

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

Council Chamber  
Halifax City Hall  
11 July 1991  
8:00 P. M.

A regular meeting of Halifax City Council was held at this time.

His Worship Mayor Wallace made mention of the recent passing of the father of Mr. Douglas Quinn, the City's Superintendent of Parks and Grounds, and asked that the Lord's Prayer be said in his memory.

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

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

**Swearing-In Ceremony - Constable Perry Estephen**

Police Recruit Perry Estephen was escorted into the Council Chamber by Inspector Lowell Meisner and Sergeant Frank Beazley of the Human Resources Division, Halifax Police Department, where he was administered the Oath of Office by His Worship Mayor Ron Wallace.

Constable Estephen was subsequently presented with his badge and officially welcomed as a member of the Halifax Police Department by Chief Vincent MacDonald.

**Change of Command - Admiral Robert George**

His Worship Mayor Wallace made reference to the "Change of Command" ceremony scheduled for Friday, 12 July at which time Admiral Robert George will take his official leave of Halifax.

On behalf of all members of Council, His Worship wished Admiral George a warm farewell on his departure from the City, and commended him once again on his role during the Persian Gulf crisis.

MINUTES

Minutes of a special meeting of Halifax City Council, held on Wednesday, 19 June, and of a regular meeting, held on Thursday, 27 June 1991, were approved as circulated on a motion by Alderman Jeffrey, seconded by Alderman Fitzgerald.

APPROVAL OF THE ORDER OF BUSINESS,  
ADDITIONS AND DELETIONS

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

- 20.1 Parking Meter Losses
- 20.2 Heritage Hearing - Possible Time Change

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

- 20.3 St. Mary's Boat Club - Update

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

- 20.4 Marblehead Race

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

- 20.5 Traffic - Cunard/Windsor/Compton Street Area

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

- 20.6 Natal Day - Spring Garden Road

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

The motion was put and passed.

DEFERRED ITEMS

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

A public hearing concerning this matter had been held on Wednesday, 3 July 1991.

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Alderman Meagher addressed the matter and brought to Council's attention that this application marks the third such proposal for an amendment to the development agreement for this site which was originally approved in 1979. In his comments, the Alderman went on to note that, while he had a certain sympathy for the applicant, who wished to provide more ample living space for his family, consideration must also be given to the fact that the proposed addition would be 10 feet higher than the abutting building at 6341 Seaforth Street and 4 feet higher than that at 2654 Dublin.

Alderman Meagher expressed concern that, in addition to the modifications which Council had previously granted the applicant in terms of lot frontage, lot area and side yard requirements, a request was now being made to modify the height provisions of the agreement. He pointed out that the current proposal would result in a building that was out of proportion with those in the surrounding neighborhood, and given the addition of a second storey, could pose parking problems for the lot itself.

It was therefore moved by Alderman Meagher, seconded by Alderman O'Malley that the amendment proposed for the development agreement previously approved by City Council for 2650 Dublin Street (i.e., a second storey addition on the rear portion of this building) be refused.

In putting forward this motion, Alderman Meagher referred to a petition in support of this application, which had been submitted to the 3 July public hearing, noting that several individuals had subsequently requested that their names be removed. In this same context, the Alderman submitted a letter, dated 10 July 1991, from Ken and Betty Mantin, 6384 Seaforth Street, expressing their strong opposition to the proposed amendment.

The City Clerk advised that the following members of Council had been present at the 3 July public hearing and were therefore eligible to vote on the issue: Deputy Mayor O'Malley and Aldermen Holland, Downey, Meagher, Pottie, Hanson, Jeffrey, Ducharme, and Stone.

The motion was put and passed with Aldermen Fitzgerald and Flynn abstaining owing to non-attendance at the 3 July public hearing.

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

A public hearing to consider this matter had been held on Wednesday, 3 July 1991.

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An Information Report, dated 8 July 1991, was submitted from Mr. B. N. Kennedy, Traffic Authority.

Alderman Stone addressed the matter, emphasizing that the proposal to increase the number of allowable apartment units from 108 to 156 during the Stage II phase of the existing development agreement is in keeping with the policies of the Municipal Development Plan.

With reference to concerns raised during the 3 July public hearing, Alderman Stone referred to Mr. Kennedy's 8 July report which indicated that traffic signals will be installed as soon as conditions warrant. The Alderman went on to strongly recommend that, as soon as this agreement is approved, steps be taken to install appropriate pedestrian signage including an RA-5 display (involving push-button controls with flashing amber lights); he suggested that this would greatly benefit those pedestrians wishing to cross from Broadholme to Castle Hill.

It was therefore moved by Alderman Stone, seconded by Alderman Jeffrey that City Council enter into an amending agreement to permit construction of two apartment buildings and 12 townhouses on Block R-3, Castle Hill Drive, provided the development substantially conforms with Plan Nos. P200/18264-71, 18361, and 18362 of Case No. 6078.

The City Clerk advised that the following members of Council had been present at the 3 July public hearing and were therefore eligible to vote on the issue: Deputy Mayor O'Malley and Aldermen Holland, Downey, Meagher, Pottie, Hanson, Jeffrey, Ducharme, and Stone.

The motion was put and passed with Aldermen Fitzgerald and Flynn abstaining.

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

A public hearing to consider this matter had been held on Wednesday, 3 July 1991.

A supplementary report, dated 9 July 1991, was submitted.

Deputy Mayor O'Malley addressed the matter, emphasizing that, should the request for rezoning be approved, the applicant intends to construct a service station and convenience store to be operated in conjunction with a storage and distribution center located on the same property.

