

**SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
19 June 1991
7:40 p.m.

A Special Meeting of Halifax City Council was held on the above 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; and Aldermen Holland, Fitzgerald, Downey, Grant, Hanson, and Jeffrey.

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

ADDED ITEMS

Stephens vs. City of Halifax

At the request of Alderman Fitzgerald, this item was added to the agenda.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that the action with Ms. Stephens be settled in the amount of \$32,000, all inclusive.

Motion carried.

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

Case 6309 - Amendment to Development Agreement - Schedule K, 30 Farnham Gate Road (Date for Public Hearing)

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

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the City Planning Committee, City Council set a date for a Public Hearing to consider an application for an amending agreement involving the Rockingham Ridge Shopping Plaza

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located at 30 Farnham Gate Road, for the purpose of permitting the construction of a freestanding donut shop which would be located on the northeast area of the site.

Motion carried.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 JULY 1991** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case 6264 - Development Agreement - 2024, 2028-32, 2040 & 2046 Robie Street (Date for Public Hearing)

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

MOVED by Alderman Grant, seconded by Alderman Hanson that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider an application for the entering into of a development agreement to permit the property at 2046 Robie Street to be used for parking in association with Cruikshank's Funeral Home.

Motion carried.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 JULY 1991** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case 6346 - Development Agreement - 1261 Barrington Street (Date for Public Hearing)

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

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the City Planning Committee, City Council set a date for a public hearing to consider an application for the entering into of a development agreement to permit the building at 1261 Barrington Street to be used as an entertainment centre for teenagers.

Motion carried.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 17 JULY 1991** at

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7:30 p.m. in the Council Chamber, Halifax City Hall.

Acquisition of Parcels H-22, H-24, H-26 Oakhill & Woodbury Drive

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

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

1. Parcel H-22 as shown on Plan TT-43-30336 of the staff report dated 12 June 1991 be acquired from Mrs. Hart for \$5,115;
2. Parcel H-24 as shown on Plan TT-43-30336 of the 12 June 1991 staff report be acquired from Ronald and Mary McNair for \$955;
3. Parcel H-26 as shown on Plan No. TT-43-30335 of the staff report dated 12 June 1991 be acquired from James and Charlotte Cochrane in exchange for parcel S-26 as shown on Plan No. TT-43-30335.

Motion carried.

Award of Tender 91-24 - Walkway:
Woodbury Drive to Oakhill Drive

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

MOVED by Alderman Grant, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council award tender 91-24 for the materials and services listed and for the unit prices quoted at a total bid price of \$14,375.00 and a total project cost of \$17,500.00 to Sun Construction Limited.

Motion carried.

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Award of Tender 91-33: New Sidewalk - Dutch Village Road

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

MOVED by Alderman Jeffrey, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee Tender 91-33 for the materials and services listed and for the unit prices quoted at a total bid price of \$40,800.00 and a total project cost of \$50,000.00 be awarded to Ocean Contracting Limited.

Motion carried.

Council then continued with regular scheduled agenda items as follows:

Appointments

A report dated 19 June 1991 from His Worship Mayor Wallace was submitted.

MOVED by Alderman Grant, seconded by Alderman Hanson that Dr. Hazel MacRae be appointed to represent Ward 7 on the Advisory Committee on the Concerns of Ageing, for a term to expire 31 January 1993.

Motion carried.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that the list of nominees recommended by His Worship the Mayor be forwarded to the Minister of Health and Fitness to be considered for a single appointment.

Motion carried.

Public Hearing Re: Case No. 6293: Appeal of Minor Variance Refusal - 91-93 Williams Lake Road

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

A staff report dated 1 May 1991 was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams and photographs, outlined the reasons why a

Public Hearings
19 June 1991

Award of Tender 91-33: New Sidewalk - Dutch Village Road

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

MOVED by Alderman Jeffrey, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee Tender 91-33 for the materials and services listed and for the unit prices quoted at a total bid price of \$40,800.00 and a total project cost of \$50,000.00 be awarded to Ocean Contracting Limited.

Motion carried.

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MOVED by Alderman Grant, seconded by Alderman Hanson that Dr. Hazel MacRae be appointed to represent Ward 7 on the Advisory Committee on the Concerns of Ageing, for a term to expire 31 January 1993.

Motion carried.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that the list of nominees recommended by His Worship the Mayor be forwarded to the Minister of Health and Fitness to be considered for a single appointment.

Motion carried.

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Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams and photographs, outlined the reasons why a

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minor variance of the front yard requirement to permit the recently constructed front steps to remain in their present location at the property of 91 and 93 Williams Lake Road was refused (as illustrated in the 1 May 1991 staff report).

Mr. Hanusiak responded to questions from Council.

Mr. Edmund O'Connor, the appellant, addressed Council and advised that the main reason the steps were added to the front of the building was for aesthetics. Referring to photographs on the overhead monitor of the two entrances on the front of the building, Mr. O'Connor noted that the initial plans included a mound of earth in front of each entrance with a cement pedway, but due to the layout and design of the home, this appeared unsuitable.

Mr. O'Connor indicated that after the house was completed, it was decided that even though steps would be more expensive, the overall appearance would be more pleasing. In conclusion, Mr. O'Connor pointed out that the steps were in keeping with other homes in the area.

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

Alderman Hanson addressed the matter and advised that after inspecting the property he believed that steps on the front of the house were more attractive than what was originally proposed and, therefore, he had no difficulty in supporting the appeal.

MOVED by Alderman Hanson, seconded by Alderman Grant
that the decision of the Acting Development Officer be overturned and the appeal of a minor variance of the front yard requirement to permit the recently constructed front steps at 91 and 93 Williams Lake Road to remain in their present location be granted.

Motion carried.

At 8:53 p.m. the meeting adjourned.

At 8:05 p.m. the meeting reconvened with the same members present.

Public Hearing Re: Case No. 6299: Appeal of Minor Variance Approval - 2087 Poplar Street.

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

A staff report dated 13 May 1991 was submitted.

A letter dated 3 May 1991 from Mr. Peter McGuire, 2081 Poplar Street, in opposition of the decision to the grant the minor variance was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and advised that on 17 April 1991 approval was granted to Mr. Donald Kean for a variance of the side yard requirements of the land use bylaw for the property at 2087 Poplar Street. He advised that the decision was being appealed by Mr. Peter McGuire, owner of 2081 Poplar Street.

Using diagrams, Mr. Hanusiak reviewed the reasons why the minor variance was granted (as illustrated in the 13 May 1991 staff report).

In his presentation, Mr. Hanusiak pointed out that this application was accompanied by a three page letter from the owners of 2091 Poplar Street indicating their support of the proposed addition and minor variance (Mr. Hanusiak submitted this letter and a copy may be found in the official file of this meeting).

In reference to Mr. McGuire's (appellant) letter of 3 May 1991 in which he outlined his reasons for opposing the minor variance, Mr. Hanusiak addressed each of these reasons. On a first point, Mr. Hanusiak advised that the appellant indicated that, as the direct adjacent neighbour he had not been notified, as required by law, of the variance. Mr. Hanusiak then presented to Council, a copy of the registered letter which went out to all persons within 100 ft. of the variance. He added the letter was sent to 2862 William Hunt Avenue which, according to the Assessor's office and tax collector's office, is the appellant's mother's address and for all taxing purposes it is the preferred address where the appellant wishes his correspondence sent.

On a second point, Mr. Hanusiak advised that the appellant indicated that the addition would have an impact on his property. Mr. Hanusiak noted that the addition and the side yard deficiency is for the opposite side of the lot and not against the property of 2081 Poplar Street. Mr. Hanusiak added that if the applicant was denied the variance and observed the property side yard requirements, then the proposed addition would be 2.5 ft. closer to the appellant's property.

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At 8:10 p.m. Alderman Meagher entered the meeting.

On a final point Mr. Hanusiak advised that the appellant contends that the proposed building will occupy more than 1/3 of the lot. Mr. Hanusiak advised that the City bylaw requires that the lot have a 35 percent maximum lot coverage and he noted that this will be observed. Further to this, Mr. Hanusiak advised that this minor variance has to do with a minor variance of the side yard and has nothing to do with lot coverage.

In conclusion, Mr. Hanusiak indicated that for the reasons outlined in the 13 May 1991 staff report, he recommended approval and, subsequently, granted the minor variance.

Mr. Hanusiak responded to questions from Council.

Mr. Gavin Giles, owner and resident of 2091 Poplar Street, addressed Council and indicated that he and his wife supported the decision to grant Mr. Donald Kean a minor variance at 2087 Poplar Street.

Mr. Giles advised that since his property was the most affected by the applicants plans, Mr. Kean has been very open in discussing his plans with him and in requesting his input.

Mr. Giles advised that, with respect to this application, it should be pointed out that the area in question is comprised of a number of small lots with small houses on each lot, some being 1000 sq. ft. in size or less. He added that almost all were undersized, lack frontage and appropriate sideyards and, therefore, to bring them up to modern day standards, requires that additions be permitted. Mr. Giles then elaborated on the types of additions which have occurred in the neighbourhood, noting that Mr. McGuire, the appellant, had ground-level rooms added.

Mr. Giles referred to Sections 35-1 through to Section 40 of the Land Use Bylaw and advised that Mr. Kean would be allowed to build an addition as-of-right and, therefore, it seemed prudent to allow the minor variance in order that Mr. Kean could continue the northern wall of his dwelling. On another point, Mr. Giles noted that the application has been subject to careful staff scrutiny against the backdrop of the Planning Act, and it has passed this test.

