

**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
21 August 1991  
7:40 p.m.

A special meeting of Halifax City Council, Public Hearings was held on the above date.

After the meeting was called to order, the members of Council attending joined in reciting the Lord's Prayer.

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

**ALSO PRESENT:** Mr. D. F. Murphy, City Manager; Mr. W. Anstey, City Solicitor; Mr. E. A. Kerr, City Clerk; and other members of staff.

The following items were added to the agenda, being referred to this meeting from a meeting of the Committee of the Whole Council held earlier on this date:

**Historic Properties - Armour Group Mortgage**

This item was added to the agenda, being referred from a meeting of the Finance and Executive Committee held earlier on this date.

**MOVED by Alderman Downey, seconded by Alderman Holland that,** as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to approve a new mortgage in favour of the Metropolitan Trust Company of Canada on the Historic Properties leasehold lands held by the Armour Group Limited in the principal amount of no more than \$5,000,000.00 under the same terms and conditions as the existing mortgage.

**Motion carried.**

**Request for use of Forum Property - Beer Tent - M.T. & T. Cellular 3 on 3 Basketball Event - Landmark Sport Group**

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Motion carried.

Request for use of Forum Property - Beer Tent - M.T. & T.  
Cellular 3 on 3 Basketball Event - Landmark Sport Group

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This item was added to the agenda, being referred 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, City Council inform the Liquor Licensing Board that the Forum Commission has the jurisdiction to deal with such an application and that the City need not be involved.

Alderman Pottie noted that the Chief of Police has a problem with beer tents in the City and suggested that this Council should inform the Chief of Police or the Deputy Chief of Police that this matter is before the Forum Commission.

A brief discussion ensued and it was agreed that the motion include that the Police Chief be informed of this matter.

Motion carried.

Case No. 6264: Development Agreement - 2024, 2028-32, 2040 and 2046 Robie Street (deferred from 25 July 1991 City Council

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

A supplementary staff report dated 12 August 1991 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Holland that City Council set a date for a Public Hearing for the purposes of:

1. Recognizing Cruikshank's Funeral Home, and existing parking located at 2024, 2028-32, and 2040 Robie Street as a permitted use by development agreement pursuant to Section 83 (c) of the peninsula portion of the land use bylaw; and
2. Permitting the property at 2046 Robie Street to be used for parking in association with Cruikshank's Funeral Home, pursuant to Section 83

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(c) of the peninsula portion of the land use bylaw.

The motion was carried with Alderman Flynn abstaining due to a conflict of interest.

The City Clerk advised that the date of the public hearing was Monday, September 16, 1991 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case No. 6345: Schedule "C" Development Agreement - 2571 Windsor Street

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

A staff report dated 6 August 1991 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that City Council set a date for a public hearing for the purpose of hearing an application for the entering into of a development agreement with Quackenbush and Thomson, Barristers and Solicitors, to permit residential and office use of 2571 Windsor Street.

Motion carried.

The City Clerk advised that the date of the public hearing was Monday, September 16, 1991 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case No. 6367: Amended Development Agreement - 2548-50 Agricola Street

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

A staff report dated 12 August 1991 was submitted.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Pottie that City Council set a date for a public hearing for the purpose of hearing an application to amend the development agreement respecting 2548-50 Agricola Street, lands of Lee Management Limited.

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Motion carried.

The City Clerk advised that the date of the public hearing was Monday, September 16, 1991 at 7:30 p.m. in the Council Chambers, Halifax City Hall.

The following item was added to the agenda at the request of the City Clerk:

Appointment - Board of Police Commissioners

A report from His Worship Mayor Wallace, dated 21 August 1991 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Meagher that Mr. George M. Mitchell, Q. C. be appointed to the Board of Police Commissioners with a term to expired January 31, 1993.

Motion carried.

Council then continued with its regular agenda as follows:

**HERITAGE HEARINGS**

Heritage Hearings - Grand Parade; Public Gardens

A staff report dated 6 August 1991 was submitted.

Mr. Peter Connell, Director of Engineering and Works, addressed Council and advised that staff will be proposing substantial changes to the Grand Parade to restore it to its original format. Mr. Connell added that he was requesting Council to consider deferring this item until staff has had a chance to look at the implications of a heritage designation, noting that the designation might unduly restrict the plans that staff would propose.

MOVED by Alderman Jeffrey, seconded by Alderman Holland that the heritage hearings concerning the Grand Parade and the Public Gardens be deferred.

Alderman Pottie suggested that the item be dealt with by the existing Council, requesting that the subject

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Motion carried.