In her remarks, the Deputy Mayor concurred with reservations put forward by staff with regard to the location of this operation and its effect on rush-hour traffic. In

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particular, she noted that vehicles would be permitted to make both left and right-hand turns in order to access the proposed service station/convenience store, and brought to Council's attention the high volume of traffic which is consistently present on this portion of Barrington Street. Deputy Mayor O'Malley indicated that, in her opinion, vehicles waiting to make a left turn into the facility would cause considerable traffic congestion, emphasizing that, because Barrington Street is one of the primary roadways leading into and out of the City's Central Business District, such delays should not be encouraged.

In this same context, the Deputy Mayor pointed out that a convenience store quite naturally attracts customers (and, in particular, young children) from the surrounding neighborhood, and indicated that, in her opinion, the facility's location on the eastern side of an extremely busy roadway would pose considerable safety problems.

Deputy Mayor O'Malley further noted that she had personally canvassed many of the residents in the notification area, adding that many of these individuals were similarly concerned about the kinds of car-pedestrian accidents which might result from the construction of a convenience store in this location. She also stated that several of these individuals had indicated to her that they, as motorists, were already experiencing difficulty exiting from their private driveways and were of the opinion that traffic slow-downs on Barrington (resulting from vehicles waiting to make the left turn into the gas station) would only exacerbate the problem.

In conclusion, the Deputy Mayor observed that the proposed facility is in contravention of the MDP policy which dictates that such operations "be located so as to minimize the impact on the existing transportation network."

On the basis of the foregoing, it was moved by Deputy Mayor O'Malley, seconded by Alderman Meagher that the proposed rezoning from C-5 to C-3 of Parcel SF, located on the east side of Barrington Street between Rector and Duffus Streets, be refused.

Speaking on the motion, Alderman Hanson expressed concern that, in rejecting the application for rezoning, Council would be preventing both the gas station and the convenience store from being built. Noting that he personally felt there to be a need for a gas station facility in this area of the City, the Alderman urged that the matter be deferred until staff could explore other possibilities with the applicant.

Mr. Michael Hanusiak, Planner II, responding to the concerns raised by Alderman Hanson, emphasized that it had been staff's impression throughout this process that the

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construction of a convenience store was an integral part of the proposal, and that the applicant did not wish to consider the erection of a separate gas station facility. He went on to note that, should this not prove to be the case, he would strongly recommend that a second public hearing be convened.

Speaking in support of Alderman Hanson's suggestion, Alderman Holland questioned the potential for traffic delays and pedestrian accidents, noting, in the latter instance, the presence of bus stops on the eastern side of Barrington Street which are heavily used by individuals living in the area.

Alderman Stone concurred with the Deputy Mayor's comments regarding traffic congestion and pedestrian safety, but suggested that staff might consider the establishment of a special traffic lane or lay-by which would better accommodate motorists wishing to use the facility.

It was subsequently moved by Alderman Hanson, seconded by Alderman Jeffrey that the matter be deferred to provide staff an opportunity to discuss the points raised during this evening's deliberations with the applicant.

With reference to the motion to defer, Deputy Mayor O'Malley brought to Council's attention that the matter presently before it is not a request for a development agreement, but rather a rezoning application. In this context she emphasized that, should the rezoning be granted, the applicant will be permitted as-of-right to construct either a gas station or a convenience store, or both.

The City Clerk advised that the following members of Council had been in attendance during the 3 July public hearing and were therefore eligible to vote on this issue: Deputy Mayor O'Malley; and Aldermen Holland Downey, Meagher, Pottie, Hanson, Jeffrey and Stone.

The motion to defer was put and resulted in a tie vote with four (4) members of Council voting for it and (4) against as follows:

**FOR:** Aldermen Downey, Pottie, Hanson and Jeffrey

**AGAINST:** Deputy Mayor O'Malley; and Aldermen Holland, Meagher and Stone

As the Chairman was declared ineligible to vote (owing to his absence from the 3 July public hearing), the motion was declared defeated.

The original motion was put and passed with six (6) members of Council voting in support and (2) against as follows:

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**FOR:** Deputy Mayor O'Malley; and Aldermen Downey, Meagher, Pottie, Jeffrey, and Stone

**AGAINST:** Aldermen Hanson and Holland

Condominium Tipping Fees

This matter had been deferred from a regular meeting of Halifax City Council, held on Thursday, 27 June 1991.

Alderman Pottie reiterated remarks made during the 19 June meeting of the Committee on Works, emphasizing that, in his opinion, Council should not risk incurring additional expenditures (through the immediate abolition of condominium tipping fees) during a year in which the City has committed itself to spending restraints.

It was therefore moved by Alderman Pottie, seconded by Alderman Jeffrey that, as recommended by the Committee on Works, 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.

A lengthy discussion ensued during which Alderman Fitzgerald reiterated that, in his opinion, condominium owners have been treated unfairly by the City ever since the introduction of tipping fees some months ago. The Alderman strongly recommended that these fees (as they relate to condominium owners) be abolished as quickly as possible, adding that, in his opinion, arrangements could easily be made to have an alternative system in place for the removal of this garbage well in time for 1 September 1991.

Responding to a question from Deputy Mayor O'Malley, the City Manager advised that municipal removal of garbage has traditionally been based on the size of the unit generating the garbage and the volume of refuse produced. He pointed out that high-rise apartment buildings, as an example, tend to generate a considerable amount of garbage, to the extent that pick-ups would be necessary from these units several times a week, a requirement which the City is simply unable to accommodate at this point in time.

The Deputy Mayor suggested that the owners of these high-rises could erect appropriate storage facilities so that garbage generated by their buildings could be stored until the municipal pick-up date.

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With reference to the Deputy Mayor's suggestion, Mr. Peter S. Connell, Director of Engineering and Works, pointed out that because municipal crews are not permitted to enter private property, a problem would then arise as to how the garbage would be removed from the storage facility to curbside. He further noted that the Board of Health has very specific regulations pertaining to the storage of waste materials.

