are located, emphasizing that students are causing a considerable amount of property damage and litter as well as inconvenience to the property owner. In this same context, the Alderman noted that litter was especially prevalent on the grounds of the schools themselves.

Alderman Fitzgerald therefore recommended that a directive be issued to school principals asking them to investigate the question of litter control around school facilities, and to remind their students of their responsibility to the Halifax community.

Question Alderman Fitzgerald Re:
Membership Dues - UNSM and FCM

Alderman Fitzgerald asked for information from staff as to the amount of membership fees paid by the City of Halifax to the Union of Nova Scotia Municipalities and to the Federation of Canadian Municipalities.

Question Alderman Fitzgerald Re: Crime Statistics

Alderman Fitzgerald made reference to the statistical report recently released by the Halifax Police Department and expressed concern over the number of crime categories in which increases have been reported.

The Alderman asked to have this matter placed on the agenda of the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 5 June 1991) so that these concerns might be discussed with the Chief of Police.

Question Alderman Grant Re: City Manager's Awards

Alderman Grant made reference to the City Manager's Awards which had recently been presented, and asked to be provided with the criteria that is used to select award recipients.

Question Alderman Grant Re: 26 Acorn Road

Alderman Grant made reference to an ongoing problem at 26 Acorn Road, and asked that the City Manager investigate the situation to ascertain when these difficulties will be resolved.

Question Alderman Grant Re: Crowd Control - Forest Fires

Alderman Grant made reference to a recent forest fire in his area of the City and, while commending the City's Fire and Police Departments on their efforts, emphasized that considerable problems had been caused by the inability to prevent individuals from entering the woods and putting themselves in danger.

The Alderman suggested that the City Manager discuss this matter with the Chiefs of Fire and Police in an attempt to develop a strategy which might be utilized in any future situations of this nature.

Question Alderman Grant Re: Absence from City

Alderman Grant noted that local newspapers had recently and erroneously reported that he would be taking a leave of absence from his position to study in Europe during 1991-92. The Alderman brought to Council's attention that this information was indeed incorrect, adding that the newspapers had later printed a retraction.

Question Alderman Meagher Re:
Driveway - 6390 Summit Street

Alderman Meagher brought to Council's attention that a City tree has fallen over, causing extensive damage to the driveway located at 6390 Summit Street. The Alderman noted that he has been advised by staff that, according to existing policy, the City of Halifax is not responsible for damage of this nature.

Alderman Meagher emphasized that the driveway is extremely unsafe and urged that City policy on this matter be reviewed and amended.

Question Alderman Meagher Re:
Tipping Fees

Alderman Meagher made reference to his previous request for information as to the amount of money which has been collected since 1 January 1991 by the Metropolitan Authority in terms of tipping fees, noting that this report has not yet been received.

The Alderman went on to note that many Halifaxians mistakenly believe that it is the City of Halifax that both collects this fee and disposes of it, adding that, in his opinion, efforts should be made to correct this misconception.

Question Alderman Meagher Re:
Temporary Parking Spaces - Gladstone Street

Alderman Meagher made reference to a shoe making shop operated by a Mr. Turner on Gladstone Street for over 50 years. In his remarks, the Alderman advised that Mr. Turner would greatly appreciate having one or two 15 minute parking spaces established adjacent to his shop in order to facilitate customer parking.

Question Alderman Meagher Re:
Night Magic Fashions

Alderman Meagher made reference to previous Council deliberations concerning the operation of "Night Magic Fashions" in the vicinity of Lawrence and Duncan Streets, noting that despite a petition received from area residents, staff could find no justification for prohibiting the store's operation.

The Alderman advised that because residents of the neighborhood continue to be dissatisfied with the present situation, he is requesting that staff of the City's Development and Planning Department prepare a report regarding the feasibility of eliminating such uses in C-1 Zones.

Question Alderman Stone Re:
Diesel Trailer Trucks

Alderman Stone made reference to an issue previously raised in Council pertaining to the parking of diesel trailer trucks in residential neighborhoods. Noting that a review of existing municipal and provincial legislation in an attempt to address this problem has been unsuccessful, the Alderman asked

that the City Solicitor's Department, in conjunction with the Chief of Police, research the matter and develop recommendations for an effective solution.

Question Alderman Stone Re: Enumeration Process

In response to a question from Alderman Stone, Council was advised that, should an individual find himself overlooked in the enumeration process now underway, he should contact the Municipal Election Office at 421-8740.

Question Alderman Hanson Re: Removal
of Vessel - Vicinity of Melville/Horseshoe Islands

Alderman Hanson made reference to the numerous complaints which have been received over a prolonged period of time regarding the hull of a boat which has been left in the Northwest Arm in the vicinity of Melville/Horseshoe Islands. The Alderman emphasized that, in his opinion, the continued presence of this hull detracted considerably from the appearance of the Arm, and urged that steps be taken as quickly as possible to have it removed. He noted, however, that, if for some reason this action cannot be undertaken, a report explaining the situation be distributed to members of Council.

Question Alderman Hanson Re:
Installation of Bus Shelters

Emphasizing the heavy use which is made of the City's existing bus shelters, Alderman Hanson asked for information from staff as to whether anything could be done to effect the installation of new bus shelters (i.e., those approved for 1991) during the summer months, rather than delaying the procedure until the Fall or early winter as has been the practice in the past.

Question Alderman Holland Re:
Port of Halifax

Alderman Holland made reference to recent announcements concerning the loss of business to the Port of Halifax, and asked for information as to the status of the ongoing negotiations with CN and whether there is anything that City Council might do to facilitate the process.

The Chairman advised that Council would be provided with a complete report on the matter.

Question Alderman Flynn Re: Enumeration Process

Alderman Flynn noted that in every enumeration it would appear that many residents of the City's apartment

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buildings are overlooked. The Alderman urged that the Municipal Election Office take special care to ensure that information obtained from these units is accurate, and, in the same context, made reference to the rather onerous process which must be followed, should an individual discover that he has been inadvertently omitted from the voters' list.

Mr. E. A. Kerr, Chief Returning Officer for the City of Halifax, elaborated on the enumeration process and on the steps that should be taken by residents to ensure that their names are included in advance on the voters list, should they be missed by enumerators during their two visits to the residence.

Noting that electors are encouraged to contact the Municipal Election Office to report problems of this nature, the Chairman suggested that the Returning Officer may wish to consider the use of a telephone answering machine for after-hours messages.

NOTICES OF MOTION

Notice of Motion Alderman Meagher Re: Amendment to Ordinance 170, Partial Tax Exemption for Certain Properties

Alderman Meagher gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Thursday, 13 June 1991, he proposed to introduce for First Reading amendments to City of Halifax Ordinance 170.