The City Clerk advised that the date of the public hearing was Monday, September 16, 1991 at 7:30 p.m. in the Council Chambers, Halifax City Hall.

The following item was added to the agenda at the request of the City Clerk:

Appointment - Board of Police Commissioners

A report from His Worship Mayor Wallace, dated 21 August 1991 was submitted.

MOVED by Alderman Pottie, seconded by Alderman Meagher that Mr. George M. Mitchell, Q. C. be appointed to the Board of Police Commissioners with a term to expired January 31, 1993.

Motion carried.

Council then continued with its regular agenda as follows:

**HERITAGE HEARINGS**

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MOVED by Alderman Jeffrey, seconded by Alderman Holland that the heritage hearings concerning the Grand Parade and the Public Gardens be deferred.

Alderman Pottie suggested that the item be dealt with by the existing Council, requesting that the subject

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be returned in sufficient time for that to take place, to which Council agreed.

Motion carried.

Heritage Hearing - Point Pleasant Park

A staff report dated 6 August 1991 was submitted.

In light of the decision to defer the above items, it was also agreed to defer the heritage hearing on Point Pleasant Park concurrent with the Grand Parade and the Public Gardens.

Appeal of Minor Variance Refusal - 6965 Chebucto Road

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

A staff report dated 22 July 1991 was submitted.

A letter, received in the City Clerk's Office on August 20, 1991 from Pat and Johanna Towsey was submitted.

Mr. Paul Dunphy, Planner I, addressed Council and, using diagrams, outlined the reasons why the application by Mr. P. Towsey for a minor variance of the side yard requirements of the land use bylaw to allow two decks to remain at their present location at the rear of the dwelling at 69 Chebucto Road, was refused (as illustrated in the staff report).

Mr. Dunphy advised that the application was refused on 25 June 1991, and on 15 July 1991 the applicant indicated he would appeal the decision of the Development Officer.

Mr. Dunphy responded to questions from Council.

Mr. and Mrs. Towsey, the appellants, addressed Council and advised that they did not intentionally disregard the Land Use Bylaw. Mr. Towsey noted that the two decks which are in question were illustrated on the plans he submitted to staff to obtain a building permit. He added that a building permit was issued and, after building the decks, he was informed by staff that they were not included in the permit.

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In reference to his submitted letter, Mr. Towsey indicated that it explained the situation he and his wife currently find themselves in with this matter.

Mr. and Mrs. Towsey responded to questions from Council.

In response to a question by Alderman Stone, Mr. Towsey advised that the abutting neighbour, Margaret Emberly, 6969 Chebucto Road, has indicated in a letter dated May 9, 1991 that she has no objections to their proposal.

Mr. Bud Lance, a resident of 6961, Chebucto Road addressed Council and advised that his concern with this proposal was that in the three years Mr. Towsey has been his neighbour he has been renovating his property.

Mr. Lance reviewed the dimensions of Mr. Towsey's decks and advised that prior to the building of the two decks there had only been one deck built on the house. Mr. Lance advised that the people in the neighbourhood, as well as people in the Building Inspection Division were aware that it was Mr. Towsey's intention to have a "bed and breakfast" located on the property. Mr. Lance contended that he had no problem with the decks, but was concerned that in the future they may be enclosed to build two rooms.

In conclusion, Mr. Lance advised that he opposed the building of the decks unless the appellant could assure him that they will not be enclosed.

In response to Mr. Lance's comments, Mr. Dunphy indicated that, should the appellant wish to enclose the decks at some point in the future, it would require a second minor variance application.

Mr. Rick Hook addressed Council and advised that he was representing his mother, a resident of 6962 Leppart Street and backyard neighbour of the appellant.

Mr. Hook advised that his mother was concerned that all bylaws pertaining to this matter be followed and that she was concerned that the permit to build the deck had not been issued to the appellant. He added that her biggest concern was that the wishes of the neighbours be respected, noting that the deck has been ongoing for a year and is unsightly and should be cleaned up. Mr. Hook



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indicated that he was not aware of any future plans of the appellant as had been indicated by the previous speaker.

Referring to the speaker's comments on the appellant's future plans for the decks, the Chairman pointed out that the hearing was called to consider the present matter, and this was not the time for Council to hear proposed future plans that the appellants may have.

Alderman Jeffrey noted that reference has been made to the unsightly premises of the appellant's property and he asked if this was due to the stop work order from staff.

In response to the Alderman's question, Mr. Dunphy pointed out that this was correct, advising that once the stop work order was issued, no work could continue until a decision is reached by Council.

In response to a question by Alderman Jeffrey, Mr. Towsey advised that if Council granted his appeal, he would begin work on the decks immediately.