Referring to Mr. McGuire's letter, Mr. Giles advised that Mr. McGuire has informed him that this matter has become personal between he and Mr. Kean. As well, Mr. Giles added that

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Mr. McGuire has also indicated to him that he was aware that Mr. Kean could build as-of-right, and that he realized that Council would probably approve the minor variance. In this regard, Mr. Giles advised that the appellant really desires nothing more than to hold up the process and he suggested that using Council as a personal foil was inappropriate.

Mr. Giles pointed out that he also contacted the Department of Municipal Affairs and requested Mr. McGuire's address as it appears for assessment purposes and was also told that the address was 2862 William Hunt Avenue. Mr. Giles then referred to diagrams in the staff report and reviewed various details which support the approval of the variance. He suggested that Mr. McGuire's absence from this Public Hearing speaks volumes about the merits of his appeal.

In conclusion, Mr. Giles indicated that for the reasons he and staff have outlined, it was appropriate for Council to refuse the appeal and to uphold the decision of the development officer to grant the variance.

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

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

Motion carried.

Public Hearing Re: Case No. 6278: Appeal of Minor Variance Refusal - 2224 Monastery Lane

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

A staff report dated 02 May 1991 was submitted.

A letter dated 12 June 1991 in opposition to the appeal was submitted from Anne M. Burke, 6261 Yukon Street, Halifax, NS B3L 1E9.

Mr. Michael Hanusiak, Planner II, addressed Council and using diagrams outlined the reasons why the application for a minor variance of the rear yard, side yard and lot coverage requirements of the land use bylaw for the dwelling at 2224 Monastery Lane was refused (as illustrated in the staff report of 02 May 1991).

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Mr. Fraser Kennedy, a resident of 2224 Monastery Lane, addressed Council and indicated he was representing the applicant, Mr. Roy Parks.

Mr. Kennedy advised that Mr. Parks wishes to proceed with the appeal in the hope that he will be able to make an addition to a small house situated on a very small lot. He added that if there were no opponents to the application, he hoped that Council would look favourably on the appeal.

In response to a question by Alderman Jeffrey, the City Clerk advised that a letter of opposition to the appeal was submitted from the resident of 6261 Yukon Street.

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

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

Motion carried.

FURTHER ADDED ITEM

Lacewood Drive Improvements

In response to a question by Alderman Jeffrey concerning the possible addition of items to the agenda, Mr. Allen of the City Solicitor's Department referred to Section 9, Subsection 4 of Ordinance 103 respecting the Rules of Order of Council, and advised that at a special meeting of Council items can be added to the agenda by the unanimous affirmative vote of all the members present at such meeting.

Following a brief discussion, it was MOVED by Alderman Jeffrey, seconded by Alderman Grant that Lacewood Drive Improvements be added to the agenda, being dealt with at a meeting of the Committee of the Whole Council held earlier on this date.

Motion carried.

A discussion ensued and it was MOVED by Alderman Jeffrey, seconded by Alderman Grant that, as recommended by the Committee on Works, City Council confirm their resolution of 16 May 1991 by endorsing a modification to the median previously approved for Lacewood Drive; namely, that the median to be installed on Lacewood Drive westbound from Dunbrack Street be

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modified to permit left turns at the first driveway entrance to the Clayton Park Shopping Centre.

Motion carried with Alderman Fitzgerald voting against.

There being no further business to discuss, the meeting adjourned at 8:35 p.m.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

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HEADLINES

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Lacewood Drive Improvements 405

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

Council Chamber
City Hall
Halifax, Nova Scotia
27 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 Ron Wallace, Chairman; Deputy Mayor Marie O'Malley; and Aldermen Holland, Fitzgerald, Downey, Meagher, Grant, Hanson, Jeffrey, Ducharme, Flynn, and Stone.

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

Proclamation - Save the Children Day in Halifax

His Worship Mayor Wallace read a proclamation declaring 4 July 1991 as "Save the Children Day" in Halifax in honor of the first visit to the City of Her Royal Highness the Princess Royal.

**Presentation - Mr. Edmund Morris, Chairman
1999 Halifax Conference**

A Letter of Transmittal dated 27 June 1991 from the Chairman and members of the "Halifax 1999 Conference Committee" was submitted along with its Report.

Mr. Edmund Morris, Chairman of the 1999 Conference Committee, addressed City Council on behalf of the Conference Committee and presented the report of the "Halifax 1999 Conference" reading the Letter of Transmittal dated 27 June 1991.

Mr. Morris presented to members of City Council and the citizens of Halifax the Panel Chairpersons as follows:

Deputy Chairperson

Cecil L. Wright

AMENDED

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The Economic City	Gordon Lummis, Maritime Tel & Tel
The Educational & Cultural City	Gerald Dale Godsoe
The Historic City	Commodore Andrew McMillin Royal Canadian Navy
The Human City	Marilyn Peers
The Physical City	Dexter R. Kaulbach, Vice President, T.U.N.S.
The Regional City	Allan J. O'Brien

During his presentation, Mr. Morris advised that the Conference Committee asks that City Council request and direct City staff to comment on each citizen suggestion in the Panel documents. Mr. Morris also advised that the Committee challenges His Worship the Mayor and members of City Council to read the full texts.

His Worship Mayor Wallace, on behalf of members of City Council, thanked Mr. Morris, Mr. Cecil Wright (Deputy Chairperson), and the Chairpersons of the six panels for their efforts and energy and pledged that City Council will give serious attention and dedication to their Report.

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that the Report of the "Halifax 1999 Conference Committee" be tabled and directed to City staff.

Alderman Holland suggested that this was a great opportunity for the City to bring into play some of the talent it has within the confines of the City i.e. the universities. He added that this report might make an interesting project for a graduate student who could become almost an advisor to staff. Alderman Holland went on to suggest that the City award a scholarship to a graduate student for the next four, five, or six months to devote a lot of time and coordinate this effort.

The motion was put and passed.

Presentation - Retirement Scrolls - Halifax Fire Department

On behalf of members of Halifax City Council, His Worship Mayor Wallace presented each of the following persons with the City's Long Service Award in recognition of their dedicated service with the Halifax Fire Department:

Mr. Donald J. Muldowney (34 years)

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The Economic City	Gordon Lummis, Maritime Tel & Tel
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Mr. Donald J. Muldowney (34 years)

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Mr. Peter G. Browne (34 years)
Mr. Gordon F. Murphy (35 years)

Corsages were presented to Mrs. Muldowney, Mrs. Kelly, Mrs. Browne, and Mrs. Murphy by Deputy Mayor O'Malley.

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

MINUTES

The minutes of the last regular meeting of Halifax City Council, held on Thursday, 13 June 1991, were approved on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

APPROVAL OF THE ORDER OF BUSINESS,
ADDITIONS AND DELETIONS

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

- 14.2 Report from the Art Allocation Committee: Request from the Ukrainian Canadian Association - Location of a Bronze Statue Entitled "Welcome"
- 16.2 Motion Alderman Holland Re: Oakland Road
- 20.1 Halifax Natal Day (Alderman Jeffrey)
- 20.2 Metropolitan Transit (Alderman Jeffrey)
- 20.3 Bus Stop in front of 6276 Chebucto Road (Alderman Meagher)
- 20.4 Appointments
- 20.5 Historic Properties - Boardwalk Addition

At the request of the City Clerk, Council agreed to defer to the next regular meeting of City Council scheduled for Thursday, 11 July 1991:

- 10.8 Award of Tender 91-31 - Oxford School Improvements
- 11.1 Condominium Fees

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

20.6 Three-way Stop Sign: Corner of Ardwell Avenue/Rockingstone Road (Alderman Grant)

20.7 100 Leiblin Drive (Alderman Grant)

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

DEFERRED ITEMS

Case No. 6299: Appeal of Minor Variance Approval - 2087 Poplar Street

A public hearing on this matter was held 19 June 1991.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that the decision of the Development Officer be upheld and the appeal of a minor variance of the side yard requirements of the Land Use Bylaw for the property at 2087 Poplar Street be denied.

The City Clerk indicated those members of Council eligible to vote.

Motion passed with Deputy Mayor O'Malley, and Aldermen Meagher, Ducharme, Flynn, and Stone abstaining due to non-attendance at the public hearing.

Case No. 6278: Appeal of Minor Variance Refusal - 2224 Monastery Lane

A public hearing on this matter was held 19 June 1991.

A letter dated 26 February 1991 from Vincent Theriault, 2216 Monastery Lane, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Jeffrey that the decision of the Development Officer be overturned and the appeal of a minor variance refusal of the rear yard, side yard and lot coverage requirements of the Land Use Bylaw for the dwelling at 2224 Monastery Lane be granted.

The City Clerk indicated those members of Council eligible to vote.

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Motion passed with Deputy Mayor O'Malley, and Aldermen, Ducharme, Flynn, and Stone abstaining due to non-attendance at the public hearing.

Sale of City Mementoes

This item was deferred from the last meeting of City Council held on 30 May 1991 pending receipt of a staff report.

An information report dated 29 May 1991 was submitted.

Alderman Grant addressed the matter and clarified that the information report of 29 May 1991 was received subsequent to the last meeting of City Council on 3 May. Alderman Grant went on to outline the recommendations of the Tendering Practices Committee as submitted in their report of 13 May 1991.

Alderman Grant MOVED that City Council approve the retail sale of City mementoes as outlined in the terms of reference of the report of the Tendering Practices Committee dated 13 May 1991 and authorize having an inventory for a value not to exceed \$15,000.00.

There was no seconder to Alderman Grant's motion.

PETITIONS AND DELEGATIONS

Petition Alderman Stone Re: Cambria Park Basketball Court

Alderman Stone submitted a petition signed by 111 residents of Cambria Park and the surrounding area recommending that the basketball court located at Castle Hill Drive be removed to a better location where the noise would not be a factor.