The discussion continued with Alderman Flynn suggesting that staff investigate the feasibility of the City entering into contracts with those companies who now remove household refuse from condominium units. In putting forward this recommendation, the Alderman noted that, if an arrangement of this nature could be entered into, those contractors would then be, theoretically, working for the City of Halifax and would therefore be exempt, as is the City, from tipping fees.

It was therefore moved by Alderman Flynn, seconded by Alderman Holland that the matter be deferred, pending further information from staff.

The motion to defer was put and defeated.

Responding to a question from Alderman Jeffrey, the City Manager advised that the Metropolitan Authority stands to lose approximately \$110,000 worth of tipping fees, should the City of Halifax elect to assume the garbage removal responsibilities for its condominiums. Mr. Murphy went on to clarify that the impact of that reduction in revenue is a correspondence decrease in the surplus funds which the Authority is accumulating for the purpose of funding future capital expenditures.

Alderman Ducharme made reference to the City of Dartmouth in which arrangements have already been made for that municipality to remove garbage from condominium units and to allow those residents to participate in the recycling program. The Alderman indicated that she would not be voting in support of Alderman Pottie's motion, since she, like Alderman Fitzgerald, felt that it is time that Halifax City Council address this problem and ensure fairer treatment for condominium owners.

With reference to the suggestion previously put forward by Alderman Fitzgerald, the City Manager quoted from the Minutes of the 5 June meeting of Committee of the Whole Council as follows:

" . . . Mr. Jackson clarified that their bylaw [that of the Metropolitan Authority] basically states that garbage collected by contractors contracted by the City of Halifax for residential collection do not pay the tipping



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fee. However, he suggested that what Alderman Fitzgerald was proposing may be more complicated."

Mr. Murphy therefore cautioned Council that the arrangement proposed by Alderman Fitzgerald may still incur expenses for the City of Halifax, should Council decide to proceed in this fashion.

In light of the City Manager's comments, Alderman Flynn suggested that Council, through its representatives on the Metropolitan Authority, might press for a complete review of that portion of the Authority's bylaw dealing with contractors and subcontractors.

After some further discussion and questioning of staff, Alderman Pottie's motion was put and defeated.

(1) It was subsequently moved by Alderman Fitzgerald, seconded by Deputy Mayor O'Malley that Halifax City Council support the elimination of tipping fees as they pertain to condominium owners, and that a staff report pertaining to the method by which this objective will be achieved be submitted to Council as quickly as possible.

The motion was put and passed.

(2) It was further moved by Alderman Fitzgerald, seconded by Deputy Mayor O'Malley that staff develop a system by which garbage removal services can be provided by the City of Halifax to condominiums and all other residential units not presently serviced in this manner, and further, that a staff report on this matter be submitted to Council for consideration as quickly as possible.

In seconding this motion, the Deputy Mayor asked that in their forthcoming report staff include an estimate of the increase in assessment value, should garbage removal services be provided by the City to condominium units (and assuming that all factors remain the same). On another but related matter, the Deputy Mayor requested an estimate of potential revenue, based on the assessment differential for all Halifax condominiums.

The motion was put and passed.

(3) MOVED by Alderman Fitzgerald, seconded by Alderman Stone that staff provide Council with information as to the earliest possible date on which condominiums and all other

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The motion was put and passed.

(3) MOVED by Alderman Fitzgerald, seconded by Alderman Stone that staff provide Council with information as to the earliest possible date on which condominiums and all other

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residential units presently excluded from the City's recycling program will be able to participate.

The motion was put and passed.

(4) MOVED by Alderman Flynn, seconded by Alderman Jeffrey that Halifax City Council request the Metropolitan Authority to review their policy on tipping fees as it relates to all residential properties (i.e., including condominiums).

The motion was put and passed.

Land Use Bylaw Consolidation

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 27 June 1991, pending receipt of a supplementary staff report.

A report, dated 9 July 1991, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that the Bylaw Consolidation be referred to staff for incorporation of all rezoning amendments and the corrections noted during the PAC review, after which it will be returned to Council for consideration of the options.

Speaking in support of the motion, Alderman Meagher emphasized that the Consolidation, when amended, is also to be forwarded to the Planning Advisory Committee for review.

The motion was put and passed.

PETITIONS AND DELEGATIONS

Petition Alderman Meagher Re:  
Request for Four-Way Stop Sign (Harvard/Allen Streets)

Alderman Meagher submitted a petition bearing the signatures of approximately 115 residents of the Harvard/Allen Street area who are requesting the installation of a four-way stop sign at that intersection.

Alderman Meagher asked that the matter be referred immediately to the City's Traffic Authority, Mr. B. N. Kennedy, with a request that a staff report be made available, if at all possible, in time for the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 17 JULY 1991.

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PUBLIC HEARINGS, HEARINGS, ETC.

Appeal of Refusal to Grant a License Under  
Ordinance 149, the Petty Trades Ordinance

Correspondence, dated 12 June 1991, was received from Ms. Nancy Roach, Nancy Roach Enterprises, P. O. Box 8473, Halifax. A memorandum with regard to this matter was also submitted from Mary Ellen Donovan of the City Solicitor's Department.

Ms. Nancy Roach addressed Council, noting that she has been refused a permit by the Halifax Police Department as a sidewalk vendor on the basis that the tapes and compact discs of her music are "manufactured," and do not therefore fall into the category of "handicrafts." Ms. Roach went on to emphasize that she is a local musician who earns her livelihood by playing traditional Maritime folk music, particularly for tourists and other visitors to the City, and who hoped to sell her original recordings directly to the public. Given the fact that musical recordings cannot be packaged any other way but through a "manufacturing" and "duplicating" process and the fact that she is a local artist wishing to sell original work, Ms. Roach urged Council to reconsider the decision of the License Inspector.