The Alderman advised that the purpose of these proposed amendments was to add two properties to those entitled to tax concessions under Ordinance 170.

Notice of Motion Alderman Ducharme Re: Motion to Rescind (Council Resolution - 16 May 1991): Lacewood Drive Improvements

Alderman Ducharme gave Notice of Motion that at the next regular meeting of Halifax City Council, scheduled for Thursday, 13 June 1991, she proposes to introduce a motion concerning the rescission of a Council resolution of 16 May 1991 pertaining to Lacewood Drive improvements (namely, an amendment to the approved configuration to provide a left turn into the present Clayton Park Shopping Centre.

ADDED ITEMS

Transfer Station (Alderman Jeffrey)

This matter had been added to the agenda at the request of Alderman Jeffrey.

Alderman Jeffrey made reference to the difficulties experienced by residential property owners as a direct result of the recent implementation of tipping fees, and invited Mr. Wayne Yogis, Operations Manager, Works Division, to elaborate on the situation for the benefit of members of Council.

Mr. Yogis advised that the implementation of tipping fees (and the inconsistency with which these fees appear to be applied) has had, in staff's opinion, a direct impact on the City's own litter abatement program. In this context, he made reference to the many on-street litter baskets which frequently overflow with household refuse, to the increase in litter throughout the City, and to the garbage which is dumped in the vicinity of the transfer station or in the less-inhabited areas of the City. Noting that the situation appears to be getting progressively worse, Mr. Yogis strongly recommended that the City take an in-depth look at all aspects of garbage and litter with the objective of developing a more comprehensive policy on litter abatement.

Alderman Fitzgerald concurred with the concerns outlined by Mr. Yogis, noting that, in his opinion, tipping fees are, directly or indirectly, costing the residents of Halifax millions of dollars with the proceeds being forwarded to another level of government. He emphasized that efforts should be made to keep the City clean all year round, rather than merely during the summer tourist season, and expressed the view that the entire issue merited a review.

Alderman Pottie expressed his support of the concerns raised by Aldermen Jeffrey and Fitzgerald, noting that, in some cases, the cost of the tipping charges for residential refuse exceeds the cost of clean-up and haulage. He also pointed out that existing City policy appears to require that on-street litter baskets be removed, should it be found that they are consistently misused (i.e., filled with household refuse). The Alderman emphasized that while this misuse is often not the fault of area residents, it is often extremely difficult to persuade staff to replace the receptacle.

Alderman Jeffrey concluded the discussion by proposing that a motion be made to request that the Metropolitan Authority review the entire matter of tipping fees and that, in addition, no fees of this nature be applied to household refuse.

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The Chairman noted that Mr. Mort Jackson, representing the Metropolitan Authority, will be present at the next regular meeting of Committee of the Whole Council. His Worship therefore suggested, and it was generally agreed, that the matter be deferred to the Wednesday, 5 June 1991 meeting of Committee of the Whole.

On another but related matter, Alderman Fitzgerald requested that a litter basket be restored as quickly as possible to the southwest corner of Preston and Pepperell Streets, with Alderman Jeffrey asking that a receptacle be placed at the corner of Rufus and Birch Street (in the vicinity of the grocery store).

Route 5 Bus Stop (In Front of 6276 Chebucto Road)

This matter had been added to the agenda at the request of Alderman Meagher, and has been dealt with at an earlier point in the meeting's agenda.

F.C.M. Nomination (Board of Directors)

MOVED by Alderman Ducharme, seconded by Alderman Downey that ALDERMAN ARTHUR FLYNN be nominated for appointment to the Federation of Canadian Municipalities' Board of Directors.

Responding to a question from Alderman Stone, Mr. Murphy advised that the costs incurred by this nomination are "not consequential," and, if necessary, could be taken from the City Manager's Contingency Account.

Alderman Pottie asked for a general report from the City's Director of Finance as to all the costs incurred by the City of Halifax through its membership in the F.C.M. (including membership dues, travel costs, etc.).

Referring to Alderman Pottie's request for a report on expenses incurred, Aldermen Hanson and Downey asked that the advantages of F.C.M. membership not be forgotten, adding that, in their opinion, such advantages far exceed any disbenefits.

There being no further nominations, the motion was put and passed with unanimous consent.

Liquidation Sales (Alderman Flynn)

This matter had been added to the agenda at the request of Alderman Flynn who made reference to problems recently brought to light by an event being held at the Halifax Shopping Centre and sponsored by a Toronto firm.

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Alderman Flynn expressed the view that greater measures must be taken by the City to protect its full-time business owners from encroachments of this nature, and urged that the City Solicitor's Department be requested to investigate possible changes in municipal regulations in this respect.

Responding to comments made by Alderman Jeffrey, the City Solicitor indicated that, in his opinion, it would be even more advantageous if the Province could be encouraged to enact legislation pertaining to this problem.

It was generally agreed that the City Solicitor's Department would be requested to fully investigate the matter, and to report to Council at a later date.

Acorn Road (Alderman Grant)

This matter had been added to the agenda at the request of Alderman Grant who noted that Acorn Road had had major sewer lines installed several years ago. The Alderman went on to note that sinkholes have since begun to occur, and asked that the City Manager investigate why it would appear that staff have not responded to complaints from area residents in this regard.

Proposed Bylaw Amendment (Alderman Holland)

This matter had been added to the agenda at the request of Alderman Holland and had been dealt with earlier in the meeting's agenda.

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 MARIE O'MALLEY
CHAIRMEN

E. A. KERR, CMC
CITY CLERK

mmd*K

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**SPECIAL CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
Halifax, Nova Scotia
5 June 1991
6:15 P. M.

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

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

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

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

Halifax Civic Hospital

A report dated 28 May 1991 was submitted.

MOVED by Alderman Grant, seconded by Alderman Flynn
that:

1. City Council request the Board of Directors of the Halifax Civic Hospital to instruct their auditors to prepare the necessary financial statements to the end of March, 1991, and that the Board of Directors be requested to wind up the affairs of the Hospital not later than July 15, 1991.
2. The auditors also prepare up to date financial statements from April 1, 1991 and that upon completion of the review of those financial statements by the Board of Directors and City Council, the Board of Directors pass the accounts and dissolve the Board of Directors of the Halifax Civic Hospital.
3. The Board of Directors be asked to give the Executive Director notice of termination of his employment with the hospital effective not later than July 15, 1991.
4. City staff be given direction to arrange for the introduction of an ordinance before City Council at

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an appropriate time to repeal Ordinance # 114, the Halifax Civic Hospital Ordinance.

5. The City of Halifax continue to support the Executive Director in his dealings with the Province of Nova Scotia with respect to his future employment and that the City Solicitor continue to meet and negotiate with the Province to achieve a satisfactory resolution and settlement for Mr. Frowd.