Mr. Towsey responded to further questions by Council.

Alderman Flynn addressed the matter and advised that the concerns of any future expansion have been addressed by staff, noting that if there is going to be any change to the use of the decks then it must come before staff and Council, as a minor variance would be required. He indicated that if there is a future application, staff have been alerted to the fact that the neighbours have expressed concerns.

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

MOVED by Alderman Flynn, seconded by Alderman Stone that the decision of the development officer be overturned and that a minor variance of the side yard requirement of the land use bylaw to allow two decks to remain at their present location at the rear of the dwelling at 6965 Chebucto Road, Halifax, N.S. be granted.

Motion carried.

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

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

A letter dated 15 August 1991 with a petition attached containing approximately 40 signatures of the residents of the area surrounding 2614-24 Windsor Street opposing the application was submitted.

A supplementary staff report dated 20 August 1991 was submitted.

Mr. Paul Dunphy, Planner I, addressed Council and, using diagrams, outlined the application by A.G. Anderson and Associates Ltd. to rezone three adjoining properties to C-2A (minor commercial zone) for the purpose of permitting the three existing buildings on these properties to be used for commercial use (as illustrated in the staff report dated 20 June 1991 and the supplementary staff report of 20 August 1991).

Mr. Anderson, the applicant, addressed Council and advised that the purpose of his application was to allow him to operate his insurance business. He added that when he brought this matter forth he felt it would be appropriate to rezone his other two properties exactly the same, noting that this was the intention of the former plan of the City. He added that he agreed with the staff report and was willing to respond to Council's questions.

Mr. Anderson responded to questions.

Mr. Brian Mosher, a resident of 6244 Seaforth Street, addressed Council and, referring to the submitted letter and petition by the residents of the area in question, outlined his concerns with the proposed rezoning.

Mr. Mosher advised that the general feeling of the neighbours of the area was that there was currently enough commercial development. He added that the property in question does not have any plans which can be analyzed as to the positive or negative impact it will have on the neighbourhood if the zoning is approved.

Mr. Mosher expressed concern about the present amount of traffic in the area and the increased traffic which results with new businesses. He noted that the

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residents feel that the nature of the businesses which may result if the application is approved will decrease their enjoyment of the neighbourhood, drawing unnecessary traffic through the neighbourhood. In conclusion, Mr. Mosher advised that the neighbours are strongly opposed to this application and wish that it not be approved.

Mr. David Smart, property owner of 6228 Seaforth Street, addressed Council and suggested that, over time, more businesses have encroached on the residential properties in this area, and this has resulted in less residential properties and more commercial properties. Mr. Smart expressed concern about the parking difficulties for the business in the area, adding that the overflow of parking ends up Seaforth Street and Summit Street.

Mr. Smart added that the idea that this property could be a C-2A zone and encompass 100 percent of the property and not provide access other than through neighbouring areas, or parking, is a concern as well.

Mr. Smart advised that given the zoning of this area he does not believe that infilling will create this as a commercial area. In conclusion, Mr. Smart referred to the office building which contains the Lawton's Drug Store and questioned the necessity of creating an additional commercial area when this building is advertising office space for rent.

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

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that this matter be forwarded to Council without recommendation.

Motion carried.

At 9:00 p.m. Alderman Flynn retired from the meeting.

At 9:00 p.m. His Worship retired from the meeting with the Deputy Mayor assuming the Chair.

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Public Hearing Re: Case no. 6337: Appeal of Minor  
Variance Refusal - 6462 Vienna Street

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

A staff report dated 16 July 1991 was submitted.

Mr. Paul Dunphy, Planner I, addressed Council and, using diagrams, outlined the reasons why the application by Barry Gaul and Denice Hansen for a minor variance of the lot frontage, lot size and side yard requirements of the land use bylaw to allow an addition (two dormers) to an existing duplex dwelling located at 6462 Vienna Street was refused. He advised that the application was refused on 27 June 1991 and the applicant has appealed the decision.

Mr. Dunphy responded to questions from staff.

At 9:05 p.m. Alderman Flynn entered the meeting.

Mr. Barry Gaul and Ms. Denice Hanson, the appellants, addressed Council and advised that the reason for wanting the dormers on his house was because ice builds up in the winter time and when it melts it leaks into the house. He added that to alleviate problem he looked at extending the roof line and at the same time installing dormers. Mr. Gaul indicated that he has unused space upstairs in his home which is currently used for storage and he intends to turn this into a bedroom. He advised that the only way to do this and have a window would be to have a dormer because the dormers will provide light and ventilation.