After some discussion, it was moved by Alderman Flynn, seconded by Alderman Downey that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for WEDNESDAY, 17 JULY 1991), pending receipt of a recommendation from the City Solicitor.

The City Solicitor indicated that he would review the definition of "handicraft" as presently contained in Ordinance 149, and would attempt to develop a recommendation concerning the sale on the City's sidewalks of recordings by local musicians. Mr. Anstey further noted that his report would address the matter of whether or not an amendment to Ordinance 149 for this purpose will be required.

Alderman Holland expressed support for Ms. Roach's arguments, and suggested that, in this same context, provision should be made to encourage such local talent as members of the Nova Scotia Symphony to sell their recordings in this fashion.

The motion to defer was put and passed.

MISCELLANEOUS BUSINESS

Appointments

At Alderman Flynn's request, Council agreed to consider the above matter at this point in the meeting's agenda.

A report, dated 10 July 1991, was submitted from Mr. D. F. Murphy, Q.C., City Manager.

Alderman Flynn made reference to a motion of Halifax City Council, approved on 11 April 1991, which directed that ". . . a joint committee (as proposed by Ms. Jacqueline Gale, Co-Chairman of the Halifax District PTA in her submission of 5 April 1991) be established immediately to discuss matters of mutual concern." Referring to the appointments proposed for this joint committee by the City, the Alderman noted that there would appear to be a misperception of the group's objectives, as outlined in the above-mentioned motion. He therefore requested that Ms. Gale be invited to address the next regular Committee of the Whole in order that the matter might be clarified.

It was subsequently moved by Alderman Flynn, seconded by Alderman Jeffrey that this matter be deferred to the next regular meeting of Committee of the Whole Council, in order that a presentation might be received from Ms. Jacqueline Gale, Co-Chairman of the Halifax District PTA.

Speaking on the motion of deferral, the City Manager acknowledged that the City appointees (as recommended in his 10 July report) had been selected for their financial expertise. In this context Mr. Murphy emphasized that his primary concern with the School Board has been and continues to be its financial control over the City's monies, a problem which has been aggravated by the fact that the Board's practices and procedures have never been brought into sync with those of the other City departments.

Alderman Flynn concurred with the City Manager's comments, acknowledging that there have been difficulties in the past which need to be resolved. He went on to point out, however, that there are other issues of a non-financial nature which should be addressed, and expressed the view that, under the circumstances, two committees to address problems relating to the Halifax District School Board should be established.

After some further discussion, the motion to defer was put and defeated.

It was subsequently moved by Alderman Pottie, seconded by Alderman Holland that City Council confirm the following appointments to School Board/City Joint Committee,

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and further, that the School Board be requested to name its appointees:

Jacqueline Gale, Co-Chairperson  
Parent Teacher Association

William Hayward, Director  
Nova Scotia Tractors

Bernard Smith, C.A.  
City Treasurer

Jerry Adams, City of Halifax  
(Finance Department)

In putting forward this motion, Alderman Pottie expressed the view that it will be extremely beneficial to the School Board to be able to utilize the financial expertise of the above-named individuals, noting, at the same time, that the PTA will gain a useful insight into the financial concerns of the City.

Alderman Holland suggested that the establishment of this committee represents "a golden opportunity" for a comprehensive review, not only of the Board's financial concerns, but also of its administrative structure.

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

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 3 July 1991, as follows:

Case No. 6217: Cost Sharing - Lacewood Drive Extension and Caxton Close Storm Sewer

MOVED Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council agree to cost share in the construction of services related to the extension of Lacewood Drive from Caxton Close to the Crown Road Reserve in the estimated amounts of \$191,200 for the oversize street at Lacewood Drive and \$35,400 for the oversize sewer in the easement at Caxton Close, subject to final billings based on the quantities and unit prices of the tender.

Motion carried.

Use of City Owned and Private Vehicles by City Employees

Alderman Jeffrey addressed the matter and, referring to the 11 June 1991 report on this matter, expressed his appreciation to the City Auditor General for his work on the report.

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

- 1) The Police Department and Engineering and Works Department reassess the need for the on duty/on-call staff to take those vehicles assigned on a rotational basis beyond the City limits;
- 2a) The present practice of employees taking City vehicles home be allowed to continue for those 28 staff permanently assigned a vehicle;
- b) The 13 staff who have the exclusive use of a vehicle and live beyond the City limits reimburse the City an amount which approximates the increased operating costs of the vehicle for those kilometres regularly travelled outside the City limits;
- 3) The City Manager in conjunction with the appropriate Department Heads reassess users of the permanently assigned vehicles.

In addition to this, Alderman Jeffrey requested that the City Manager consider the School Board vehicles. Further to this, the Alderman pointed out that it was his understanding that every vehicle the City owns and travels throughout the City or outside the City was not equipped with spare tires or jacks. Alderman Jeffrey suggested that this policy was an ineffective cost-cutting measure and asked that the City Manager look at the feasibility of keeping the vehicles equipped with spare tires and jacks.

Alderman Jeffrey requested that the City Manager report back to Council in one month.

The City Manager, referring to Alderman Jeffrey's remarks, suggested that, rather than report on one recommendation, that he report on all the recommendations plus various other items he would like to look at, such as, whether the City should establish a boundary for vehicles and that it be the City limits or establish a radius to which travel would be permitted.

Alderman Pottie referred to the motion and indicated that he had some concern with it. He indicated that he did not

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think the City should allow 28 people to take a vehicle home on a permanent basis and suggested that it would be less expensive to pay milage to these people for using their own cars.

Referring to item 2b of the motion, Alderman Pottie also suggested that this was something that the employees could use their own cars for. The Alderman referred to a standby charge which is used by the Federal Government and indicated that this was something the City should look into.