Alderman Stone also submitted a petition signed by 228 residents in opposition to the removal of the basketball courts on Castle Hill Drive.

A letter dated 27 June 1991 from the Ward Twelve Community Association in support of the petition for the retention of the basketball court at the Grosvenor Park site was further submitted by Alderman Stone.

Alderman Stone asked that all of this information be forwarded to City staff with the request that, if the basketball courts are removed, they be relocated in the immediate area so that the people who use the basketball courts

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will still have this recreational facility available to them. The Alderman asked for a staff report on the matter.

Petition Alderman Holland Re: Ivanhoe Street

Alderman Holland submitted a petition with approximately 15 signatures of residents of Ivanhoe Street indicating that they do not wish their street to be seal coated again this year.

Alderman Holland explained that Ivanhoe Street has never been paved. He noted that the residents are willing to forego the chip sealing at this time and would like to see that the paving of Ivanhoe Street be given priority when the funds are available in the capital budget. The Alderman added that the residents are requesting that the City save the money, in the meantime, that it would cost to chip seal the street this year.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 19 June 1991, as follows:

Alternate Sources of Revenue Committee

Alderman Grant addressed the matter and referred to the staff report from the Alternate Sources of Revenue Committee dated 31 May 1991, relating to local improvement levies for sidewalk and paving renewals. Alderman Grant noted that the Alternate Sources of Revenue Committee has recommended that the present policy with respect to Local Improvement Charges for sidewalk and paving renewals be reviewed. Commenting that the Finance and Executive Committee has decided not to consider this for 1991, Alderman Grant suggested that the policy be reviewed at the earliest time possible in the Fall.

Alderman Grant referred to the 1 March 1991 report of the Alternate Sources of Revenue with respect to additional metering on Trollope and Ahern Streets. He noted that the Committee is requesting four hour meters on these streets.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that:

1. City Council agree with the staff position as contained in the 7 June 1991 supplementary staff

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- report entitled "Alternate Sources of Revenue Local Improvement Levies";
2. City Council confirm that the Local Improvement Policy, approved by Council on 28 May 1981 is fair and equitable;
 3. the policy on Local Improvement Charges for sidewalk and paving renewals be reviewed in the Fall;
 4. Local Improvement Charges for sidewalk renewals and paving renewals be approved by Council without the right of petition.

A discussion followed with the Chairman suggesting that staff, if this motion is approved, in their review of new paving reconsider the 66 and 2/3rds cost sharing formula. He suggested that this charge should remain the same as other charges (50 and 25/25 percent).

Alderman Downey indicated that he could not support four hour parking meters on Ahern and Trollope Streets.

A number of members of Council indicated concern about levying more charges on the taxpayers of this City, and Alderman Grant pointed out that the mandate of the Alternate Sources of Revenue Committee was to investigate the possibility of new revenue to the City of Halifax in order to reduce the impact on the taxpayer with respect to property and commercial taxes.

Following a further debate, the motion was put and defeated.

Alternatives to Social Assistance

MOVED by Alderman Fitzgerald, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, Council forward letters of appreciation to the Minister of Employment and Immigration Canada and the Provincial Minister of the Department of Community Services and request that their committee staff members continue to meet with City staff and to make joint recommendations for alternatives to social assistance.

Alderman Flynn addressed the matter and indicated his support of the motion. However, Alderman Flynn referred to the recommendations of the Report on Full Employment, i.e. the Adult Learning Centre, funding for over 21's, the upgrading and educational aspect. The Alderman complimented the Social Planning Department on their efforts and emphasized that the

recommendations of the Task Force on Full Employment should continue to be pursued with the Provincial Government.

Motion passed.

Challenge '91 Program

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City provide temporary funding for this project, should it become necessary, while the monthly claims are being processed (at present, the amount of \$13,611.00 is being received from the Minister of Multiculturalism and Citizenship).

Motion passed.

Reducing Cost of Notification: PAC Public Meetings

MOVED by Alderman Ducharme, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee:

1. the City's practice adhere to the Administration and Procedures in Part II of the staff report dated 30 May 1991 and place one advertisement in the Chronical Herald and Mail Star for Planning Advisory Committee public meetings;
2. staff be encouraged to circulate copies of advertisements of PAC public meetings to the neighbourhood concerned by postal walk when practical; and that
3. staff report back to Council on the experience of changing the present policy in six months time.

Alderman Stone indicated that every effort should be made to make sure that all residents are aware of public meetings and suggested that consideration be given for example to advertising these meetings on community bulletin boards, in smaller newspapers, etc.

Motion passed.

Expropriation Settlement - Parcel H-141, Parcel H-141A,
Civic #407 Herring Cove Road

MOVED by Alderman Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, \$55,000 be paid as settlement in full for the expropriation of

Parcel H-141 and Parcel H-141A, Civic Number 407 Herring Cove Road (less \$28,125 already paid pursuant to the Expropriation Act) with the exception of compensation for legal and appraisal costs, which will be settled at a future time.

Motion passed.

CN Intermodal Proposal - Richmond Terminal

Deputy Mayor O'Malley addressed the matter and advised that as Council is aware the Province of Nova Scotia is carrying out a study with respect to alternate routes for the service road in and around the Seaview Park area being proposed by the Port Corporation. She noted that the results of that study will be made known in the next few weeks and advised that, in the meantime, the CNR has submitted a proposal to City Council for an intermodal terminal. The Deputy Mayor commented that this proposal impacts to a very large extent on the Seaview Park and surrounding area.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council defer its decision with respect to the CNR proposal until such time as the provincial study on the access road is made public and that, at that time, Council support a public information meeting to deal with the impact of the CNR proposal as well as the access road.

The Chairman indicated that he wanted to make the following points clear:

1. The item before the Committee of the Whole last week and Council tonight is the "CN Intermodal Proposal";
2. Media reports and editorials were NOT accurate - the access road was not the item discussed by City Council;
3. Question of a public meeting on the Access Road - Richmond Terminal was dealt with by City Council on March 27, 1991, and that Council resolution reconfirmed on April 11, 1991;
4. There has been no backtracking - no reversal of the March 27 Council decision regarding the access road.

The Chairman went on to advise that Council for sometime has known that at some point the CN proposal would be coming forward and that there would be a requirement for an information session to be held in the Council Chamber. His Worship advised that this would provide a proper opportunity for CN to fully explain their proposal and added that certainly there would be references to the access road and attention paid

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to Seaview Park, Barrington Street, and to other sections of the City. Mayor Wallace reiterated that the meeting will be on the CN proposal.

Alderman Downey noted that he had indicated at the Committee of the Whole Council meeting last week when this item was discussed that it was his hope that the CN proposal would be forwarded to the Province. He added that it was his impression at that time that the Committee was supporting an information session on the CN proposal.

A discussion followed and Alderman Flynn MOVED an amendment, seconded by Alderman Ducharme that the following words be deleted from the motion "as well as the access road".

The debate continued with Alderman Grant speaking in opposition to deferring a decision with respect to the CNR proposal until the provincial study on the access road is made public. Noting that Council has already approved the access road and that the intermodal system had to be located somewhere, questioned why Council could not proceed with a public information session on the CN proposal.

Alderman Fitzgerald agreed with Alderman Grant that Council should go ahead and hold a public information session to deal with the CN proposal. He indicated that he could not support deferring the CN proposal until the provincial study is made public.

The Chairman commented that there is an urgency with respect to the CN proposal and the future of the Port Corporation. He suggested that the message from Council to the Province should be that Council is not going to defer the matter for an undetermined amount of time while waiting for information from them.

Following a further short discussion, the amendment was put and passed.

Following a further discussion, the motion, as amended, was put and lost.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that City Council hold a public information session on the CN Intermodal Proposal at the earliest convenient time in September.

After further discussion, the motion was put and passed.

Acquisition of Civic No. 22 Withrod Drive

MOVED by Alderman Hanson, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, Civic No. 22 Withrod Drive be acquired from Mr. Ronald Slaunwhite for \$70,000.

Motion passed.

Alderman Hanson asked that staff dialogue with Mr. Slaunwhite in an effort to carry out the transition as smoothly as possible.

Award of Tender 91-31 - Oxford School Improvements

This matter was forwarded to Council without recommendation pending receipt of further information from staff in response to the questions raised at the Finance and Executive Committee meeting on June 19th.

A supplementary staff report dated 25 June 1991 was submitted.

It was agreed during the setting of the agenda that this item be forwarded to the next regular meeting of City Council to be held on Thursday, 11 July 1991.

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

Current Borrowing Resolution

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign the current borrowing resolution (as attached to the staff report dated 10 June 1991) in the sum of \$7,000,000 for the period 1 July 1991 to 31 December 1991, in accordance with Section 213 of the Halifax City Charter.

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

Guarantee of Borrowing - Metropolitan Authority

MOVED by Alderman Flynn, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, Council approve a motion to formally guarantee the

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borrowing resolutions as outlined in the staff report of 10 June 1991 and as proposed by the Metropolitan Authority; and further, that the Mayor and City Clerk be authorized to sign these resolutions.

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

10:20 p.m. His Worship returned to the meeting with Deputy Mayor O'Malley taking her usual seat in Council.

1991/92 Insurance Renewals

A supplementary staff report dated 24 June 1991 was submitted.

MOVED by Alderman Holland, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, Simpson-Hurst Ltd. be authorized to renew all insurance policies required by the City of Halifax at a cost of \$234,620.00 as outlined in their report dated 17 June 1991, and that the excess Umbrella Liability Coverage in the amount of \$25,000,000 be obtained after the primary cover is placed at a cost projected to be 10 percent less than the 1990/1991 cost of \$47,000.00.

Motion passed.