Mr. Gaul added that it was not his intention to violate Section 41 of the land use bylaw, and advised that when he applied for an occupancy permit for the basement apartment in 1983, he was not aware that the restrictions were so tight that he could not make a small improvement such as this.

In relation to Mr. Gaul's reference to the basement apartment, Ms. Hanson advised that the basement apartment had always existed but she and Mr. Gaul had it legally registered in 1983.

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With the use of a diagram on the overhead monitor, Mr. Gaul then briefly elaborated on his proposed plans.

Mr. John Bachynski, a resident of 6468 Vienna Street addressed Council and advised that he had no objections to the applicant's request.

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

Alderman Pottie advised that has not received any complaints from the residents regarding this matter and he added that he believed that Section 41 of the land use bylaw should be revised. He suggested that to put these people through what they have been through for the past number of weeks for an application like this was unnecessary and he hoped that staff would consider this and try to revise the Section.

MOVED by Alderman Pottie, seconded by Alderman Grant that the decision of the development officer be overturned and the minor variance of the lot frontage, lot size and side yard requirements of the land use bylaw to allow an addition (two dormers) to an existing duplex dwelling located at 6462 Vienna Street be granted.

Motion carried with Alderman Flynn abstaining due to his absence from part of the hearing.

Appeal of Minor Variance Approval at 8-81/2 Main Avenue

A report dated 18 July 1991 was submitted.

A memorandum dated 15 August 1991 from the Development Officer was submitted.

Upon withdrawal of the appeal, this item was deleted from the agenda.

The meeting adjourned at 9:12 p.m. to be reconvened later in the evening.

At 10:45 the meeting reconvened with the same members present and His Worship Mayor Wallace chairing the meeting.

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

Award of Tender #91-08 Clovis Avenue - New Paving and Storm Sewer (Circle Drive to Williams Lake Road)

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

MOVED by Alderman Grant, seconded by Alderman Pottie that, as recommended by the Works Committee, Tender #91-08, Clovis Avenue - New Paving & Storm Sewer (Circle Drive to Williams Lake Road) for the project, materials and services listed for the unit prices quoted at a total bid price of \$258,608.00 and a total project cost of \$311,000.00 to be awarded to D. A. Lanthier Construction Limited, the lowest Tender meeting all Tender Criteria with funding being authorized from account number 91351.

Motion carried.

File #50280 - Upgrade of Six (6) City Owned 2300F Novax Controllers for Central Traffic Management System Operation

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 Pottie that, as recommended by the Finance and Executive Committee, authority be granted to have Novax Inc. upgrade six (6) City owned 2300F Novax controllers to work with the Central Traffic Management System Operation at a total cost of \$21,314.40 with funding being available in account # 125308 titled Traffic Light Electrical Supply.

Motion carried.

File #1848 - Supply of Ten (10) Two Channel Loop Detectors, Twenty-One (21) Four Channel Detectors and Nineteen (19) Actuation Packages with DIFU Card for Engineering & Works, Traffic Division

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

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MOVED by Alderman Grant, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, authority be granted to purchase the entire system from Novax Industries Corp. at a cost of \$26,026.53 with funding being available in account 26110.0133.01510 titled Special Equipment - Traffic Improvements - Traffic Signal Loop Detectors.

Motion carried.

The meeting adjourned at 10:47 p.m.

HIS WORSHIP MAYOR WALLACE  
DEPUTY MAYOR O'MALLEY  
CHAIRMEN

/sm

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**HALIFAX CITY COUNCIL**  
**MINUTES**

Council Chamber  
Halifax City Hall  
29 August 1991  
8:00 P. M.

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

The meeting opened with His Worship the Mayor and members of City Council, led by Alderman Ron Hanson, joining in the recitation of the Lord's Prayer.

His Worship made reference to the recent passing of Grand Chief Donald Marshall, Sr. and, on behalf of Halifax City Council, extended sympathy to members of the Marshall family and to the Micmac people.

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

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

**Swearing-In Ceremony: Constable Stephen Cooper**

Police Recruit Stephen Cooper was escorted into the Council Chamber by Inspector Lowell Meisner of the Human Resources Division, Halifax Police Department, where he was administered the Oath of Office by His Worship Mayor Wallace.

Constable Cooper was subsequently presented with his badge and officially welcomed as a member of the Halifax Police Department by Deputy Chief Charles Cuthbert.

**Presentation of Scroll - Gottingen Street Merchants Association Fastball Team**

Alderman Downey advised that members of the Gottingen Street Merchants Association Fastball Team (winners of the 1991 Nova Scotia Intermediate "A" Senior Men's Fastball Championship) had not been able to attend this evening's meeting due to other commitments. He added, however, that alternate arrangements for the presentation

to the team of a City scroll would be made in the near future.