Motion passed with Deputy Mayor O'Malley voting in opposition.

6:20 p.m. the meeting adjourned for a brief recess.

6:35 p.m. the meeting resumed with the following members present: His Worship Mayor Ron Wallace, Chairman; Deputy Mayor Marie O'Malley; and Aldermen Holland, Fitzgerald, Downey, Meagher, Pottie, Grant, Hanson, and Flynn.

Notice of Reconsideration - Alderman Meagher Re:
Halifax Civic Hospital

Alderman Meagher gave notice of his intention to present a motion of reconsideration of the motion relating to the Halifax Civic Hospital at the next regular meeting of Halifax City Council to be held on Thursday, 13 June 1991. He noted that he was missing from the Council meeting when the item with respect to the Halifax Civic Hospital was considered earlier.

The following items were forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

Award of Tender 91-06 - Sidewalk Renewals

MOVED by Deputy Mayor O'Malley, seconded by Alderman Downey that, as recommended by the Committee on Works, Tender 91-06 for the projects, materials and services listed for the unit prices quoted for the following items: Items 1, 3 and 4 to Duron Atlantic at a bid price of \$60,510.20/project cost of \$72,500 -Item 2 to Armdale Construction at a bid price of \$40,646.25/project cost of \$49,000 and a total combined project cost of \$121,500.00 (funding to be authorized from account numbers: 92652, 92637, 92638, 92639, 92658, 92659 and funding transfers, if applicable, be approved from account 92639 to #92652 in the amount of \$1500.00).

Motion passed.

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Quotation 911395 - Type I and Type II Catchbasins, Grates
and Curbs - Engineering and Works Dept.

MOVED by Deputy Mayor O'Malley, seconded by Alderman
Downey that, as recommended by the Committee on Works,
authority be granted to issue a price agreement to Canada Iron
Castings Ltd. for Type I and Type II catchbasins, grates, and
curbs in the amount of \$71,350.00 (Year 1) and \$73,490.50 (Year
2).

Motion passed.

Price Agreement 911140 Manhole Frames and Covers

MOVED by Deputy Mayor O'Malley, seconded by Alderman
Grant that, as recommended by the Committee on Works, authority
be granted to issue a price agreement to IMP Group Ltd., the
lowest bidder meeting specifications, in the amount of \$273.80
(cover/frame 5") and \$118.70 (Frame 7").

Motion passed.

Canteen Concession - Sir Sandford Fleming Park

MOVED by Alderman Meagher, seconded by Alderman
Pottie that, as recommended by the Finance and Executive
Committee, Tender Number 91-95-R be awarded to Mr. Jack
Stewart, on the basis of their tender in the amount of \$1,250 a
year and that the City Manager be authorized to enter into a
three year agreement for the lease and operation of the canteen
concession at Sir Sandford Fleming Park in accordance with the
terms and conditions outlined in the tender documents.

Motion passed.

Case No. 6170: Development Agreement - 1491 Carlton Street

MOVED by Alderman Fitzgerald, seconded by Alderman
Holland that, as recommended by the City Planning Committee, a
date be set for a public hearing to consider the application
for a development agreement with UNICEF Nova Scotia to permit
the use of 1491 Carlton Street for office and retail use.

Motion passed.

There being no further business to discuss, the
meeting adjourned at approximately 6:50 p.m.

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HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

/MMD

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

Council Chamber
Halifax City Hall
Halifax, Nova Scotia
13 June 1991
8:00 p.m.

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

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

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

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

Presentation - Mayor's Task Force on Drugs

The Honourable Stewart McInnes, Q.C., Chairman of the Mayor's Task Force on Drugs, addressed Council noting that, due to the important nature of the work undertaken by the Task Force, it was felt that City Council should be provided with an up-to-date report.

Mr. McInnes added that, in meeting regularly for the past number of months, the Task Force became aware that a number of constituencies in Halifax that were very involved in the fight against drugs should be on the co-ordinating council and, therefore, the Task Force made the decision to expand its number.

Mr. McInnes then introduced the Task Force members, as follows, noting that some were unable to attend this meeting: Rick Clarke, President of the Nova Scotia Federation of Labour; Harold Crowell, Director of Social Planning; Vincent Jones, representing Concerned Citizens Against Drugs; Todd Leader, Drug Awareness Co-ordinator; Chief Vince MacDonald, Halifax Police Department; Fred MacGillivray, President of Bolands IGA; Donald McKinnon, Vice President, Farmers Dairy; Bill McArthur, McArthur Thompson Law Firm; Barbara McCurdy, Halifax School Drug Education Committee; Peter McLellan, representing Corporate Communications Limited; David Platt, Administrator, Nova Scotia Association of Health Organizations; Bill Robinson, Executive Director, Nova Scotia Sport Heritage Centre; Pam Stonehouse, St. Mary's University Student Counselling Centre; Frank vanSchaayk, CEO, Ben's Limited; and Brian Walker, member of the Nova Scotia Commission on Drug Dependency.

Counselling Centre; Frank vanSchaayk, CEO, Ben's Limited; and Brian Walker, member of the Nova Scotia Commission on Drug Dependency.

In reviewing some of the initiatives planned by the Task Force over the next six months, Mr. McInnes advised that it intends to undertake a parent education program; implement a drug information line; develop a preschool drug education program; utilize the Crime Stoppers information line; work with sports teams such as the Halifax Windjammers to put forth their message; and the Task Force will endeavour to put in place a drug education training program in the Bachelor of Education programs at the local universities.

Mr. McInnes pointed out that in the next six to nine months a "drug summit" is planned, at which time every group involved in the fight against drugs will be brought together in a co-ordinated way, thus increasing awareness and maximizing involvement. He also noted that the Task Force was putting together a series of education programs to deal with drugs in the workplace.

In concluding his remarks, Mr. McInnes requested that every member of Council establish in his/her ward, a ward Council comprising of approximately 10 people, representing different elements with the purpose of discussing ways of handling the drug problem.

His Worship Mayor Wallace, on behalf of Council, thanked Mr. McInnes and the Task Force members for their efforts on this very pressing problem.

MINUTES

The minutes of the last Special Meeting of Halifax City Council, held on Wednesday 22 May 1991, and the last regular meeting of City Council, held on Thursday 30 May 1991 were approved on a motion moved by Alderman Jeffrey, seconded by Alderman Stone.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

20.1 Metropolitan Authority (Alderman Fitzgerald)

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

20.2 Tendering Policy (Alderman Flynn)

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

DEFERRED ITEMS

CASE No. 6023: Rezoning of 6-8 Flamingo Drive & 3 Queen Avenue

This item was deferred from the regular meeting of City Council held on 30 May 1991.

A document dated 13 June 1991 containing a petition with 286 signatures, a letter from Mount Saint Vincent University, and a letter from the Ward 12 Association opposing the rezoning was submitted.