Referring to item 3 of the motion, Alderman Pottie advised that he did not think that any staff person should be assigned a permanent vehicle and advised that it would save the City a lot of money if they used their own cars and the City paid mileage.

Subsequently, it was MOVED by Alderman Pottie, seconded by Alderman Stone that this matter be deferred until such a time that the City Manager has reflected on the concerns expressed, and he discuss this matter with the City Auditor General and those involved and come back with a new proposal addressing the question of the necessity of the number of City vehicles in private use for City Employees.

In seconding the motion Alderman Stone asked for information with respect to what is "On Call", how many people are "On Call", and is it necessary that everybody be "On Call".

After a brief discussion, the motion to defer was carried.

Tremont Plateau Park - Lands of Maritime Broadcasting

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council authorize the acceptance of a deed for 1.8 acres from Maritime Broadcasting System, as generally shown on Appendix A of the 26 June 1991 staff report, subject to the condition that:

1. The parcel is to be developed by the City as part of Tremont Plateau Park;
2. The parcel is being acquired as part of a possible future dedication of land for open space purposes at such times as the present owners may develop its holdings for predominantly residential use;
3. If at any time, or by 30 June 2001 at the latest, the present owners decide not to pursue the development of their holdings, the City shall purchase the parcel at its current value of \$0.66 a



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2. The parcel is being acquired as part of a possible future dedication of land for open space purposes at such times as the present owners may develop its holdings for predominantly residential use;
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square foot (\$28,750 per acre), adjusted to the time of closing by the annual Consumer Price Index;

4. The present owners' interest in developing their holdings for predominantly residential uses at some future time is acknowledged, and any steps they will be required to take to effect that intent are in no way prejudiced by this land transfer;
5. The City license a right-of-way to the present owner for access to the transmitter site from Tremont Drive across the 1.8 acres and maintain the access road over it;
6. The City post signs at the boundary between Tremont Plateau Park and the Company's land, as may be required, warning against unauthorized access to the site around the transmitter and installations.

Motion carried.

Canada Day 1991 Activities

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, approval be given for the Canada Day program in the gross amount of \$44,650.00 with no increase in the net cost to the City of Halifax.

Motion carried.

Comfort Allowance

A staff report dated 8 July 1991 was submitted.

Alderman Downey referred to the submitted report and expressed concern about the County of Halifax increasing their comfort allowance by \$7.00 per month, noting that the City of Halifax has not increased its comfort allowance in two years. The Alderman expressed concern of the affect this has on the Homes for Special Care.

Alderman Downey indicated that he would prefer to see the whole comfort allowance and the people on general allowance increased at the same time. He noted that he did not ask for this in the report, but requested that, if possible, both the comfort allowance and the general allowance be dealt with in a report at the 21 August 1991 meeting of the Committee of the Whole Council.

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Mr. R. J. Britton, Acting Director, Social Planning Department addressed Council and indicated that one month would be enough time to bring forth a report on comfort allowance as well as other rates.

In light of the discussion, it was MOVED by Alderman Downey, seconded by Alderman Jeffrey that this matter be deferred to the Wednesday, 21 August 1991 meeting of the Committee of the Whole Council, pending a further report.

Alderman Downey noted that he hoped that staff would have a recommendation for Council to deal with at the 21 August 1991 meeting.

Motion carried.

Motion - Bluenose III

This item was last discussed at the Finance and Executive Committee meeting on 3 July 1991 when, at that time, Alderman Fitzgerald indicated he would put forth a motion at the 11 July 1991 City Council meeting supporting the construction of the new Bluenose in Lunenburg.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that City Council pass a resolution that if the Bluenose II has to be replaced, that the construction take place in Lunenburg, Nova Scotia.

Motion carried.

REPORT - COMMITTEE ON WORKS

The Committee on Works, at a meeting held on Wednesday, 3 July 1991, considered various matters of civic business, and reports as follows:

Bus Stop in Front of 6276 Chebucto Road

This matter was last discussed at the Committee on Works meeting held on Wednesday, 3 July 1991.

Alderman Meagher addressed the matter and advised that he, Mr. Prentice, Mr. David O'Leary, and staff held a meeting and would be providing a report at a later date.

Lights - George Dixon Centre Grounds

MOVED by Alderman Downey, seconded by Deputy Mayor O'Malley that, as recommended by the Committee on Works, staff proceed with the installation of the requested lighting overlooking the George Dixon Centre's horseshoe pitches at an approximate cost of \$500.00; and further that the City's Tax Concessions and Grants Committee be urged to review the Centre's application as quickly as possible.

Motion carried.

Litter Abatement Program

Alderman Jeffrey indicated that, at Committee of the Whole Council meeting, he suggested that the City Manager and the Director of Engineering and Works look into the idea of placing baskets in front of commercial establishments with the establishment being responsible for the removal of garbage.

The Chairman indicated that there would be a report provided.

Alderman Pottie addressed the recommendation of the Committee of the Whole and questioned the words "or removal", suggesting that if this was a policy on placement and removal, all that was being addressed was placement.

As a point of clarification, Alderman Ducharme indicated that at the last Committee of the Whole meeting she moved a motion, and Alderman Fitzgerald seconded it, that the section regarding "the removal" be withdrawn from the motion and that it the recommendation be a policy for placement.

After a discussion, it was agreed that Council would deal with the issue of placement at this time and the Director of Engineering and Works would report back on removal.

Alderman Pottie expressed concern about placing some baskets on City sidewalks because of the potential of them creating problems for elderly people or handicapped people. To alleviate this situation, the Alderman suggested that some discretion should be in the motion.

Alderman Pottie also expressed concern about baskets being located close to private property and, as well, baskets being on a City sidewalk in front of a convenience store which has a setback of 30 or 40 ft.