**MINUTES**

Minutes of a Special Meeting of Halifax City Council, held on Wednesday, 17 July 1991, and of a regular meeting, held on Thursday, 25 July, were approved as circulated on a motion by Deputy Mayor O'Malley, seconded by Alderman Pottie.

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

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

- 20.1 Price Agreement #911388 - Interior and Exterior Paints
- 20.2 Award of Tender #91-125: Emergency Replacement - Chiller Unit (Devonshire Center)
- 20.3 Award of Tender #91-123: Police Station Renovations - Female Accommodations
- 20.4 Tipping Fees (Deputy Mayor O'Malley)
- 20.5 Civic Hospital
- 20.6 Education Selection Committee
- 20.7 Case No. 4580: Prince George Hotel Expansion, 1725 Market Street

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

- 20.8 Early Lay-Offs - Local 108

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

- 20.9 Recent Court Decision - Provincial Foods
- 20.10 Dennis Building

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

- 20.11 Wheelchair Athletes - Commons  
Accessibility
- 20.12 Development - Hollis Street between  
Morris and South Streets

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

- 20.13 Fire Damage - Heritage Buildings:  
Barrington and Argyle Streets

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

#### Letter of Congratulation

On the recommendation of Alderman Grant, it was agreed that a letter of congratulation, on behalf of His Worship Mayor Wallace and members of Halifax City Council, would be forwarded to the Glace Bay Little League Baseball team for winning the Canadian trophy as well as for placing fourth in the World Championships.

#### ADDED ITEMS

#### Case No. 4580: Prince George Hotel Expansion, 1725 Market Street

At Alderman Downey's request, it was agreed that the above matter would be dealt with at this point in the meeting's agenda.

A staff report, dated 28 August 1991, was  
submitted.

Mr. Paul Dunphy of the Development and Planning  
Department responded to questions from members of Council.

Alderman Pottie expressed concern that the staff  
report on this matter had only been distributed to Council  
at the commencement of tonight's meeting. The Alderman  
went on to emphasize that, in circumstances such as this,  
it is extremely difficult for members to make informed  
decisions, and strongly urged that, in future, staff make  
every effort to circulate their reports well in advance of

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scheduled meetings. In this same context, Alderman Pottie pointed out that, more appropriately, reports of this nature should be first forwarded to Committee of the Whole Council for debate, and then referred to Council for a final decision. He therefore expressed the hope that in future staff would take better care to move their reports through the proper channels.

After some further discussion, it was moved by Alderman Downey, seconded by Alderman Jeffrey that Council endorse staff's recommendation; namely, that because the proposed addition to the Prince George Hotel at 1725 Market Street constitutes a minor change to the building and is in conformance with approved plans, permits be issued for construction.

The motion was put and passed.

#### DEFERRED ITEMS

##### Case No. 6296: Rezoning - 2614-24 Windsor Street

A public hearing to consider this matter had been held on Wednesday, 21 August 1991.

Alderman Meagher addressed the matter and, on behalf of neighborhood residents, expressed his concern regarding the negative implications the proposed rezoning from R-3 to C-2A will have for the Windsor Street area.

In his remarks, the Alderman made specific reference to the amount of lot coverage which would be permitted under the proposed C-2A zoning (100 percent), emphasizing that this would undoubtedly result in parking and delivery problems for the neighborhood.

Alderman Meagher went on to point out that the property in question is part of the Peninsula North Detailed Planning Area, adding that while Council had previously approved a rezoning to "minor commercial," this decision had been overturned by the Minister of Municipal Affairs. He reminded Council that a decision had subsequently been made to divide the Peninsula North planning area into smaller components, but that a recommendation pertaining to this particular neighborhood had not yet been finalized. In this same context, Alderman Meagher noted that the City's Municipal Development Plan requires that "minor commercial" uses be situated on principal streets, adding that Windsor Street does not meet that requirement.

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In closing, Alderman Meagher expressed concern regarding the expansion of commercial uses on Windsor Street, and its impact on abutting residential owners, many of whom have invested considerably in the maintenance and upgrading of their properties.

It was subsequently moved by Alderman Meagher, seconded by Alderman Fitzgerald that 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) be denied by City Council.

The City Clerk advised that Alderman Ducharme had not been present during the 21 August public hearing and was therefore ineligible to vote.