Alderman Stone addressed the matter and noted that he ensured that the people who signed the petition opposing the rezoning received information concerning the revised proposal subsequent to the public hearing in order that they be fully informed of the situation.

Alderman Stone noted that the developer had indicated he was willing to compromise with an R-3 zoning rather than an R-4 zoning and would reduce the number of apartments to 22. He added that in discussions with many of the residents, it was apparent that they oppose the compromise and do not want any zoning changes. Alderman Stone made reference to the submitted document and advised that it was quite clear that the residents of the area strongly oppose this proposal and it was for this reason that he could not support it.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that the application to rezone a portion of 6-8 Flamingo Drive and 3 Queen Avenue, land of Rockingham Professional Centre ltd., from R-1 to R-4 be refused.

The City Clerk advised which members of Council were eligible to vote.

Motion carried with Aldermen Holland, Downey, Jeffrey, and Flynn abstaining due to non-attendance at the public hearing.

Appeal of Variance Refusal - 3564 Barrington Street

This matter had been deferred from a meeting of City Council held on Thursday, 12 July 1990.

A supplementary staff report dated 29 May 1991 was submitted.

Deputy Mayor O'Malley addressed the matter and advised that it had been deferred pending the owners rectification of code violations of the building. She noted that the owners have complied with this, and that in view of the fact the owners purchased this property 5 years ago and that the illegal portion has existed for 12 years, she did not believe the owners intentionally disregarded the Land Use Bylaw. Deputy Mayor O'Malley advised that in granting the appeal Council would only be maintaining the status quo and therefore she supported the appeal.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Meagher that the decision of the Acting Development Officer to refuse a minor variance of the lot area and the north side yard requirement of the Land Use Bylaw for the property at 3564 Barrington Street be overturned and the appeal be granted.

The City Clerk advised which members of Council were eligible to vote.

Motion carried with Aldermen Fitzgerald, Pottic, Grant, Ducharme, Flynn, and Stone abstaining.

MOTIONS OF RECONSIDERATION

Motion Alderman Meagher - Reconsideration of City Council Resolution of 5 June 1991 Re: Halifax Civic Hospital

The Chairman advised that Alderman Meagher wished to make a number of points concerning the Halifax Civic Hospital but would be unable to do so under a motion of reconsideration, and he suggested that the motion of reconsideration be changed to a motion of rescission.

It was agreed that Alderman Meagher's motion of reconsideration be changed to a motion of rescission.

MOTIONS OF RESCISSION

Motion Alderman Meagher - Rescission of City Council Resolution of 5 June 1991 Re: Halifax Civic Hospital

Alderman Meagher addressed the matter and advised that he felt very strongly that the Board of Management of the Halifax Civic Hospital should not be discontinued until certain things are completed. He added that it was important that someone maintain a special interest in the hospital to see that everything is wrapped up properly.

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Alderman Meagher made reference to the closing of the Abbey Lane Hospital and noted that after its Board was dismantled and the Administrator and Directors left, certain things that had been agreed upon were not carried out.

Alderman Meagher advised that the Board of the Halifax Civic Hospital should be left in place for one month, and possibly two months, until the administrator either receives a position from the Provincial Government or receives an appropriate settlement from the Provincial Government. Alderman Meagher also noted that the Civic Hospital has never operated with a deficit and this was indicative of the kind of management the Administrator, Mr. Harley Frowd, provided.

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that the motion of 5 June 1991 Re: Halifax Civic Hospital be rescinded.

Alderman Flynn referred to Council's motion of 5 June 1991 regarding the Halifax Civic Hospital and noted that it already requires that the Board remain in place until everything is settled. He added that, therefore, with or without this motion, the Board will remain in place until the final audit has been completed.

Alderman Flynn advised that he could not support the motion of rescission because Council, in its previous motion, already has made a strong commitment to the concerns expressed by the Alderman.

A discussion ensued and the motion of rescission was defeated.

Motion Alderman Ducharme Re: Rescission of City Council Resolution of 16 May 1991 Re: Lacewood Drive Improvements

Alderman Ducharme addressed the matter and indicated that, upon further reflection of the recent decision made by Council on the Lacewood Drive improvements, she was concerned the decision did not serve the best interests of all involved.

Alderman Ducharme advised that she did not initially express her concerns at the Council meeting regarding this matter because she felt that the recommendation before Council was a staff recommendation. She added that in seeking clarification, she was told that the recommendation was a compromise to accommodate the neighbouring business owners. Alderman Ducharme pointed out that this compromise did not involve one of the business owners (Clayton Developments) and, as a result of Council's motion, Clayton Developments will be forced to incur further expense.

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In reference to the installation of the median on Lacewood Drive and comments in the staff report which advise that the median may be a temporary measure, Alderman Ducharme suggested that for economic and safety reasons it was not a good idea to install something that may be removed later.

Alderman Ducharme advised that if this motion goes ahead, Clayton Developments will have to come before Council to seek an amendment to the present contract. In concluding her remarks, Alderman Ducharme advised that Council has an obligation to treat all parties involved in a fair manner, and since it appears that one business owner did not have input into the "compromise", she was prepared to move the rescission of Council's motion of 16 May 1991.

MOVED by Alderman Ducharme, seconded by Alderman Holland that the motion of City Council of 16 May 1991 Re: Lacewood Drive Improvements be rescinded and that staff meet with everyone affected by the decision on the median, and bring back a recommendation which will accommodate everyone's concerns.

A debate and questioning of staff ensued concerning the affects of ceasing work immediately on the Lacewood Drive median.

The Chairman suggested that it may be worthwhile to rescind the motion and defer this matter to the next meeting of the Committee of the Whole Council, at which time Council would have the opportunity to hear the concerns of those involved.

After further discussion the motion of rescission was carried.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that work on the Lacewood Drive median stop at its present location and not proceed past the middle opening located just before the MacDonalds restaurant.

The Chairman questioned if, in moving the motion, there was an understanding that this matter would come before Committee of the Whole at its next meeting.

In response to this, Alderman Stone advised that it was not his intention to bring the matter before Committee of the Whole for discussion, but rather, that the work stop immediately and the matter be looked at only when the need arises.

Alderman Meagher expressed concern about Council making decisions on traffic matters without the proper consultation with the City's traffic authority and traffic engineering division and he suggested that the matter should be

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deferred until appropriate staff persons have had the opportunity to further review the matter.

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that the matter of Lacewood Drive Improvements be deferred to the next meeting of the Committee of the Whole Council, scheduled for Wednesday 19 June 1991.

In response to questioning, the Chairman indicated that it was understood that no further work with respect to the median would be carried out.

The motion to defer was carried.