At the request of Alderman Pottie, it was agreed that regarding item 3 of the motion, "on the City sidewalk" would be removed from the motion.

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Alderman Stone referred to the amount of garbage which collects around the rosebushes along Dunbrack Street and requested a report on the City's ability to enforce commercial establishments to be responsible for garbage beyond the 50 ft.

It was indicated that this would be a matter which the City Solicitor would respond to.

Further to this, the Director of Engineering and Works advised he has been looking at possible suppliers for the baskets and if it was possible to get them in a different color which commercial establishments could purchase for private use. The Director indicated that he did have some reservations of supplying establishments with the baskets and leaving the responsibility of maintaining and emptying the basket to the establishment. He added that the final matter he was looking at now regarding this was the issue of encroachment of a private basket on City property. In conclusion, the Director of Engineering and Works advised that his recommendation to Council would be to provide an outlet to obtain these baskets, and to be able to get them in a different colour which would indicate they are private. He suggested and this would give commercial establishments the ability to advertise on the basket.

MOVED by Alderman Ducharme, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, Council approve the formalization of the policy for placement of litter baskets on City streets according to the following priorities:

- (1) high pedestrian volume sidewalks fronting commercial properties;
- (2) selective placement at Metro Transit stops; and
- (3) fronting convenience stores and fast food outlets.

After further discussion, the motion was carried.

The Chairman indicated that a report on the removal of baskets would be coming back to Council.

Task Force on City Traffic

MOVED by Alderman Ducharme, seconded by Alderman Hanson that, as recommended by the Committee on Works, Council adopt the report of the Task Force on City Traffic as presented, and that staff be directed to proceed with defining actions and recommending priorities for implementation.

Motion carried.

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REPORT - SAFETY COMMITTEE

The Safety Committee, at a meeting held on Wednesday, 3 July 1991, considered various matters of civic business, and reports as follows:

Safe Cities Strategy

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

- 1) endorse the nine point plan as outlined in the presentation attached to the staff report of 26 June 1991;
- 2) request that each participating partner outline a strategy for action for those objectives within their respective mandates, and that each partner update City Council on a regular basis regarding their progress; and
- 3) endorse the establishment of a senior staff networking committee responsible for the identification of common issues/problems and strategies for action.

Motion carried.

REPORT - COMMITTEE OF THE WHOLE COUNCIL,  
BOARDS AND COMMISSIONS

Ordinance 114, Halifax Civic Hospital -  
RECOMMENDATION FOR DEFERRAL

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday 27 June 1991 and was further considered at a meeting of the Finance and Executive Committee held on Wednesday, 3 July 1991.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that City Council defer second reading of this proposal until such time as the necessary audits have been completed.

Motion carried.

At 11:40 p.m. Alderman Jeffrey retired from the meeting.

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Report - Audit Committee Re: 1990 Annual  
Audited Financial Statements

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor O'Malley that His Worship the Mayor and the City Clerk be authorized to sign the 1990 Annual Financial Statements.

Motion carried.

REPORT - CITY PLANNING COMMITTEE

The City Planning Committee, at a meeting held on Wednesday, 3 July 1991, considered various matters of civic business, and reports as follows:

Endorsement of Co-op Housing Program Resolution

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Planning Committee, Halifax City Council approve the endorsement of the resolution pertaining to the Co-op Housing Program as attached to the staff report dated 27 June 1991, which reads as follows:

WHEREAS many Canadians experience serious housing problems; and

WHEREAS the Federal Non-Profit Co-operative Housing Program is the last direct non-profit housing program funded by the Government of Canada; and

WHEREAS a 1990 evaluation conducted by the Canada mortgage and Housing Corporation has shown co-op housing to be highly successful in creating healthy mixed-income communities; and

WHEREAS co-operative housing is an important alternative for the 38% of Canadians who are not homeowners; and

WHEREAS the index-linked mortgage, introduced in Canada by the co-op housing sector, has substantially reduced the cost to the government of producing non-profit co-op housing;

BE IT RESOLVED THAT City of Halifax ask the government of Canada to commit itself to sponsoring at least 5,000 new non-profit co-op housing units a year and that its co-op housing program allow for access to co-operative housing by all without economic or social barriers.

Motion carried.

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Case No. 6296: 2614-24 Windsor Street  
- Rezoning from R-3 and C-1 to C-2A

Alderman Meagher addressed the matter and, referring to the staff report dated 20 June 1991, advised that his recollection of the intention of the planning process relating to Windsor Street was that there would not be a strip development along Windsor Street.

Alderman Meagher advised that, in moving the motion to set a date for a public hearing, he was requesting the Development and Planning Department to review some of the original records to see if his recollection on this matter was correct.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the City Planning Committee, a date be set for a public hearing to consider the application to rezone 2614-24 Windsor Street from R-3 (Multiple Dwelling Zone) and C-1 (Local Business zone) to C-2A (Minor Commercial Zone).

Motion carried.

The City Clerk Advised that the public hearing would be set for Wednesday, 21 August 1991 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case No. 6282: Schedule "C" Development  
Agreement - 6003 Willow Street

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the application for a development agreement to permit nine dwelling units at 6003 Willow Street be refused for the following reasons.

1. The proposal does not provide high quality housing as called for by Objective 2 of Section II of the Municipal Planning Strategy.
2. The proposal differs in use and intensity from the neighbourhood development pattern and does not relate to the needs or characteristics of the neighbourhood contrary to Policies 2.2 and 2.4 of Section II.
3. The proposal is deficient in a number of areas as detailed in the staff report of June 24, 1991.
4. The proposal does not carry out the intent of the Municipal Planning Strategy.

Motion carried.



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MISCELLANEOUS BUSINESS

Appointments

This item had been dealt with earlier in the meeting.