Alderman Stone, while concurring with Alderman Meagher's concerns regarding the increase in commercial uses in the Windsor Street area, pointed out that, should the motion currently before Council be approved, the property in question will continue as an illegal use. The Alderman indicated that, under the circumstances, he sympathized with the applicant and asked for advice from staff as to whether the motion could be amended to allow for a rezoning to C-1.

The Acting City Solicitor responded that a second public hearing would be necessary, should Council wish to consider this rezoning option.

After some discussion, the motion was put and passed with Alderman Ducharme abstaining from the vote.

### Financial Status of the City

This matter had last been discussed during a regular meeting of City Council held on Thursday, 25 July 1991, at which time Deputy Mayor O'Malley had requested information in the form of a staff report.

An Information Report, dated 12 August 1991, was submitted.

Referring to the 12 August Information Report, Deputy Mayor O'Malley noted that the City's reserve fund now totals approximately \$34 million, and asked for further information from the Director of Finance as to the various accounts to which these reserves have been allocated and the specifics of the amounts so allocated.

On another but related matter, the Deputy Mayor made reference to the interest revenue budget of

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approximately \$7.7 million, and requested further information as to (1) how much of that \$7.7 million will be related to the reserve fund; and (2) how much of that amount will be generated by the cash flow fund. Again with regard to this interest revenue budget, the Deputy Mayor asked to be advised as to how much of that amount is intended to become part of the reserve fund at the end of the year (and added to the existing \$34 million), and also whether the City has reserve funds other than this \$34 million.

In closing, Deputy Mayor O'Malley emphasized that she has not yet received a response to her request for information (made during the 25 July meeting of Council) with regard to possible surpluses resulting from the enactment of the Provincial Wage Restraint Bill.

It was subsequently moved by Deputy Mayor O'Malley, seconded by Alderman Fitzgerald that this matter be placed on the agenda of the next regular meeting of the Committee of the Whole Council (scheduled for WEDNESDAY, 4 SEPTEMBER 1991), pending receipt of a supplementary staff report.

The motion was put and passed.

#### PETITIONS AND DELEGATIONS

Petition Alderman Stone Re:  
Hazardous Driving Condition - Ashburn Avenue

Alderman Stone submitted a petition (on behalf of Alderman Flynn) containing the signatures of approximately 42 residents of Ashburn Avenue, who are requesting the installation of a four-way stop sign at the corner of Ashburn Avenue and Abbot Drive.

The Alderman requested that a copy of this petition be forwarded to the appropriate staff members for consideration and report.

#### REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 21 August 1991:

#### Farmers Market

This matter had been forwarded to Council without recommendation from the 21 August regular meeting of the

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Finance and Executive Committee, pending receipt of further information from staff.

A supplementary staff report, dated 26 August 1991, was submitted.

After some discussion, the following motion was proposed by Alderman Fitzgerald:

- 1) that the City agree in principle to the hiring of a Market Manager to perform the tasks identified in the marketing plan prepared by Deloitte & Touche;
- 2) that the City agree to cost-share 20 percent (or a maximum of \$4,400) for a three-year development period, subject to Agriculture Canada, the Farmers' Market Association, Norpen Realty, and the County of Halifax contributing the same share; and
- 3) that the Association approach the County to confirm this cost-sharing arrangement.

Reiterating remarks made during the 21 August Finance and Executive Committee meeting, Alderman Pottie emphasized that, while he fully supported the concept of a Farmers Market for the City of Halifax, he continued to be strongly opposed to the proposal to use funds (over and above what had already been approved for the Market in the City's annual budget) in order to hire staff. In this context, the Alderman asked for advice from the Acting City Solicitor as to whether the provisions of the City Charter prohibited the use of such funds for the employment of personnel.

Responding to the Alderman's question, Mr. Allen advised that the City Charter does not specify how such grants by City Council are to be used.

Alderman Ducharme pointed out that, despite the origin of its vendors, the Farmers Market primarily benefits the residents of Halifax. Under the circumstances, therefore, she suggested that Council owes the Association its full support, particularly with regard to the additional funding currently being requested. In this context, Alderman Ducharme strongly recommended that Alderman Fitzgerald consider revising his proposal to render it more "non-conditional" in nature. She further suggested that a letter be sent on behalf of Halifax City Council to Halifax County requesting their financial support for this project.

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It was subsequently moved by Alderman Fitzgerald,  
seconded by Alderman Holland that:

- 1) the City agree in principle to the hiring of a Market Manager to perform the tasks identified in the marketing plan prepared by Deloitte & Touche;
- 2) the City agree to cost-share 20 percent (or a maximum of \$4,400); and that
- 3) in the spirit of regional cooperation, a letter on behalf of Halifax City Council be forwarded to the County of Halifax, encouraging their financial support of this joint venture.