The Chairman indicated that the people concerned with this matter would be at the next meeting of the Committee of the Whole Council.

PETITIONS AND DELEGATIONS

Petition Alderman Holland Re: Oakland Road

Alderman Holland submitted a petition containing 64 signatures of the residents of Oakland Road who oppose the amendment to the City of Halifax Land Use Bylaw for the Peninsula, R1 Zone, for the Oakland Road area.

Alderman Holland indicated that this item was scheduled for later on the agenda and that he would address it in more detail at that time.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 5 June 1991, as follows:

Spring Garden Road BIDC - 1991/92 Operating Budget

This matter was forwarded to Council without recommendation.

A letter dated 13 June 1991 from the Spring Garden Road B.I.D. Commission was submitted.

Alderman Downey addressed the matter and advised that staff met with the Spring Garden Road BIDC at its monthly meeting last Wednesday, and an agreement was reached with respect to the parking lot situation and the matter has been satisfactorily dealt with by all concerned.

MOVED by Alderman Downey, seconded by Alderman Meagher that:

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- 1) Council approve the Spring Garden Road BIDC operating budget and the parking lot budget for 01 January 1991 to 31 March 1992, as attached to the report of 27 May 1991 and;
- 2) Council approve an annual fee of \$40,000 for the 15 month financial period between January 1, 1991 and March 31, 1992, as well as, a phasing down of the parking stamp subsidy by 10 percent per annum, effective January 1, 1991 to a cap of 20 percent by 1994.

Alderman Grant referred to his question at the last meeting of the Finance and Executive Committee concerning the possibility of the BIDC sponsoring an event held on Spring Garden Road during Natal Day and asked if this was considered at the meeting.

In response to this, Alderman Downey advised that the Commission did not look at this because their promotional funds for this year have been allocated to other events.

After further questioning the motion was carried.

At 10:00 p.m. His Worship Mayor Wallace retired from the meeting, with Deputy Mayor O'Malley assuming the Chair.

Fully Elected School Boards

The Chairman referred to the staff report of 31 May 1991 regarding Bill No. 147 - An Act to Provide for Public Schools which had been submitted at the Committee of the Whole meeting held on 5 June 1991, and advised that Council was to adopt one position on the matter of fully elected school boards out of three alternatives listed, that being; 1. a totally independent board; 2. Provincial control with local elected advisory boards; or 3. Municipal control with local elected advisory boards.

Alderman Grant addressed the matter and, referring to the staff report, advised that in his view a combination of a municipal and elected was the most appropriate alternative, and he indicated that he was prepared to move a motion, that Council would support the alternative of municipal control with local elected advisory boards.

Alderman Fitzgerald expressed concern about the Act, noting that it was another level of government with taxing powers and advised that it was a matter the Provincial Government was rushing into. He added that, in his opinion, the Provincial Government was attempting to put the cost of education on the shoulders of the taxpayers of this City and of all municipalities.

Subsequently, it was MOVED by Alderman Fitzgerald, seconded by Alderman Flynn that, City Council authorize staff to appear before the Provincial Government's Law Amendments Committee in support of the points made in the staff report of 31 May 1991, and that City Council support the alternative outlined in the report providing for municipal control with local elected advisory boards.

At 10:25 p.m. His Worship Mayor Wallace returned to the meeting and Deputy Mayor O'Malley assumed her usual seat in Council.

Alderman Grant suggested that when staff makes its presentation to the Law Amendments Committee, that members of Council accompany staff and express their concerns on this matter.

After further discussion the motion was carried.

Land Exchange - Parkhill Road

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Parcels "A" and "B" be acquired for Mrs. Edith Pace in exchange for Parcel P-1, all as shown on Plan P200-18355 of the staff report dated 28 May 1991.

Motion carried.

Service Easement - Melville Cove Storm Sewer

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee:

- 1) Service Easement BB identified on Plan No. TT-44-30677 be acquired from Butler Brothers Ltd. for \$4,116 as settlement in full (funds to be made available in Account No. DA061, the Capital Account for the project);
- 2) The second paragraph in the staff report dated 29 May 1991 be amended to read as follows:

"A continuation of this easement is proposed to run over the abutting lands of Mr. W.A.R. Dauphinee, the expropriation of such land not to be considered at this time. The construction of Melville Cove Storm Sewer may be considered within the next four or five years, and since the owners of this portion of the easement have agreed to settle, staff believes it would be in the City's interest to conclude the acquisition now."

Motion carried.

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Funding - Federal Challenge '91 Summer Employment/ Experience Development (SEED) Program

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council approve an expenditure of \$14,087 as interim financing for the Federal Challenge '91 Summer Employment/Experience Development (SEED) Program.

Motion carried.

REPORT - COMMITTEE ON WORKS

City Council considered the report of the Committee on Works from its meeting held on 5 June 1991 as follows:

Fence - Burton Ettinger School

This matter was forwarded to Council without recommendation.

A staff report dated 12 June 1991 was submitted.

Alderman Jeffrey addressed the matter and, referring to recommendation 1 of the staff report dated 12 June 1991, advised that the residents believe that a larger fence than what presently exists could isolate or cheapen their properties. Alderman Jeffrey noted that he was recommending that the fence be placed on City property and went on to advise that he and the City Manager would visit the site next week.

With respect to recommendation 2 of the June 12th staff report, Alderman Jeffrey pointed out that there was approximately 20 feet of fencing on Sunnybrae Avenue which had not been completed last year.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that:

- 1) The fence required along the Central Avenue side of the ballfield to provide a barrier similar to the fencing along the Sunnybrae Avenue side be funded by transferring \$3,800 from Operating Account No. 0121-00017 to Operating Account No. 0084-25345;
- 2) Fencing be completed on the section on Sunnybrae Avenue which is approximately 10 or 20 feet that had not been completed last year; and that
- 3) The City Manager and Alderman Jeffrey meet on-site to consider recommendation 1 of the June 12th staff

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report with respect to the fencing for the westerly edge of the ballfield.

Motion passed.

REPORT - SAFETY COMMITTEE

1917 Explosion Commemoration Committee and Funding Approval

MOVED by Deputy Mayor O'Malley, seconded by Alderman Meagher that, as recommended by the Safety Committee, Council endorse the establishment of the "1917 Explosion Commemoration Committee;" and further, that it approve a donation of \$1,500.00 (spread over a two-year period) to the Committee for its purposes.

Motion passed.

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

**Amendment to Ordinance 105, Respecting the Establishment of
Committees of Council (Recreation Committee) - SECOND READING**

This matter was deferred to this meeting from the last meeting of City Council held on 30 May 1991.

A staff report dated 5 June 1991 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that City Council give SECOND READING to the amendments to Ordinance 105 as attached to the staff report dated 5 June 1991.