Traffic Controllers - Various Locations

A staff report dated 8 July 1991 was submitted.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that City Council authorize procurement of six (6) traffic signal controllers from Novax Industries Ltd., New Westminster, B.C. without competitive tendering. Items 1, 2 and 3 of Quote #0616-91/TDS dated 2 July 1991 at a cost of \$56,301.00 (Funds are available in the appropriate Capital Accounts).

Motion carried.

Williams Lake - Clean Up

A staff report dated 8 July 1991 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Ducharme that Council authorize the operation of a maximum of two (2) power boats for the purpose of public safety on Williams Lake to facilitate the clean-up of the lake by the Williams Lake Conservation Company; such authorization to be limited to 20 July 1991 between the hours of 10 o'clock a.m. and 4 o'clock p.m., or such alternate date as may be necessary.

Motion carried.

Date for Special Meeting Re: Staff Presentation  
- Population and Housing Report

A staff report dated 4 July 1991 was submitted.

MOVED Alderman Fitzgerald, seconded by Alderman Downey that a special meeting be set for 21 August 1991 at 1:00 p.m. preceding the regular Committee of the whole meeting.

Motion carried.

QUESTIONS

Question Alderman Fitzgerald Re: False Alarms

Alderman Fitzgerald referred to a recent statistical report from the Halifax Fire Department concerning the number of false alarms, noting that a great number were activated by heat and bugs, and he asked for information as to what was being done about the problem of false alarms.

Question Alderman Fitzgerald Re: Rats

Alderman Fitzgerald advised that he has received complaints concerning rats in sewers. He suggested that the sighting of rats may be due to the recent dry weather which may be forcing the rats to look elsewhere for food and water. Alderman Fitzgerald questioned if staff was having a problem with rats and requested that the matter be investigated.

Question Alderman Fitzgerald Re: Power Disruption - South End

Alderman Fitzgerald noted that he received a report that the South End has had 23 major power disruptions because trees were not trimmed and indicated that he was hopeful that the tree trimming program would start soon.

Question Alderman Fitzgerald Re: Atlantic Coast Games

Alderman Fitzgerald referred to the Atlantic Coast Games to be held on August 15, 16, and 17 and questioned if everything was still on schedule.

The Chairman indicated that an updated report would be forthcoming.

Question Alderman Fitzgerald Re: Decline of Building Permits

Alderman Fitzgerald indicated that the requests for building permits for this year were down and he requested information as to how this will affect the City's tax rate.

Question Alderman Fitzgerald Re: City Club/Khyber Building

Alderman Fitzgerald asked if any movement was taking place whereby the City would negotiate with Provincial Government in order that the Provincial Government would overtake the City Club/Khyber Building.

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Question Alderman Fitzgerald Re: Egg Pond

Alderman Fitzgerald referred to a previous question concerning the Egg Pond located in the central commons and indicated that consideration should be given to utilizing the Pond and suggested that a basic skateboarding area may be appropriate.

Alderman Fitzgerald requested that the Recreation Department look into this matter and see what could be done at a minimal cost.

Question Deputy Mayor O'Malley Re: Closure of Point Pleasant Park

Deputy Mayor O'Malley referred the recent spell of hot dry weather and the extreme fire risk and she questioned whether consideration has been given to closing Point Pleasant Park.

In response, it was noted that the main area of the Park, predominately the wooded area, was closed on this afternoon, with the walking area along Black Rock Beach remaining open.

Question Deputy Mayor O'Malley Re: Swarming

Deputy Mayor O'Malley made reference to the recent articles in the local newspaper concerning "swarming" and the incidents which have occurred in Halifax, and she requested that the Chief of Police provide an update to City Council on this matter at the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 17 July 1991.

Question Deputy Mayor O'Malley Re: Robie Street - Lady Hammond to Leeds Street - Condition of Road

Deputy Mayor O'Malley advised that some months ago she requested that the condition of Robie Street, from Lady Hammond Road to Leeds Street, be investigated. She added that some patching of the Road around drains has occurred but she was still getting complaints on the wear and tear of vehicles that driving over this stretch of road can have. Deputy Mayor O'Malley requested that this matter be addressed in some way as soon as possible.

Question Alderman Pottie Re: Construction of New Ramp - A. Murray MacKay Bridge

Alderman Pottie advised that the necessary building of the new ramp for the MacKay Bridge, particularly around the CN lands where the railway tracks have been taken out, was

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creating a substantial amount of dust and he requested that the General Manager of the Bridge Commission be contacted to see what could be done to alleviate the problem.

Question Alderman Pottie Re: Truck Traffic - Connaught Avenue

Alderman Pottie made reference to the extensive truck traffic problems on Connaught Avenue, between Windsor and Bayers Road, particularly between the hours of 9:00 p.m and 7:00 a.m., and requested that the Police Department provide a special patrol for two or three days in this area. Alderman Pottie noted that he has been attempting to resolve the problem for some time.

Question Alderman Pottie Re: Glass in Bottom of Larry O'Connell Pool

Alderman Pottie advised that a resident contacted him regarding broken glass in the bottom of the Larry O'Connell wading pool. The Alderman added that the resident questioned the pool staff about this problem and was told that the staff were not equipped to get rid of the glass and, as an alternative, suggested that children wear sneakers in pool.

Alderman Pottie requested that staff investigate this matter.

Question Alderman Stone Re: Crosswalk - Westridge Drive

Alderman Stone advised that, due to the new shopping area around Willett Street in Ward 12, there has been an increase in traffic. Noting that there were bus stops on either side of the street, Alderman Stone added that the increased traffic has resulted in the Westridge Drive residents having difficulty in crossing the Street and he requested that staff look into the possibility of providing a crosswalk in this area--Westridge Drive on Willett Street.