Mr. Simpson McLeod, Supervisor of the City's Real Estate Division, addressed Council to clarify the staff recommendation on this matter; namely, that the City agree to pay only 20 percent (\$4,400) of the total amount requested by the Association, with the remaining 80 percent being equally shared among Agriculture Canada, the Farmers Market Association, Norpen Realty, and the County of Halifax.

On another matter, Mr. McLeod made reference to staff's assertion that "about 23 percent [of the vendors] live in Halifax County," clarifying that the remainder come from other rural areas in the Province outside the County of Halifax.

Alderman Downey, while voicing his general support of the Market and its objectives, made reference to attempts over the last several years to relocate the facility to Gottingen Street. The Alderman went on to express concern that the Vendors Association have consistently opposed this move, and emphasized that, in his opinion, Council should discuss this matter further with the Association before the 1992-3 budget discussions are completed.

Concurring with comments made earlier by Alderman Ducharme, Alderman Fitzgerald emphasized that, because of the contribution made by the Farmers Market to the vibrancy of the City's downtown core and because of its service to Haligonians, the additional funding which Council is presently being asked to approve could not, in his opinion, be considered "exorbitant."

Responding to a question for clarification from Alderman Pottie, His Worship Mayor Wallace indicated that the intent of the motion is to provide additional funding only for the 1991 fiscal year, with no commitment being made for 1992 and 1993.



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

Overdue Residential Taxes

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the application under the sections of the Assessment Act which provide Council with the capacity to cancel taxes due under situation of extreme poverty, be referred to staff for appropriate consideration and report.

Motion carried.

9:15 p.m. - His Worship Mayor Wallace retires from the meeting, with Deputy Mayor O'Malley assuming the Chair.

Boundaries Report - Union of Nova Scotia Municipalities - TO BE TABLED

MOVED by Alderman Ducharme, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council familiarize themselves with the recommendations of the report and table the report.

The motion was put and passed.

Disposition of the Riverview School

Referring to comments made during the 21 August meeting of the Finance and Executive Committee, Alderman Grant advised that he is still in the process of attempting to arrange a convenient time for the parties interested in the Riverview School to address Council in this regard. He indicated, however, that it appears doubtful that these arrangements could be finalized in time for either the 4 September or the 16 September Committee of the Whole dates.

Alderman Grant made reference to his earlier request that the a contract concerning the use of the former Ida Mae Marriott School (IMMS) be re-distributed to members of Council, and asked that staff consider whether a contract of this nature could be adapted to fit the circumstances of the Riverview School. In this context, however, he pointed out that while the terms for the IMMS pertain to a lease of 40 years, those interested in the Riverview facility are seeking a lease of only 10 years. While suggesting that the rental rate should be negotiable, the Alderman stated that presumably the Children's Centre would have no difficulty in agreeing to pay all taxes,

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rates, local improvement charges, abutters' charges, etc., as was the case with the IMMS.

Alderman Grant emphasized that the Children's Centre is extremely interested in undertaking responsibility for the Riverview School facility, adding that, should a contract with the City be approved, they be given the right of first refusal with regard to the purchase of the site.

In closing, Alderman Grant suggested that staff review the IMMS contract with a view to adapting it to the Riverview School situation, and, if possible, to discuss the matter with the Children's Centre.

It was subsequently moved by Alderman Grant, seconded by Alderman Meagher that the matter be deferred, pending final arrangements for a presentation to Council by those parties interested in the rental of the former Riverview School.

Alderman Grant reiterated that he hoped to complete these arrangements shortly.

The motion to defer was put and passed.

Expropriation Settlement: 465-469 Herring Cove Road

MOVED by Alderman Grant, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the expropriation of Parcels H-158, Plan TT-41-29896 and H-131, Plan TT-37-28575 be settled with Mr. and Mrs. Joseph Arab for \$24,350 as settlement in full (funds to be made available from Account No. CJ012, the Herring Cove Road widening account).

The motion was put and passed.

Acquisition of Parcel "A" - 11A Parkhill Road

MOVED by Alderman Hanson, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, Parcel "A", Plan P-200-18319, be acquired from Robert and Catherine Paul for \$3,900 (funds to be made available from Account Number CK019, the Sundry Land Acquisition Account).

The motion was put and passed.

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Acquisition of Civic No. 6273-75 Young Street

This matter had been forwarded to Council without recommendation from the 21 August meeting of the Finance and Executive Committee, pending receipt of additional information from staff.