Responding to a question from Alderman Ducharme, the Chairman advised that the matter with respect to the number of Aldermen serving on Committees is not being considered at this time but will be at a future date.

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

**Amendment to Ordinance 105, Respecting the Establishment of
Standing Committees of Council (Tourism Halifax) -
SECOND READING**

MOVED by Alderman Ducharme, seconded by Alderman Fitzgerald that City Council give SECOND READING to the

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amendments proposed for Ordinance 105, Respecting the Establishment of Standing Committees of Council (attached as Appendix "A" to the supplementary staff report of 5 June 1991).

Alderman Stone addressed the matter and requested clarification as to whether or not the amendments covered aldermanic representation on the Tourism Committee.

The Chairman advised that the amendments would in effect reduce the aldermanic membership on the Tourism Committee to two.

Alderman Stone expressed disagreement with limiting the aldermanic membership on Committees. He agreed with making the Tourism Committee an advisory committee of Council, but spoke in opposition to reducing the aldermanic membership to two.

Alderman Jeffrey agreed with Alderman Stone's comments that alderman membership on committees should not be limited. He expressed the view that if an alderman expresses an interest in serving on a particular committee, he should be granted that desire.

MOVED in amendment by Alderman Jeffrey, seconded by Alderman Stone that the motion be amended to add the following words "except that the reference with respect to reducing the aldermanic membership on the Tourism Halifax Committee to two be eliminated."

After a short discussion, the amendment was put and passed.

The motion, as amended, was subsequently passed.

Report - Task Force on City Traffic

A recommendation from the Task Force on City Traffic dated 13 June 1991 was submitted.

MOVED by Alderman Flynn, seconded by Alderman Ducharme that, as recommended by the Task Force on City Traffic:

- (a) the report from the Task Force on City Traffic be referred to staff for review and report;
- (b) pending receipt of that staff report, a special meeting be scheduled at which time comments from the public will be received; and that

- (c) every effort be made to obtain the requested staff report within a four-week time frame.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its last regular meeting held on Wednesday, 5 June 1991, as follows:

Proposed Bylaw Amendment (Oakland Road)

This matter was forwarded to Council pending receipt of a staff report in response to the questions and concerns raised at the Committee of the Whole Council meeting on 5 June 1991.

An information report dated 7 June 1991 was submitted.

The following correspondence was received subsequent to the last Committee of the Whole Council meeting on 13 June 1991:

- A letter dated 11 June 1991 from Mr. David F. Garrett, NSAA, owner of 6040 Oakland Street.
- A letter dated 13 June 1991 from Mr. Robert McGregor, 6024 Oakland Road.
- A letter dated 11 June 1991 from Mr. Charles R. Masson, 5043 Oakland Road.

Alderman Holland addressed the matter and indicated that he had a great deal of difficulty with what has taken place over the last few days on this matter. He went on to express concern with respect to various parts of the June 5th information report.

In response to points raised by Alderman Holland, the City Solicitor explained that the first draft of his June 7th information report did not contain the portion about the building inspector having issued the permit. He noted that the first draft, which was prepared June 7th, had only dealt with the legal opinion. The City Solicitor went on to explain that the second portion of the report which passed on the information about the building inspector was in fact not added to the report until June 11th. He noted that the date of June 7th was misleading in that the report was actually not

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completed until June 11th. The City Solicitor added that there was consultation between June 7th and the 11th between the City Solicitor's Department and the building inspector and that there was consideration before the permit was issued.

Alderman Holland reiterated his concern that staff had the power to refuse the building permit, which would then have been appealed at Council, but had chosen to do the exact opposite.

The City Solicitor clarified that City Council does not have the authority to issue or withhold permits. He explained that City Council has the power to make laws with respect to zoning, etc., but that, under the Planning Act, the Land Use Bylaw is administered by the development officer. The City Solicitor added that, under the Building Code Act of the Province, building permits are administered by the building inspector. He went on to explain that Section 733 of the City Charter, to the extent that it is or is not effective today, does not give any authority to City Council but gives authority to the building inspector. The City Solicitor advised that the building inspector acted under Section 733 as if it was in effect and gave considerations to what he thought were the important factors to be taken into account.

Alderman Fitzgerald agreed with Alderman Holland's concerns that something should be done to correct the situation where the character of a neighbourhood can be destroyed due to circumstances of this kind.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that the information report of 7 June 1991 be tabled and that staff be requested to continue evaluating situations of this kind.

Motion passed.

Case No. 6264: Development Agreement - 2024, 2028-32, 2040 and 2046 Robie Street

Alderman Flynn declared a conflict of interest with respect to this particular item.

This matter was forwarded to Council without recommendation.

A letter dated 13 June 1991 from Ann G. Wilkie, 2050 Robie Street, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Pottie that a date for a public hearing to consider entering into a development agreement to permit the property at 2046

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Robie Street to be used for parking in association with Cruikshank's Funeral Home.

Motion passed.

The City Clerk, noting that there is a request to have this hearing set for September, advised that the first available date is September 4th.

Alderman Pottic expressed concern with respect to setting the date in September, and indicated that it was his desire to have this hearing set at the earliest possible date due to the length of time the applicant has had to wait to have this matter considered.

Following a short discussion, it was agreed that the setting of the date for the public hearing on this matter be deferred to the Special Meeting of City Council to be held on Wednesday, 19 June 1991 and that staff, in the meantime, contact Ms. Wilkie and the applicant, Cruikshank's Funeral Home, to arrive at a compromise in respect of the date.

Case No. 4680: Lot B-1-B, Langbrae Gardens

This matter was forwarded to Council without recommendation.

MOVED by Alderman Stone, seconded by Alderman Ducharme that City Council approve an amendment to the Stage II, Schedule "K" agreement for the Langbrae Gardens - Phase One development to extend the time limit for commencement of construction on Lot B-1-B for one year rather than two with the understanding that the boulders on the lot be removed or covered.

Motion passed.

Case No. 6078: Amendment to Development Agreement -
Castle Hill Drive - Residential Development

This matter was forwarded to Council without recommendation.

MOVED by Alderman Stone, seconded by Alderman Ducharme that a date be set for a public hearing to consider an application to amend Stage II development agreement for Block "R-3" located on the north side of Castle Hill Drive which will increase the number of allowable apartment units to 156 from the 108 units currently permitted by contract.

Motion passed.

The City Clerk advised that the public hearing date would be set for Wednesday, 3 July 1991, at 7:30 p.m. in the Council Chamber.

Case No. 6170: Development Agreement - 1491 Carlton Street

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that a date be set for a public hearing to consider the application for a development agreement with UNICEF Nova Scotia to permit the use of 1491 Carlton Street for office and retail use.

Motion passed.

The City Clerk advised that the public hearing date would be set for Wednesday, 3 July 1991, at 7:30 p.m. in the Council Chamber.