Approval of Restoration and Paving -
Central Headquarters Fire Station

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that, as recommended by the Finance and Executive Committee, approval be granted for staff to make payment in the amount of \$14,651.00 to C. R. Falkenham for the restoration work carried out under the approved standing work order (funds to be made available from Account Number 0255-22508).

Motion passed.

Fundraising in the City of Halifax:
Drug Awareness Program

MOVED by Alderman Flynn, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, with the City of Halifax, any attempts to solicit money for the purpose of combating substance abuse (i.e., through education, prevention, intervention, rehabilitation, special events, etc.) must be reported to and approved by the office of the Drug Awareness Coordinator for the City of Halifax.

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At the Chairman's request, Mr. Barry S. Allen, Acting City Solicitor, advised that at the present time the City of Halifax has only limited involvement in fundraising activities (that being through the issuance of Tag Day licenses); in addition, he noted that City Council does not have the authority to delegate fundraising responsibilities to an individual or group.

While concurring with Mr. Allen's comments, the City Manager emphasized that should the motion currently on the floor be approved, staff will make every effort to see the necessary authority to implement that resolution is obtained.

The motion was put and passed.

Recommendations - Tax Concessions and Grants Committee

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize grants for the 1991 year to the following organizations:

	<u>RECOMMENDED GRANT</u>	<u>COMMENT</u>
<u>CAPITAL</u>		
Canadian Cancer Society	\$ 15,000.00	NOTE (1)
Grace Maternity Hospital	90,000.00	NOTE (2)
IWK Hospital Fund	60,000.00	
YWCA	40,000.00	
<u>CULTURAL</u>		
Atlantic Fringe Festival	\$ 3,000.00	
Atlantic Jazz Festival	500.00	
Chebucto Orch. Society	250.00	
Gaelic College	0.00	
Hfx. Highland Dancing	1,000.00	
The Loft	0.00	
Mar. Conservatory	4,500.00	
Multi-Cultural Assoc.	0.00	
Musicfest Canada	0.00	
Musique Royale	240.00	
Nat. Youth Orchestra	0.00	
Neptune Theatre	21,500.00	
Cunard St. Theatre	3,200.00	
NS Kiwanis Music Festival	2,200.00	

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	<u>RECOMMENDED GRANT</u>	<u>COMMENT</u>
NS Provincial Honor Band	0.00	
NS Youth Orchestra	0.00	
Pleasant Dreams Project	0.00	
Symphony Nova Scotia	21,500.00	
 <u>MISCELLANEOUS</u>		
Atl. School of Theology	\$ 0.00	
Black Talent Promotions	500.00	NOTE (3)
Clean NS Foundation	1,500.00	
Dalhousie (Henson College)	500.00	
Ecology Action Centre	1,500.00	
Gottingen Greens	750.00	
Hfx. Block Parent Assoc.	3,000.00	
 <u>MISCELLANEOUS (CONT'D)</u>		
Kline Hts. Management	800.00	
NS SPCA	0.00	
People First	250.00	
Planning Aid Programme	1,000.00	
Cardiac Rehab. Program	0.00	
Psoriasis Society of NS	500.00	
Concerned Residents Comm.	1,000.00	NOTE (4)
 <u>RECREATION</u>		
Halifax Super Tiger Cats	\$ 600.00	
Inner City Youth Club	1,100.00	
Maskwa Aquatic Club	4,500.00	
Spryfield Lions Club Rink	19,500.00	
YWCA	3,000.00	
 <u>SOCIAL SERVICES</u>		
Adsum House	\$ 2,700.00	
Assoc. Homes for Special Care	0.00	
Callow Veteran's League	3,400.00	
Cdn. Mental Health Assoc.	3,600.00	
CNIB	2,100.00	
Canadian Red Cross	34,000.00	
Coalition Supp. Service	2,700.00	
Coverdale Foundation	1,500.00	
Early Childhood Educators	0.00	NOTE (5)
Elizabeth Fry Society	1,000.00	
Family Service Assoc.	3,000.00	

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	<u>RECOMMENDED GRANT</u>	<u>COMMENT</u>
Golden Age Society	2,850.00	
Gordon B. Isnor Senior Citizens	700.00	
Hfx. Metro Welfare Rights	1,000.00	
Hfx. Seniors Council	1,200.00	
Help Line	2,600.00	
Home of the Guardian Angel	7,000.00	
Family Planning Assoc.	2,000.00	
Metro Volunteer Resource Centre	5,000.00	NOTE (6)
Metro Volunteer Week Assoc.	500.00	
North End Comm. Health Assoc.	3,250.00	
Port Cities Debt Counselling	2,000.00	
Public Housing Tenants Assoc.	1,000.00	
St. Leonards Society	2,500.00	
Service for Sexual Assault Victims	4,500.00	
Alcare Place	2,500.00	NOTE (7)
Spencer House	8,650.00	
Stepping Stone Program	1,000.00	
Veith House Headway	2,000.00	
Ward 5 Community Centre	7,500.00	
Ward 9 Friendship Group	650.00	
Youth Alternative Society	2,400.00	

The motion was put and passed.

NOTE (1) Second Year of 10-Year Agreement
NOTE (2) Fifth Year of 10-Year Agreement
NOTE (3) Previously Approved (22 May 1991)
NOTE (4) For Resource Centre
NOTE (5) Developmental Project
NOTE (6) Provided they open and that the money
is earmarked for rent
NOTE (7) Society for the Rehabilitation of Alcoholics

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 19 June 1991, as follows:

Condominium Tipping Fees

Following is the resolution from the 19 June meeting of the Committee on Works:

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That tipping fees as they relate to condominium owners be abolished in 1992; and further, that, in the interim, discussions be commenced as to how the garbage removal problem with regard to these residential units is to be addressed in the 1992 budget, and that contact with the Provincial Assessment Department be made with respect to the proper assessment of condominiums.

At the request of Alderman Pottie (who could not be present for the 27 June meeting of City Council), it was agreed that the matter be deferred to the next regular meeting of Halifax City Council scheduled for THURSDAY, 11 JULY 1991.

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

**Amendment to Ordinance 170, Partial Tax Exemption for
Certain Properties - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 13 June 1991, and was further considered during a meeting of the Finance and Executive Committee held on Wednesday, 19 June.

MOVED by Alderman Meagher, seconded by Alderman Downey that City Council approve SECOND READING of the amendment proposed for Ordinance 170, the Tax Concession Ordinance, attached as Appendix "A" to the staff report of 31 May 1991.

The motion was put and passed.

**Report from the Art Allocation Committee: Request
from the Ukrainian Canadian Association - Location
of a Bronze Statue Entitled "Welcome"**

A report, dated 25 June 1991, was submitted from Mr. J. D. MacCulloch, Chairman, the Art Allocation Committee "Project Welcome" Review Committee.

MOVED by Alderman Ducharme, seconded by Alderman Holland that, as recommended by the Art Allocation Committee, Halifax City Council approve and support a request from the Ukrainian Canadian Association to erect a statue at the designated location at Cornwallis Park.

The motion was put and passed with unanimous support.

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At the request of Alderman Pottie (who could not be present for the 27 June meeting of City Council), it was agreed that the matter be deferred to the next regular meeting of Halifax City Council scheduled for THURSDAY, 11 JULY 1991.

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BOARDS AND COMMISSIONS**

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Certain Properties - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 13 June 1991, and was further considered during a meeting of the Finance and Executive Committee held on Wednesday, 19 June.

MOVED by Alderman Meagher, seconded by Alderman Downey that City Council approve SECOND READING of the amendment proposed for Ordinance 170, the Tax Concession Ordinance, attached as Appendix "A" to the staff report of 31 May 1991.

The motion was put and passed.

**Report from the Art Allocation Committee: Request
from the Ukrainian Canadian Association - Location
of a Bronze Statue Entitled "Welcome"**

A report, dated 25 June 1991, was submitted from Mr. J. D. MacCulloch, Chairman, the Art Allocation Committee "Project Welcome" Review Committee.

MOVED by Alderman Ducharme, seconded by Alderman Holland that, as recommended by the Art Allocation Committee, Halifax City Council approve and support a request from the Ukrainian Canadian Association to erect a statue at the designated location at Cornwallis Park.

The motion was put and passed with unanimous support.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 19 June 1991, as follows:

Land Use Bylaw Consolidation

Following is the recommendation forwarded from the 19 June meeting of the City Planning Committee:

That the matter be forwarded to the Planning Advisory Committee and to staff for additional information.

A supplementary staff report, dated 25 June 1991, was submitted.

Alderman Fitzgerald advised that, in view of the problems that have recently arisen regarding a property on Oakland Road, the Planning Advisory Committee has requested that they be given a further opportunity to deliberate the contents of the proposed Bylaw Consolidation.

At the Chairman's request, Mr. Michael Hanusiak of the Development and Planning Department clarified that staff has requested an additional two weeks in which to prepare a report, which will provide all members of Council with background information on the Land Use Bylaw Consolidation process to date, from both the staff and PAC perspective. Mr. Hanusiak also suggested that this timeframe will afford staff an opportunity to reevaluate their position in light of comments received from the Planning Advisory Committee concerning various aspects of the proposed Bylaw. He therefore urged that Council delay its decision to refer the matter back to the PAC until the proposed staff report is received.

A discussion ensued with Alderman Flynn making reference to the recently-released document entitled "Population and Housing," and suggesting that the trends reflected in that report should also be considered during any deliberation of the proposed Bylaw Consolidation.

It was subsequently moved by Alderman Fitzgerald, seconded by Alderman Meagher that the matter be deferred for a two-week period, pending receipt of a supplementary staff report; and further, that that staff report, when available, be simultaneously distributed to the Planning Advisory Committee.

The motion was put and passed.