Question Alderman Stone Re: Boa Constrictors

Alderman Stone submitted a letter, dated 4 July 1991 from Barb Kelly, a resident of 35 Harlington Crescent, Apt. 21, Halifax, NS.

In reference to the submitted letter, Alderman Stone advised that the resident was very upset that people were walking around the City with boa constrictors. He advised that Council dealt with this problem last year and, at that time, it was staff's indication that there was little that could be done.

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Alderman Stone emphasized the serious nature of this problem for people who have a fear of snakes, and he requested that the City Solicitor's Department and the Police Department review this matter once again.

Question Alderman Downey Re: Parking - Lower Water Street

Alderman Downey referred to a report he requested from the Traffic Authority at the Committee of the Whole meeting held on 3 July 1991 concerning the provision of parking on Lower Water Street during the Farmers' Market, and he advised that although staff could not accommodate his request, he appreciated their efforts.

Question Alderman Downey Re: Federal Site - Gottingen Street

Alderman Downey referred to the Federal Site on Gottingen Street, and indicated that he received a call from Mr. Pearson advising that funding has been approved at both the municipal and provincial level, and that all that was left to be done was for final approval from the Federal Government. Alderman Downey asked if Council would be taking the next step of corresponding with the Federal Government for information as to what will be established on this site.

In response, the City Manager advised that his understanding of the matter was that the Federal Government would be dealing with it in a matter of days.

Question Alderman Downey Re: Police Manpower  
- Gottingen Street

Alderman Downey advised that he has always maintained the view that more police manpower was required in the Gottingen Street area.

Referring to Insp. Legge's comments that manpower will be increasing in the Charlie Zone area, Alderman Downey indicated that he had previously asked for a report from the Chief on this matter. Alderman Downey suggested that manpower was sufficient during the day but was not in the evenings and he requested a report on Insp. Legge's comments on the matter.

Question Alderman Ducharme Re: Tendering Policy - Requirement  
for Recycled Products

Alderman Ducharme requested a report on the City's tendering policy as to whether it includes a preference for suppliers who use materials that are made from recycled

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products and the feasibility of introducing such a requirement into the tendering policy.

ADDED ITEMS

Parking Meter Losses

A staff report dated 11 July 1991 was submitted.

MOVED by Alderman Ducharme, seconded by Alderman Fitzgerald that:

1. the adoption of daily meter collections of all meters,
2. announcement of the routine to deter vandalism for theft of monies,
3. approval of expenditures under a supplementary appropriation authorized under Section 201 of the City Charter in a sum of \$71,000, as detailed in the report of 11 July 1991, and
4. inclusion in future budgets of sums sufficient to operate a daily collection of all meters.

Alderman Pottie advised that in discussions with representatives of the Police Department this has been an ongoing process since last December. He suggested that the problem probably got out of hand because it was disclosed to the media the amount of money which was being lost and the areas where the money was being stolen. Alderman Pottie indicated that this thwarted efforts by the Police Department and he suggested that in the future, similar matters be kept more confidential.

Motion carried.

Heritage Hearing - Possible Time Change

A staff report dated 11 July 1991 was submitted.

MOVED by Alderman Ducharme, seconded by Alderman Meagher that the time of the Special City Council meeting scheduled for 21 August 1991, in connection with Heritage Hearings, be changed from 5:00 p.m. to 7:30 p.m.

Motion carried.

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St. Mary's Boat Club Update - Alderman Fitzgerald

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

Alderman Fitzgerald commented on the opening of St. Mary's Boat Club, advising of the activities provided, and he expressed his appreciation to Council for its support of this project.

Marblehead Race - Alderman Holland

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

Alderman Holland remarked on the recent Marblehead Yacht Race, noting that it was an exciting event for the City and, as well, it was a boost for the City's tourism industry.

Traffic - Cunard, Windsor, Compton Avenue

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

Alderman Meagher submitted two letters, one dated 2 July 1991 from Alistair W. Watt, a resident of 6070 Compton Avenue, Halifax, NS and a letter from E. J. McLean, a resident of 6039 Compton Avenue, Halifax, NS and a memo from the Director of Development and Planning.

At the request of Alderman Meagher, it was agreed that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 17 July 1991, and that Mr. B. Kennedy, Supervisor, Traffic Services, and Mr. R. Matthews, Director, Development and Planning be requested to attend.

Natal Day - Spring Garden Road

This matter was added to the agenda at the request of Alderman Downey.

Alderman Downey advised that the Spring Garden Road Business Improvement District Commission met recently and gave its approval for the closing of Spring Garden Road from Queen Street to South Park Street, 9:00 a.m. to 1:00 p.m., on August 4, 1991 for Natal Day activities.

Alderman Downey expressed concern that he has heard that two beer tents are planned to be set up on Spring Garden

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Road on August 4, 1991, and advised that the Spring Garden B.I.D.C. disapproves of this activity.

In response to this, Alderman Pottie indicated that he was a member of the Natal Day Committee, and pointed out that the Committee has nothing to do with the beer tents. He added that he was informed that some entrepreneurs have acquired the permission of the Technical University of Nova Scotia to hold a beer tent on the corner of Spring Garden Road and Queen Street for the purpose of raising funds for charity.

A discussion ensued and it was suggested that, should the Spring Garden Road B.I.D.C. wish to pursue this matter, that it contact the Liquor License Board with its concerns.

Referring to the activities being held during the Natal Day Weekend, Alderman Pottie noted that he has received numerous calls about the price of tickets for the Beach Boys Concert, and he advised that this concert was organized by a private group and that the Natal Day Committee has no involvement with it.

Further to this, the Chairman advised that all Natal Day events which will be held outdoors will be free of charge.

There being no further business to discuss, the meeting adjourned at 12:25 p.m.

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

\*K/sm

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