Date for Hearing - Recommended Heritage Sites

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a public hearing be scheduled to consider including the following sites in the Halifax Registry of Heritage Property:

- Grand Parade
- Public Gardens
- Point Pleasant Park

Motion passed.

The City Clerk advised that the public hearing date would be set for Wednesday, 21 August 1991, beginning at 5:00 p.m. in the Council Chamber.

Case No. 6276: Proposed Rezoning - Parcel SF, Barrington Street
(SET DATE FOR A PUBLIC HEARING)

MOVED by Deputy Mayor O'Malley, seconded by Alderman Meagher that, as recommended by the City Planning Committee, a date be set for a public hearing to consideration the application to rezone a 28,487 sq. ft. landholding on the east side of Barrington Street from C-5 (Harbour-Related Industrial) Zone to C-3 (Industrial) Zone to permit construction of a service station and convenience store.

Motion passed.

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The City Clerk advised that the public hearing date would be set for Wednesday, 3 July 1991, at 7:30 p.m. in the Council Chamber.

MOTIONS

Motion Alderman Meagher Re: Amendment to Ordinance 170, Partial Tax Exemption for Certain Properties - FIRST READING

A staff report dated 31 May 1991 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that City Council approve First Reading of the amendment to Ordinance 170, the Tax Concession Ordinance, attached as Appendix "A" to the staff report of 31 May 1991 and refer the amendment to the Committee of the Whole for consideration and report.

Motion passed.

QUESTIONS

Question Alderman Jeffrey Re: Major Stephens Playfield

Alderman Jeffrey asked that the Parks and Grounds Division address a problem at the Major Stephens Playfield with respect to maintenance. He explained that the residents in the area are concerned that the field is not being maintained and that it is being abused by some of the ball teams. Alderman Jeffrey requested that staff, after determining which teams are abusing the field, not permit them to use the field again.

Question Alderman Jeffrey Re: Brook Street

Alderman Jeffrey noted that the residents on Brook Street are concerned about the excessive speed of the vehicles travelling on this street and, therefore, asked that the Halifax Police Department set up radar in this area.

Question Alderman Jeffrey Re: Lady of Lebanon Church

Alderman Jeffrey noted that he had raised a question with respect to the lot abutting the Lady of Lebanon Church approximately one month ago. He advised that it was his understanding that staff is appraising the property and went on to question when this appraisal might be completed.

Question Alderman Jeffrey Re: Piercy Field

Alderman Jeffrey noted that there was a need to provide bathroom facilities at Piercy Field. He went on to ask that staff consider the following options: a bathroom facility similar to the one provided at Point Pleasant Park or at Chocolate Lake; an extension to the existing building at Piercy Field for a washroom. The Alderman asked for a report in this regard.

Question Alderman Jeffrey Re: Use of City Owned Vehicles

Alderman Jeffrey referred to the report dated 11 June 1991 from the City Auditor General pertaining to the use of City owned vehicles and asked that this report be placed on the Committee of the Whole Council agenda for 3 July 1991.

Question Deputy Mayor O'Malley Re: Accident - Fire Vehicle

Deputy Mayor O'Malley referred to an unfortunate accident on Compton Avenue involving one of the City Fire Department's vehicles. She noted that it was her understanding that the fire fighting equipment owned by the City is not insured and asked for a report in this regard. Deputy Mayor O'Malley also asked that the report address the question of whether or not the City of Halifax carries public liability and property damage on its vehicles.

The Deputy Mayor went on to note that it was her understanding the piece of equipment which was involved in the accident on Compton Avenue is beyond repair. The Deputy Mayor asked for an indication of the costs involved in respect of this accident.

Question Deputy Mayor O'Malley Re: Oil Tanks -
Bloomfield Resource Centre

Deputy Mayor O'Malley noted that it was her understanding the oil tanks at the Bloomfield Resource Centre, and other oil tanks on City property, were being replaced for environmental reasons. She requested a report identifying these environmental reasons and where they are being removed and at what cost. Deputy Mayor O'Malley further questioned whether the cost of the removal for these tanks have been budgeted for.

Question Deputy Mayor O'Malley Re: Payment of Municipal Taxes

Deputy Mayor O'Malley expressed appreciation to staff for generating the report on the monthly payment of municipal

taxes. The Deputy Mayor indicated that she had a concern about persons who have difficulty paying their taxes that will be coming due in January 1992.

Deputy Mayor O'Malley advised that her question originally was whether there was a mechanism in place for people to pay ahead of time from now until January 1992 rather than the method outlined in the report with respect to post dated cheques. If they are able to pay in advance by monthly instalments, Deputy Mayor O'Malley questioned whether this method could be advertised either by public service announcements or a newspaper ad.

Question Alderman Stone Re: Kearney Lake Beach Parking

Alderman Stone noted that in the past there has been difficulty with parking in the Kearney Lake Beach area. He advised that staff is working on completing the Kearney Lake Parking lot, and questioned whether it will be completed in time for the opening of the Kearney Lake Beach when the lifeguards go on duty, how many parking spots it will provide, and whether signs will be established indicating off-street parking in the area.

Question Alderman Grant Re: Traffic Surveillance - Old Sambro Road between Rockingstone Road and Leiblin Drive

Alderman Grant noted that the Old Sambro Road between Rockingstone Road and Leiblin Drive will be closed off completely this summer by the Department of Transportation. As a result, Alderman Grant advised that traffic will be re-routed down Leiblin Drive and Rockingstone Road. The Alderman questioned, therefore, whether police traffic surveillance will be increased on a 24 hour basis to monitor the traffic particularly on Leiblin Drive.

With respect to the same area, Alderman Grant commented that there is City owned sidewalk on the south side and questioned whether the Department of Transportation intended to put a sidewalk at this location or on the north side in the City section.

Question Alderman Grant Re: Excess Police Motorcycles

Alderman Grant noted that excess police motorcycles are to be sold and suggested that at least half or a quarter of them be retained for use on the weekends. He suggested that perhaps the older motorcycles could be used on weekends as back

up or, where there are policemen in the zones who were previous motorcycle policemen, they could use them for traffic.

Question Alderman Grant Re: Portable Toilets for Events

Alderman Grant questioned whether a criteria exists with respect to the Recreation Department requesting or demanding that portable toilets be supplied during events i.e. events such as the one recently held at the Graves Oakley Playground.

Question Alderman Grant Re: Survey by Tourism Halifax

Alderman Grant referred to the recent survey completed by Tourism Halifax. The Alderman noted that the survey does not appear to include a direct question with respect to Sunday afternoon and evening shopping hours. If this question was not asked in the survey, Alderman Grant indicated that he would like to know why.