"Population and Housing: An Overview of Recent Trends
in Population and Housing in the City of Halifax, and
Their Implications"

MOVED by Alderman Flynn, seconded by Alderman Downey that, as recommended by the City Planning Committee, a special meeting be held for a staff presentation to examine the contents of the report on "Population and Housing" as attached to the 31 May 1991 staff report, and the issues arising from it.

In putting forward this motion, Alderman Flynn suggested that a convenient date and time for the requested special meeting be selected, and that members of Council be advised accordingly.

The motion was put and passed.

MOTIONS

Motion Alderman Fitzgerald Re: Ordinance 114,
the Halifax Civic Hospital Ordinance - FIRST READING

Notice of Motion with regard to the proposed repeal of this Ordinance was given by Alderman Fitzgerald during a regular meeting of Halifax City Council held on Thursday, 13 June 1991.

A report, dated 14 June 1991, was submitted from Mr. Wayne Anstey, Q.C., City Solicitor.

MOVED by Alderman Fitzgerald, seconded by Alderman Flynn that City Council approve FIRST READING of the Ordinance attached as Appendix "A" to the report from the City Solicitor dated 14 June 1991, said Ordinance repealing Ordinance 114, the Halifax Civic Hospital Ordinance; and further, that this matter be referred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 3 July 1991) for consideration and report.

In putting forward this motion, Alderman Fitzgerald made reference to the fact that the City Solicitor has recommend that Council defer Second Reading of this proposal "until such time as the necessary audits have been completed and Council is prepared to dissolve the Board."

Alderman Meagher commended the Board of the Civic Hospital for their endeavors in winding down the City's involvement in that hospital facility and suggested that His Worship Mayor Wallace write a letter to the Board's Chairman, emphasizing that the motion presently before Council is not in

any way intended to undermine the efforts of the Board in that respect.

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

Motion Alderman Holland Re: Oakland Road

A Notice of Motion pertaining to this matter had been given by Alderman Holland during a regular meeting of Halifax City Council held on Thursday, 13 June 1991.

An Information Report, dated 26 June 1991, was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that the matter of Plan and Land Use Bylaw amendments affecting lot size and building location on a lot for properties fronting on Oakland Road be referred to the Planning Advisory Committee for staff report, public meeting and advice.

In putting forward this motion, Alderman Holland asked that the Planning Advisory Committee place a priority on reporting back to Council on this matter.

The motion was put and passed.

QUESTIONS

Question Alderman Ducharme Re: Council Decision - Lacewood Drive Improvements

Alderman Ducharme expressed regret that a motion regarding improvements to Lacewood Drive had been introduced in her absence during a Special Meeting of City Council held on Wednesday evening, 19 June. The Alderman went on to note that she considered this to be a "most dishonourable action," particularly since at an earlier meeting of Committee of the Whole she had specifically asked that the matter be deferred so that she could be present to debate it further.

Alderman Ducharme therefore indicated that she would appreciate receiving a verbatim excerpt from the 19 June Special Council meeting pertaining to that portion of the debate surrounding the addition of this item to the agenda. She further asked that her opposition to Council's decision on the Lacewood Drive matter be officially recorded, adding that, in her opinion, it is "a very foolish and unsafe recommendation."

On this same matter, Alderman Ducharme noted that she has received repeated calls from area residents concerning the

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any way intended to undermine the efforts of the Board in that respect.

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

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In putting forward this motion, Alderman Holland asked that the Planning Advisory Committee place a priority on reporting back to Council on this matter.

The motion was put and passed.

QUESTIONS

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Alderman Ducharme therefore indicated that she would appreciate receiving a verbatim excerpt from the 19 June Special Council meeting pertaining to that portion of the debate surrounding the addition of this item to the agenda. She further asked that her opposition to Council's decision on the Lacewood Drive matter be officially recorded, adding that, in her opinion, it is "a very foolish and unsafe recommendation."

On this same matter, Alderman Ducharme noted that she has received repeated calls from area residents concerning the

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congestion on Lacewood Drive and alleging that the opening in the median is insufficient to allow vehicles to easily make a left turn into the Clayton Park Shopping Centre. She therefore asked for a report on the size of the opening from staff of the City's Engineering Department.

Alderman Ducharme also made reference to a recommendation recently put forward by Clayton Developments Limited, and asked that staff provide Council with their comments on this proposal in time for the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 3 JULY 1991.

Question Alderman Ducharme Re:
Solid Waste Management System

Alderman Ducharme made reference to information received at a recent meeting of the Metropolitan Authority regarding the solid waste management system, and strongly recommended that a private meeting be convened so that this information can be conveyed to members of City Council.

His Worship indicated that such a meeting would be arranged.

Question Alderman Ducharme Re:
New Chairman - Metropolitan Authority

Alderman Ducharme noted that a new Chairman for the Metropolitan Authority will be required in September 1991 with two months' notice also being necessary. The Alderman suggested that Council might also discuss this matter at the private meeting to be arranged regarding the solid waste management system.

Question Alderman Ducharme Re:
"Garbage Trees"

Alderman Ducharme made reference to a tree commonly known as the "garbage tree," which, at certain times of the year, deposits large amounts of white seeds on the ground below. She went on to note that these deposits can pose a considerable health hazard for some individuals, as is the case with one of her constituents in Ward 10 and, on that basis, asked for information from staff as to whether any action can be taken to assist this resident and others like her.

In this context, the Alderman noted that, together with a tree in the Ward 10 area, there is another located along Barrington Street.

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**Question Alderman Jeffrey Re:
Storage Hut - W. D. Piercey Field**

Alderman Jeffrey made reference to a memorandum received from Mr. W. A. Sullivan, Chief Engineer, reporting on repairs recently undertaken to the roof of the storage hut at W. D. Piercey Field.

In response to a suggestion made by Mr. Sullivan, Alderman Jeffrey asked that this storage facility be placed on the Works Division's inventory of buildings to be maintained by the City and that appropriate funds be set aside for future maintenance requirements.

**Question Alderman Jeffrey Re:
Traffic - Dutch Village Road**

Alderman Jeffrey noted that he had recently received a call from a resident of his ward who had narrowly escaped injury attempting to cross Dutch Village Road from Melrose Avenue in the vicinity of the Bicentennial Highway. The Alderman went on to emphasize that over the last several years he has repeatedly asked that something be done to alleviate the traffic hazards in this area, but to date, no action has been taken.

Alderman Jeffrey therefore asked that the Traffic Authority be requested to review the situation once more, particularly in light of increased traffic volumes and the heavy use that is made of this roadway by trucks. In this context, he strongly urged that something be done (perhaps in terms of a sidewalk) to slow traffic down and facilitate the needs of pedestrians attempting to cross this street.

**Question Alderman Jeffrey Re:
Licenses - Bicycle Ice Cream Wagons**

Alderman Jeffrey made reference to the licenses issued by the City of Halifax with regard to bicycle ice cream wagons, noting that they are sold at an approximate cost of \$100. He went on to note, however, that, in addition to this license (which is normally purchased by the owner of the vehicle), each individual intended to operate the bicycle must purchase an additional license at a cost of \$5.00.

The Alderman advised that he has received a number of complaints regarding this regulation, particularly since the majority of bicycle operators tend to be school children who, in many cases, must take time off from school to register at the Halifax Police Department for their vending permit.

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Alderman Jeffrey asked for comments from staff as to the viability of eliminating this \$5.00 charge for bicycle operators by adding it to the amount charged to the owner. He added that he would appreciate receiving this report as soon as possible so that any changes might be implemented for the 1992 fiscal year.

Question Alderman Downey Re:
Restoration of McCully House

Alderman Downey made reference to a letter recently received from the Dartmouth Heritage Committee congratulating the City of Halifax on its contribution to the restoration of McCully House.

At the Alderman's suggestion, His Worship Mayor Wallace indicated that he would attempt to arrange a tour of the restored building for interested members of Council.

Question Alderman Downey Re: Khyber Building

Alderman Downey asked to be provided with a report as to the progress being made with regard to the Khyber Building.

Question Alderman Downey Re:
George Dixon Center - Lights

Alderman Downey indicated that he has been waiting for a report from the City's Recreation Department regarding the need for lights at the George Dixon horseshoe pitch. In this context, the Alderman suggested that the City Manager investigate the matter and make a report to Council at the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 3 JULY 1991.

In bringing this matter forward, Alderman Downey emphasized that he was not suggesting that large sums be expended toward the installation of these lights, merely that appropriate lighting be affixed to one of the existing poles at the horseshoe pitch.

Question Deputy Mayor O'Malley Re:
Settlements - Former City of Halifax Employees

Deputy Mayor O'Malley indicated that she would appreciate receiving a report from the City Manager as to all the financial settlements, including fees for consultation with outside legal firms and other consultants, that the City of Halifax has made over the last five (5) years with all former employees, as well as the amount of each settlement.

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Question Deputy Mayor O'Malley Re:
Sewer Stack - Corner of Duffus/Barrington Street

Deputy Mayor O'Malley advised that she has received numerous complaints regarding the very strong odors emanating from the sewer at the intersection of Duffus and Barrington Streets, and asked that staff take steps to alleviate the problem as quickly as possible.

Question Deputy Mayor O'Malley Re:
Police "Ride Along"

Deputy Mayor O'Malley made reference to the fact that members of the Halifax Board of Police Commissioners have been invited by the Chief of Police to participate in "ride alongs," accompanying patrolmen on their nightly rounds.

The Deputy Mayor inquired as to whether these ride alongs were also available to other members of Council and, if so, indicated that she would be very interested in participating.

Question Alderman Stone Re:
Linear Park - Clayton Park West

Alderman Stone made reference to the linear park planned for Clayton Park West, and noted that a rough walkway has now been put in place. The Alderman noted, however, that difficulties are being experienced with motor vehicles using that walkway during the evening hours, despite the fact that certain of the entrances have been blocked by large rocks.

Alderman Stone asked that staff investigate the matter, particularly from the perspective of placing rocks in the centre of the walkway at various locations (particularly in the vicinity of Farnham Gate Road) to discourage these vehicles from using the path, erecting appropriate signage, and/or effecting police patrols of the area.

Question Alderman Stone Re:
Rosebushes - Dunbrack Street

Alderman Stone made reference to the rosebushes along Dunbrack Street (particularly in that portion between Radcliffe and Kearney Lake Road), and asked that measures be taken to prune them down to a level at which pedestrians using the adjoining sidewalks will be more visible.

Question Alderman Stone Re: Litter

Alderman Stone made reference to the increasing number of calls he has received with regard to litter, and asked for information relevant to the new Provincial regulations as to what the City can do to reinforce these laws. He referred, in particular, to the fact that under the new legislation fast food establishments are responsible for picking up litter within 50 feet of their operation, and asked whether there is any action that could be taken to encourage these outlets to retrieve their litter beyond this 50 foot radius.

On another but related matter, Alderman Stone requested that additional litter boxes be placed in the shopping centre area between Lacewood and Dunbrack and also between Lacewood and Willett Street.

Question Alderman Hanson Re: Condition of City Streets

Alderman Hanson suggested that, at a future meeting of the Committee of the Whole Council, staff might make a 15-20 presentation concerning the condition of City streets and the implications of any long-term remedies on the City's Capital Budget.

Question Alderman Hanson Re: Chocolate Lake Community Centre

Alderman Hanson expressed concern regarding the lack of signage at the Chocolate Lake Community Centre, and suggested that staff investigate the possibility of having a sign erected similar to that in place at the Saraguay Club.

Question Alderman Hanson Re: Derelict Vessel

Alderman Hanson made reference to the fact that a court case regarding the derelict boat in the vicinity of Horseshoe Island had recently been heard with a fine being levied against the owner.

Responding to a question from the Alderman as to when the vessel is expected to be removed, His Worship Mayor Wallace indicated that staff will prepare an information report on the matter.

Question Alderman Fitzgerald Re: Egg Pond

Alderman Fitzgerald made reference to the "Egg Pond" on the Commons, commenting that it would seem to be deteriorating. Acknowledging the shortage of City funds, the

Alderman asked for information from staff as to whether other means such as corporate sponsorship could be found to make this facility more useful and attractive.

His Worship Mayor Wallace made reference to recommendations made some time ago that the Egg Pond be renovated for use as a skate board facility, and suggested that staff redistribute earlier reports on this matter for Council's consideration.

Question Alderman Fitzgerald Re:
Use of Sidewalks by Cyclists and Skateboarders

Alderman Fitzgerald brought to Council's attention the many complaints received regarding the high number of bicycles and skateboards being used illegally on the City's sidewalks, frequently in areas heavily used by pedestrians. The Alderman added that the situation is exacerbated by the fact that, in many instances, the offenders are either adults or teenagers who are operating at very high speeds. He noted, however, that the matter has already been brought to the attention of the Halifax Police Department who are taking steps to address the situation.

Question Alderman Fitzgerald Re:
Coordinated Alarm System

Alderman Fitzgerald made reference to a proposal concerning a coordinated alarm system which had been submitted to the City some three years ago by a Mr. Scott Hemming.

Noting that Mr. Hemming's proposal was never implemented, the Alderman asked for an update on any changes that have been undertaken since that time as well as any cost savings effected.

Question Alderman Fitzgerald Re: CBC Expansion

Alderman Fitzgerald made reference to the expansion to the CBC facility now underway on Bell Road, and asked for information from staff as to whether these improvements meet all City building requirements.

Question Alderman Fitzgerald Re: Queen's Wharf

Alderman Fitzgerald asked for a report as to the status of the Queen's Wharf structure.

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**Question Alderman Fitzgerald Re:
Halifax International Airport**

Alderman Fitzgerald made reference to a recent newspaper article in which the Manager of the Halifax International Airport expressed concern that the Federal Government appears to be ignoring the needs of the travelling public by refusing to undertake necessary improvements to that facility.

In this context, the Alderman strongly recommended that an invitation be extended to the Airport Manager, Ms. Janet Shrieves, to address Council on this matter.

Concurring with Alderman Fitzgerald's suggestion, the Chairman indicated that, in his opinion, Ms. Shrieves would undoubtedly welcome such an opportunity.

**Question Alderman Meagher Re:
Speeding - Kline Street**

Alderman Meagher made reference to a number of complaints he has received regarding motor vehicles operating at high speeds during the early hours of the morning along Kline Street. He asked that this matter be brought to the attention of the Halifax Police Department for their consideration.

**Question Alderman Meagher Re:
Graduation - Oxford Street School**

Alderman Meagher advised that he and Alderman Pottie had recently attended a graduation exercise at the Oxford Street School, and had been greatly impressed by the efforts put forward by both the students and their teachers. Noting that a large percentage of these students had graduated with honors, the Alderman extended his personal best wishes to these teenagers as they enter high school in September.

**Question Alderman Grant Re:
Gates - Grand Parade**

Alderman Grant expressed concern that on at least one occasion the gates leading to the Grand Parade had been locked at 5:00 p.m., despite the fact that a reception at City Hall had been planned for later in the evening. Indicating that many of the guests had been inconvenienced by this oversight, the Alderman urged that a policy be adopted of locking the gates later in the evening (e.g., 6:30 p.m.) and of adapting those closing hours to accommodate events taking place at City Hall.

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His Worship indicated that a report on the matter would be distributed to members of Council.

Question Alderman Grant Re: Psychological Testing

Alderman Grant made reference to the fact that candidates for the position of Director of Recreation will be required to undergo psychological testing. In this context, the Alderman asked for information from the City's Personnel Department as to the number of psychological tests that have been performed within the last five years with regard to candidates for any of the top two positions in any City department.

ADDED ITEMS

Halifax Natal Day

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

The Alderman referred to a number of calls he had received from members of the Armdale/Fairview/Rockingham Lions Club expressing concern that, after 10-12 years, they will not be permitted to sell hamburgers and hot dogs on the Garrison Grounds and other City locations during this year's Natal Day festivities. In addition, a problem has arisen concerning certain monies which allegedly are owing the Club by the Natal Day Committee.

Alderman Jeffrey indicated that, in his opinion, there has been a breakdown in communications between the Chairman of the Lions Club and the Chairman of the Natal Day Committee. He therefore strongly recommended that a letter be sent to the Chairman of the Natal Day Committee, asking him to meet as quickly as possible with representatives of the Lions Club in order that these differences might be resolved. It was further suggested by the Alderman that, once this meeting is held, a report on the matter might be made to members of Council for their information.

While concurring with Alderman Jeffrey's request, Alderman Grant, a member of the current Natal Day Committee, suggested that, if the matter of the outstanding debt to the Lions Club is to be discussed, His Worship Mayor Wallace may wish to get in touch with the two previous Chairmen of the Natal Day Committee to obtain their input.

Metro Transit (Alderman Jeffrey)

This matter had been added to the agenda at the request of Alderman Jeffrey who made reference to a bus stop which some months ago had been relocated from 51 Rosedale Avenue to 57-59 Rosedale (on the corner of Alex Street and Rosedale). The Alderman noted that he had subsequently received a number of calls from area residents concerned about the safety of the large number of school children who use this intersection on their way to and from the Burton Ettinger School.

Alderman Jeffrey went on to indicate that on 19 April he had been advised by Metro Transit that, owing to the safety and traffic concerns expressed by area residents, the bus stop would be reestablished in its original location. He emphasized, however, that a second letter had been received early in June advising that the situation had since been reviewed and a decision made that the bus stop location in front of 57-59 Rosedale Avenue had been deemed to meet all Metro Transit and Traffic Authority criteria for bus stops.

The Alderman pointed out that, based on concerns raised by area residents concerning the safety hazards surrounding the bus stop location at 57-59 Rosedale and owing to the complaints received regarding its original location in front of 51 Rosedale, he would urge Metro Transit to identify a third possible location to which this bus stop might be moved. He further recommended that the Traffic Authority investigate the area with a view to establishing a cross walk for the added safety of pedestrians.

Bus Stop In Front of 6276 Chebucto Road

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

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 3 July 1991) so that representatives of Metro Transit and the City's Traffic Authority could be present to respond to questions from members of Council.

In this context, the Alderman noted that Mr. David O'Leary of 6276 Chebucto Road would also be present in order to present his views on the matter.

The motion to defer was put and passed.

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Appointments

A memorandum, dated 27 June 1991, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Flynn, seconded by Alderman Ducharme that the following individuals be appointed to the DESIGN ADVISORY COMMITTEE, all with terms to expire on 31 January 1993:

Alderman Moira Ducharme
W. Aubut
Chris Miller
Bob Shaw
Bob Stapells
Barbara Watt

The motion was put and passed.

Historic Properties - Boardwalk Addition

A staff report, dated 27 June 1991, was submitted.

MOVED by Alderman Downey, seconded by Alderman Grant that City Council approve construction of a boardwalk at the east end of Privateer's Warehouse (Historic Properties), as shown on the plan submitted with Building Permit Application #40781.

The motion was put and passed.

Three-Way Stop Sign: Corner of Ardwell Avenue and Rockingstone Road (Alderman Grant)

This matter had been added to the agenda at the request of Alderman Grant who brought to Council's attention that he has repeatedly and unsuccessfully requested the installation of a three-way stop sign at the corner of Ardwell Avenue and Rockingstone Road.