Question Alderman Downey Re: Painting of Street Lines

Alderman Downey noted that he had raised a question at a previous meeting with respect the painting of street lines on streets which are later torn up. He referred specifically to the work that is taking place on Hollis Street. The Alderman questioned why these street lines are being painted when they are only going to be torn up at some point.

Question Alderman Downey Re: Sidewalk Work - Gottingen Street between Prince William and Uniacke Streets

Alderman Downey referred to the sidewalk work taking place on Gottingen Street between Prince William and Uniacke Streets. He noted that the bus stop in front of the north end library has been moved as a result and that there is now no bus stop from Cunard Street to beyond the bridge. He expressed the concern that this poses a problem for the seniors residing in Sunrise Manor who now have to walk a longer distance from the bus stop.

Question Alderman Downey Re: Federal Site

Alderman Downey advised that it was his understanding that a decision with respect to the Federal site, Mr. Pearson's development, was supposed to be made by June 15th and asked for a report on the status of the situation.

Question Alderman Holland Re: Building Permit Appeal Process

Alderman Holland questioned whether there was any method whereby an individual could appeal the building inspector's issuance of a building permit.

Question Alderman Fitzgerald Re: Conservation Study for the Public Gardens

Alderman Fitzgerald noted that a short time ago His Worship Mayor Wallace had sent a letter to the Minister of the Environment concerning the Conservation Study for the Public Gardens and questioned whether a response to this letter had been received.

His Worship Mayor Wallace advised that a reply to his letter has not been received to date.

Question Alderman Fitzgerald Re: Queen's Wharf

Alderman Fitzgerald noted that a request had been made that the Queen's Wharf be saved because of its historic significance and questioned whether a response to this request had been received.

Question Alderman Fitzgerald Re: Contaminated Soil - Texaco Station on the Herring Cove Road

Alderman Fitzgerald questioned where the contaminated soil from the Texaco Service Station on the Herring Cove Road was taken.

Question Alderman Fitzgerald Re: Decrease in Building Permits

Alderman Fitzgerald referred to Mr. Smith's annual report where he notes a decrease in building permits over last year. The Alderman asked for a report to Council whether this decrease will have a serious effect on the tax increase for 1992.

Question Alderman Fitzgerald Re: Sidewalks

Alderman Fitzgerald noted that there are a few blocks of sidewalks in his ward that have raised or cracked that are only a year or two old. He indicated that he could not conceive asphaltting over the new sidewalk to correct the deficiencies, but suggested that they should instead be

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replaced. Alderman Fitzgerald asked that staff investigate the situation.

Question Alderman Pottie Re: Building Permits

Alderman Pottie questioned why it takes so long to have a building permit issued in the City of Halifax. He noted that he receives this concern constantly. Alderman Pottie expressed the view that perhaps there should be additional staff in the building inspection division during the normal summer months to assist in processing building permits more quickly. He expressed the view that it was unacceptable that the process could take two to three weeks.

The Chairman noted that a staff report on the matter would be provided.

Question Alderman Meagher Re: Bus Stop on Chebucto Road

Alderman Meagher noted that Mr. O'Leary, 6276 Chebucto Road, had addressed Council a short time ago concerning a bus stop which was placed in front of his home. The Alderman noted that this bus stop has not been removed and questioned the status of the situation.

Question Alderman Meagher Re: 6390 Summit Street

Alderman Meagher referred to a situation at 6390 Summit Street where the driveway block was split in half and raised about ten inches because of a City tree. He noted that staff advised in a report to him that it was the owner's responsibility to remedy this situation. However, Alderman Meagher expressed the view that, because the problem was caused by a City tree, the City should tend to the situation and asked for a further report in this regard.

NOTICES OF MOTION

Notice of Motion Alderman Holland Re: Oakland Road

Alderman Holland gave notice of motion that at a future meeting he will be requesting that Council change the City of Halifax Land Use Bylaw, for the peninsular area, to be amended by adding a section to the R1 zone to require that for the Oakland Road area, from Beaufort Avenue to Robie Street, there be a minimum lot size of 8,000 square feet, a minimum lot frontage of 50 feet, minimum side yards of eight feet, and a minimum setback from the street line of fifteen feet.

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Alderman Holland went on to request that staff be asked not to act precipitously to any request for consolidation or subdivision in the meantime.

Notice of Motion Alderman Fitzgerald Re: Ordinance No. 114,
the Halifax Civic Hospital

Alderman Fitzgerald gave notice of motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 27 June 1991, he proposes to move that Ordinance No. 114, the Halifax Civic Hospital Ordinance be repealed.

ADDED ITEMS

Metropolitan Authority (Alderman Fitzgerald)

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

Alderman Fitzgerald addressed the matter and expressed the concern that it has reached the point where the capital budget of the Metropolitan Authority could be ten times that of the City's capital budget. He commented on the millions of dollars it would cost the taxpayers if an incinerator were to be built. Alderman Fitzgerald indicated that this was of great concern to him.

Alderman Fitzgerald also noted that, at the present time, he is receiving a tremendous number of calls with respect to incineration and sorting. He commented that while Council has gone on record favouring composting, the citizens of the City of Halifax and Council are not up to date on the situation. Alderman Fitzgerald suggested that perhaps the Council representatives on the Metropolitan Authority could provide an update, at a future Committee of the Whole Council meeting, and indicate what can be done to make the City's position of composting and not incineration more acceptable to the public. He reiterated the concern that the City could end up spending millions dollars on building an incinerator.

Alderman Fitzgerald went on to express the concern that the Metropolitan Authority has taxed the business people of this City and the residential taxpayers 5.4 million dollars on tipping fees for this year which is almost as much as the City's share of the capital budget. He added that the City had no say in this matter. Alderman Fitzgerald commented that tipping fees are now a major problem. He noted that he would address the item further when it will be discussed at the next Committee of the Whole Council meeting to be held on 19 June 1991.

Tendering Policy (Alderman Flynn)

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

Alderman Flynn addressed the matter and noted that reference has been made lately in the newspaper about cross border shopping. He went on to express the concern that several of the City's tenders have been awarded to US firms. Alderman Flynn asked that the Tendering Committee look at the possibility of providing a recommendation to Council that the City give preference to awarding tenders to Atlantic Canada or at least to Canadian firms only. Alderman Flynn advised that it was his understanding that there were no restrictions in this regard under the Free Trade agreement.

The Alderman asked for a report to Council on the matter.

Z.C.M. Conference (Alderman Fitzgerald)

Alderman Fitzgerald informed members of Council that Alderman Flynn was elected to the Board of Directors of the Federation of Canadian Municipalities.

Members of Council congratulated Alderman Flynn on this appointment.

11:50 p.m. the meeting adjourned.

HIS WORSHIP MAYOR RON WALLACE
CHAIRMAN

S/M

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