The Alderman went on to report that he had discussed the matter of three-way stop signs with certain of his counterparts from the City of Dartmouth, and had been advised that, in that city, Council had been successful in overturning the decision of its Traffic Engineering Department (in this context, specific reference was made to the installation of three-way stop signs on Caledonia Road and on Mount Edward Road). Alderman Grant noted that the philosophy underlying those decisions appeared to be that the safety of schoolchildren was more important than the movement of traffic.

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Alderman Grant noted that in Halifax, as well as in Dartmouth, three-way stop signs are being requested for areas heavily travelled by school children and suggested that, that being the case, the same decision-making process might be employed by Halifax City Council. He therefore strongly suggested that the City Manager might investigate the feasibility of this approach with his counterpart in Dartmouth.

100 Leiblin Drive (Alderman Grant)

Alderman Grant made reference to a recent media report which had erroneously suggested that the City has done little or nothing pertaining to the circumstances at 100 Leiblin Drive.

In this context, the Alderman clarified that, since 17 May 1989, the City has been in court a total of ten times concerning the Leiblin Drive situation, with a further court date (at which time a decision is expected) scheduled for 26 August.

There being no further business to be discussed, the meeting was adjourned at approximately 11:35 p.m.

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HIS WORSHIP MAYOR RON WALLACE
AND
DEPUTY MAYOR MARIE O'MALLEY
CHAIRMEN

mmd*K

**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
City Hall
Halifax, Nova Scotia
3 July 1991
7:30 P.M.

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

Deputy Mayor O'Malley called the meeting to order with members of Council joining with those present in the public gallery in the recitation of the Lord's Prayer.

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

ALSO PRESENT: Mary Ellen Donovan, representing the City Solicitor; City Clerk; and other members of City staff.

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

**Award of Tender #91-14: Retaining Wall:
Brunswick Street (W), North of Cogswell Street**

The above item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Committee on Works, Tender #91-14, pertaining to a retaining wall on Brunswick Street (W), north of Cogswell Street, be awarded to C. R. Falkenham Backhoe Services for a bid price of \$24,135.00 and a total project cost of \$30,000.00 (funds to be authorized from Account Number 91644).

Motion passed.

Award of Tender 91-31 - Oxford School Improvements

The above item was forwarded to this meeting from the Committee of the Whole Council meeting held earlier on this date.

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MOVED by Alderman Pottie, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council award Tender 91-31 for materials and services listed and for the unit prices quoted for Alternative No. 2 (as outlined in the 13 June 1991 staff report), ornamental iron fencing, to Standard Paving Ltd., the lowest bid, in the amount of \$58,660.00 plus 20% results in a Total Project Cost of \$70,500.00.

Speaking in opposition to the motion, Alderman Stone indicated that he had no difficulty with the chain link fencing because of safety measures. He went on to express concern with regard to the ornamental fencing because of the precedent setting that it might cause and because of its durability and possible maintenance costs in the future.

Alderman Hanson indicated that he did not have any difficulty with the project, but that he did have some concerns with respect to the proposed ornamental fencing. In light of the information provided at the Committee of the Whole Council meeting earlier on this date, and the fact that the Chief Engineer at that time had indicated that he had no difficulty with Council proceeding with the project, Alderman Hanson expressed support of the ornamental fencing even though he had some reservations.

Speaking in support of the motion, Alderman Ducharme suggested that the proposed fencing was being exaggerated by referring to it as "ornamental" although, she noted, the ornamental fencing was much more attractive than the chain link. Alderman Ducharme went on to suggest that the situation was an exceptional one because the Oxford School is situated in a very busy intersection and because many visitors to the City pass by this area. Therefore, she suggested that something a little more attractive than a chain link fence should be located at this area.

The motion was put and passed.

Council proceeded to deal with the following public hearing matters at this time:

Case No. 6290: Amendment to Development Agreement -
2650 Dublin Street

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

Mr. Gary Porter, Planner, addressed Council and, using diagrams, outlined the application from Mr. Steve Rajendram to amend the existing development agreement respecting 2650 Dublin Street (as described in the staff report

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of 26 April 1991). He noted that the purpose of the amendment is to allow a second story addition to the rear of a four unit building in order to enlarge the owner's unit.

In concluding, Mr. Porter advised that staff was recommending approval of the application and responded to various questions from members of Council.

Mr. Tony Gillis, 6352 Summit Street, addressed City Council and advised that the proposed amendment is really offensive with respect to its impact on 2654 Dublin Street's access to sunlight. Mr. Gillis expressed the opinion that the increased height that is proposed will materially affect the property value at 2654 Dublin Street.

Mr. Gillis went on to refer to a letter from the residents of 2654 Dublin Street quoting the following paragraph: "an additional storey will completely block our property and cut off our sunlight - our property will be greatly devalued - will our assessment be lowered?" Mr. Gillis expressed the view that the affect on adjacent properties of this development has to be kept very much in mind and, therefore, requested that this proposed amendment be denied.

A short questioning of Mr. Porter ensued by members of Council.

Mr. Steve Rajendram (applicant), 6337 Seaforth Street, addressed City Council and submitted information dated 3 July 1991 with photographs and a petition pertaining to his application (a copy of which can be found in the official file for this meeting). Mr. Rajendram advised that because he has a growing family, extra space is required. He noted that it is for this reason that he is proposing the addition. Mr. Rajendram went on to note, as stated in the information submitted by him, that in 1989 he had applied for an addition to his house but was turned down.

Mr. Rajendram indicated that a number of his neighbours are very supportive of his application noting that he received about 73 signatures to this effect on his petition. Mr. Rajendram further submitted a diagram to the City Clerk showing the properties of persons in favour of and in opposition to his application and asked that this be circulated to members of Council.

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

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

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Alderman Meagher submitted a petition at this time signed by approximately 41 persons in opposition to the proposed development. Alderman Meagher also submitted letters from the following persons (some of whom he indicated wish to have their names removed from the previous petition submitted by Mr. Rajendram): Joan and Roy Kelly, 2682 Dublin Street; Mrs. M. O'Sullivan, 2639 Dublin Street; Yvonne A. Pettipas and Mike Chaggarich, 2657 Dublin Street; Bernadine Kelly and Mary C. MacDonald, 2654 Dublin Street; Joyce P. Keeping and Myril Keeping, 2658 Dublin Street; J. Cyril Tanner, 2661 Dublin Street. Alderman Meagher also noted that Mr. and Mrs. Gibson, 6383 Seaforth Street and their son Ian Gibson, 6347 Seaforth Street, want their names removed from Mr. Rajendram's petition.

Responding to a question from Alderman Pottie, the City Clerk read the petition submitted which contained approximately 41 persons in opposition to the proposed development.

The motion was put and passed.

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

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the application to amend the Stage II development agreement for Block "R-3" located on the north side of Castle Hill Drive (as shown on Sketch 1 of the 22 May 1991 staff report). Mr. Hanusiak noted that the purpose of the amendment is to increase the number of allowable apartment units to 156 from the 108 units currently permitted by the contract.

In concluding, Mr. Hanusiak advised that staff were recommending approval of the application.

Mr. Peter McInroy, Boyne Clarke Barristers, representing Ryco Atlantic Limited, addressed the Committee and, reiterating comments made by Mr. Hanusiak during his presentation, advised that the project for 108 units is already approved. Therefore he advised that the roadway system and the layout of this project really already has approval. However, he noted that because of the increased costs due to servicing of the road and underground parking, the developer is asking for the additional 48 units to make the project more economically viable.

Mr. McInroy went on to state that they have kept in contact with the Ward 12 Community Association realizing that

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it is important for their development to be accepted in the neighbourhood. He commented that they have tried to respond to all of the concerns of the Residents Association i.e. private roadway system, access for emergency vehicles, snow and garbage removal, recreational lands, additional units, etc.

In conclusion, Mr. McInroy reiterated that 108 units have already been approved, the increase requested is necessary for the economic viability of the project, the project will provide more housing, and will remove the undeveloped landscape which presently exists.

Responding to a concern from Alderman Stone, Mr. Peter Ryan (developer) addressed Council and advised that a condominium declaration specifies that there is a certain amount of money that everybody pays monthly that goes towards snow plowing and road maintenance. He clarified that every condominium purchaser is made aware of the fact that they are responsible for the up-keep of their private road and that it is their responsibility to maintain it.

Responding to a further question from Alderman Stone, Mr. Ryan clarified that they cannot obtain an occupancy permit for any portion of the development until the tennis courts and the roadway is completed.

Responding to a question from Alderman Ducharme, Mr. Ryan advised that the tennis courts will be made accessible to the public.

Mrs. Anne MacMillan, representing the Ward 12 Community Association in relation to this development, addressed City Council and raised a number of points for consideration. Mrs. MacMillan indicated that her first point was with respect to traffic noting that this community has been trying to get signalization lights at the intersection of Castle Hill Drive and Kearney Lake Road for 15 years. This year, in addition to the regular traffic, Mrs. MacMillan advised that the last traffic count was about 13,000 vehicles per day. She went on to advise that there will be, due to the consolidation of the junior high schools in the Rockingham area, additional traffic movement of buses taking Junior High School students to Rockingham School and french emersion buses bringing french emersion students to Grosvenor School.

Mrs. MacMillan advised that they would like Council to consider, as their second point, the servicing of this development by a private driveway. She noted that it was their understanding that a private driveway does not have to adhere to City standards in relation to width, curb, sidewalk, and lighting. Mrs. MacMillan referred to a previous staff report dated 9 May 1991 which indicates that one of the components of the previous agreement was that this would be a public cul-de-sac. She commented that Mr. Ryan and Mr. McInroy did speak to

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the Ward 12 Community Association on this, but that they did not have the specifics at that time of the changes in the residential component.

Mrs. MacMillan went on to express concern that the tennis courts are not visible and accessible from the street. Further, she noted that the Residents' Association is concerned that there be adequate lighting in the area. Mrs. MacMillan commented that another concern is that, after a development has been developed with a private driveway, the residents will approach the City for City services.

With the proposed commercial development, Mrs. MacMillan suggested that the traffic will increase to 22,000 cars per day. She advised that the Ward 12 community requests, as it did with the previous Rocca contract and with the previous contract with Mr. Ryan in relation to the commercial component, that the pedestrian signalization lights be installed and activated at the beginning of construction of either phase of this development.

On a third point, Mrs. MacMillan expressed concern with respect to the environmental impact of the development. She advised that they are very pleased to see that the storm water and erosion controls, aimed at protecting the Hemlock Ravine Watershed, are of paramount importance. Mrs. MacMillan indicated that the community would also like to see the retention of existing vegetation on the site. She added that the Association did receive a letter from Mr. McInroy stating that they would look towards keeping the existing vegetation in relation to the tennis courts. Mrs. MacMillan advised that they would also like to have this considered in relation to the rest of the development.

Mrs. MacMillan went on to speak about the Association's concern for active recreational facilities in the Ward 12 area. She noted that at the 1988 public hearing, it was requested that active recreation facilities for both the present and future community requirements be developed in conjunction and within the time frame of the completion of the then Rocca Development.

In conclusion, Mrs. MacMillan advised that the Ward 12 Community Association is very pleased that Mr. Ryan has actively pursued the maintenance of the previously established Guidelines for this development. She noted that the Association also appreciates Mr. Ryan's concern for acquainting the community with his current proposal.

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

Mr. Hanusiak, in response to Mrs. MacMillan concern with respect to the private road, advised that this issue has

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already been dealt with by City Council in the original agreement with Rocca.

In response to the issue with respect to the tennis courts, Mr. Hanusiak advised that back in 1986/87 when Mr. Rocca had the development he, in fact, asked the community what type of active facility was most desirable in the neighbourhood. Mr. Hanusiak advised that it was identified that tennis courts would be the appropriate amenity. He added that the tennis courts location was agreed upon by City staff and the developer and that, because of the grade of the land, etc., the only place to put active recreational facilities was at the proposed site.

With respect to the requirement of a public walkway, Mr. Hanusiak advised that this requirement is in the contract and must be built to the City's specifications.

Mr. Hanusiak, in response to the concern by Mrs. MacMillan on the issue of traffic lights, advised that City staff and the City Traffic Authority are actively pursuing the installation of lights at the intersection of Castle Hill Drive and the Kearney Lake Road. However, he pointed out that those lights cannot be installed and be fully operational until such time as the traffic conditions warrant the signalization. He added that every pressure will be put on the Traffic Authority to install the lights and get the crosswalk signals working as quickly as possible.

On Mrs. MacMillan's final point with respect to environmental protection, Mr. Hanusiak advised that there are actual construction plans in the contract that must be adhered to which calls for specific tree retention.

Alderman Ducharme commented that the residents of Bayview had been told that once their traffic numbers reached 12,000, that they had to have traffic lights. Making reference to Mrs. MacMillan point that their traffic count reached 13,000, Alderman Ducharme requested a report from the Traffic Authority on the rationale for refusing the traffic lights - why the traffic lights are not being installed at 13,000 when Bayview was told they had to have them at 12,000.

Mr. Hanusiak indicated that an answer to that question could be provided at this time; however, Alderman Ducharme advised that she would like a report from the Traffic Authority on the matter.

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

Motion passed.

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Case No. 6170: Development Agreement - 1491 Carlton Street

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

Mr. Paul Dunphy, Planner, addressed Council and, using diagrams, outlined the application to convert a registered heritage property from residential use to offices and a retail outlet for UNICEF Nova Scotia (as described in the staff report of 22 May 1991).

In conclusion, Mr. Dunphy advised that staff and the Heritage Advisory Committee are recommending approval of the application.

Ms. A. Jones, 1042 Bland Street, Co-Chairman of UNICEF Nova Scotia, addressed Council in support of their application and explained the importance of this particular development to UNICEF.

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

MOVED by Holland, seconded by Alderman Ducharme that:

- 1) City Council enter into a development agreement with UNICEF Nova Scotia to permit the use of 1491 Carlton Street for office and retail use.
- 2) Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

Case No. 6276: Rezoning - Parcel 87 - Barrington Street

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined 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, as described in the 29 April 1991 staff report. Mr. Hanusiak noted that the purpose of the rezoning is to permit construction of a service station and convenience store.

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In conclusion, Mr. Hanusiak advised that staff are recommending refusal of the proposed rezoning, as outlined in the April 29th staff report, and responded to various questions from members of Council.

9:15 p.m. Alderman Ducharme retired from the meeting.

Responding to a question from Alderman Holland, Mr. Hanusiak advised that it was his understanding from the Traffic Authority and the City's Engineering Design Division that it is difficult, if not impossible, to regulate turns onto private property. Mr. Hanusiak suggested that the only way to perhaps guarantee no cross-lane movement, would be to put up a concrete median which is impossible because of the narrowness of the road. He clarified that painting double lines would not discourage people from making a left turn.

Mr. Jim Cowan addressed City Council on behalf of Superline Fuels Incorporated. He advised that he was accompanied by Mr. M. Stevens, President, and Mr. Blanchard of Superline Fuels and also Mr. Mac Williams, of Mac Williams Engineering Limited. Mr. Cowan described his application as presented by Mr. Hanusiak and in the staff report of 29 April 1991.

During his presentation, Mr. Cowan advised that Superline Fuels Inc. is the only regional oil company with a head office in the City of Halifax (North Barrington Street) marketing petroleum products at both retail and wholesale levels. Mr. Cowan explained that in 1989 Superline conducted an extensive marketing and feasibility study which identified a public need for a service station/convenient store at the location in question. He noted that this proposed development could easily be operated in conjunction with Superline's existing operations. During his comments, Mr. Cowan addressed the question of public need noting that Barrington Street was the only major route to and from the peninsula which is not serviced by one or more service stations.

Mr. Williams addressed Council and outlined the scope of the work which he undertook on behalf of Superline and reviewed the conclusions which he reached. Mr. Williams expressed the view that, after undertaking various surveys, it would appear that the proposed development would cause minimal disruption of traffic flow as compared to some of the fast food outlets; he went on to present statistics in that regard resulting from a traffic survey which had also been conducted. With respect to the convenience store in this development, Mr. Williams advised that he maintains that they are not servicing the neighbourhood area but are servicing the auto clientele. Further, Mr. Williams pointed out that Barrington Street is one of the major traffic routes out of the City and noted that all of the other major traffic routes out of the City are well serviced with gas stations with the exception of this one.

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In summary, Mr. Williams advised that, in their opinion, there certainly is a need for this station and that the traffic is not a serious factor to be taken into consideration.

Mr. Cowan briefly commented on a couple of points relating to the Municipal Development Plan: firstly, the provision of commercial facilities appropriately located in relation to the City or to the region as a whole and to communities and neighbourhoods within the City; secondly, the provision of a transportation network which maximizes accessibility from home to work and to business and community facilities. He advised that it was their submission that this development in both of its components (the convenient store and the service station) is consistent and not in conflict with those objectives. Mr. Cowan suggested that the proposed development is an appropriately located commercial facility and is the vital missing link in the City's present and future transportation system. He added that it was their position that any disruption of traffic flow is offset by reduction in delays caused by mechanical failures and running out of gas e.g. MacKay Bridge.

In conclusion, Mr. Cowan submitted that the proposed development be approved for the following reasons: the rezoning and resulting development will be of significant advantage to the City; public need and convenience; no opposition to rezoning received by City Clerk or at Public Hearing; welcome increase in tax roll; employment opportunities; and site improvement. Mr. Cowan urged Council to approve the proposed rezoning.

NOTE: A summary copy of the presentation on behalf of Superline Fuels Inc. (dated 4 July 1991) was subsequently circulated to members of Council. A copy of this information has been placed in the official file pertaining to the 3 July public hearing.

9:40 p.m. Alderman Meagher assumed the Chair with Deputy Mayor O'Malley taking a seat on Council.

Responding to a question from Alderman Jeffrey, the City Clerk advised that no submissions were received with respect to the application.

In response to a question from Deputy Mayor O'Malley, Mr. Cowan advised that they feel the convenience store

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complements the development and is needed to service the motoring public.

Deputy Mayor O'Malley questioned whether or not the Traffic Authority had any figures relating to traffic along Barrington Street that could be provided to Council. Deputy Mayor O'Malley requested information pertaining to traffic along Barrington Street in both directions during the peak hours in the morning and in the evening and also, by way of comparison, the flow of traffic during non peak hours.

Mr. Hanusiak advised that staff could possibly make those figures available at the next City Council session to be held on Thursday, 11 July 1991.

Responding to a further question from Deputy Mayor O'Malley, Mr. Hanusiak advised that with respect to the proposals that have been put forward by City staff and consultants hired by the City to look at the Barrington Street north realignment, this development would significantly impede those efforts. However, Mr. Hanusiak indicated that this cannot be a determining factor to approve or reject this application because, at this point in time, it is only a proposal and has no basis in the Municipal Development Plan. Therefore, Mr. Hanusiak cautioned Council, in order to be fair to the developer, not to use this as a final decision making factor.

9:50 p.m. Deputy Mayor O'Malley returned to the seat of the Chair with Alderman Meagher taking his usual seat on Council.

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

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

Motion passed.

9:50 P.M. - There being no further business to discuss, the meeting adjourned.

DEPUTY MAYOR MARIE O'MALLEY
AND
ALDERMAN NICHOLAS MEAGHER
CHAIRMEN

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/MMD