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

Reiterating remarks made during the 21 August meeting, Alderman Pottie expressed his very deep concern over the discrepancy between the assessed value of the property at 6273-75 Young Street and the amount which Council is being asked to pay for its acquisition. He went on to emphasize that, while he supported plans to align Bayers Road, he did not agree that the alignment must necessarily take place at the Young Street juncture nor that the City should expend these monies at a time of fiscal restraint, particularly given the fact that the actual construction cannot take place for several years. In this context, the Alderman pointed out that, in his opinion, a more appropriation approach to this problem would be to effect the alignment on the Windsor Park lands, as they become available through the Department of National Defense.

It was therefore moved by Alderman Pottie, seconded by Alderman Meagher that the City of Halifax not acquire Civic No. 6273-75 Young Street at this time.

While concurring with Alderman Pottie's concerns with regard to the expense involved, Alderman Fitzgerald pointed out that the recommendation pertaining to the alignment of Bayers Road is of some long standing, most recently being brought forward by the City's Task Force on Traffic. The Alderman went on to suggest that, if Council decides to approve the motion presently before it (thereby postponing the Bayers Road alignment still further), it should take action to expedite those major improvements to the street network for which cost-sharing is available.

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

Atlantic Municipal Purchasing Association  
(ANPA) and Cooperative Purchasing

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council support the approach (as outlined in the 3 July 1991 staff report) to reduce costs

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and to develop local vendors to supply the City's material needs.

The motion was put and passed.

#### Award of Tenders

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council ratify the Award of Tender #91-35 to Dexter Construction Co. Ltd. for the unit prices quoted to a maximum of \$300,000.00; and that Council also ratify the additional expenditures under Section 201(1) of the City Charter for the Halifax Water Commission works as outlined in the report dated 15 August 1991.

The motion was put and passed.

#### Sewer and Water Installation - Wenlock Grove

MOVED by Alderman Hanson, seconded by Alderman Grant that, as recommended by the Finance and Executive Committee, City Council:

1. authorize staff to engage CBCL Limited to complete the Groundwater and Storm Drainage Study at an estimated cost of \$12,000.00, and
2. authorize funds from Capital Account #94102 in the amount of \$12,000.00.

The motion was put and passed.

#### Northcliffe Tennis Court

This matter had been forwarded to City Council without recommendation, pending receipt of further information from staff.

Information Reports, dated 26 August and 28 August 1991, were submitted.

On the recommendation of the Acting City Manager, it was agreed that this matter would be deferred to the next regular meeting of Committee of the Whole Council (scheduled for WEDNESDAY, 4 SEPTEMBER 1991) at which time a staff presentation will be provided.

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Discussion Paper Concerning the  
Business Occupancy Tax

Following is the recommendation forwarded from the 21 August meeting of the Finance and Executive Committee:

That staff make a presentation to the U.N.S.M. regarding the Business Occupancy Tax; and further, that this matter be approved as in City Council.

After some discussion and questioning of the Acting City Manager, it was moved by Alderman Fitzgerald, seconded by Alderman Stone that a staff presentation on this matter be made at the next regular meeting of Committee of the Whole Council (scheduled for WEDNESDAY, 4 SEPTEMBER 1991).

The motion to defer was put and passed.

REPORT - COMMITTEE ON WORKS

City Council considered the report of the Committee on Works from its meeting held on 21 August 1991 as follows:

Request for Four-Way Stop Sign -  
Harvard/Allan Streets

Two information reports each dated 29 August 1991 were submitted.

Alderman Meagher addressed the matter and submitted a letter dated 22 August 1991 from Mr. Peter Coutts, 6220 Allan Street, concerning the traffic situation on Allan Street. The Alderman asked that this letter be circulated to all members of Council.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be deferred to the next Committee of the Whole Council meeting scheduled for 4 September 1991 for a full discussion and that the City's Traffic Authority along with a representative of the Halifax Police Department be in attendance.

Motion passed.

This item was raised again later in the meeting during "Question Period".

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Traffic - Cunard Street, Windsor  
Street, Compton Avenue

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be deferred to the next Committee of the Whole Council meeting scheduled for 4 September 1991, and that the City's Traffic Authority and a representative of the Halifax Police Department be in attendance in order to respond to the concerns outlined during the Committee of the Whole Council meeting on 21 August 1991.

Motion passed.

Road Across Central Commons (Grand Prix)

An information report dated 23 August 1991 was submitted. A copy of the Grand Prix License and Agreement 1991 was also submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Committee on Works, Council reaffirm that any changes made to the Halifax Commons to accommodate the Grand Prix be removed and that the Halifax Commons be restored to its original state as soon as possible following the race.

Alderman Grant addressed the matter and, reiterating his comments made at the last Committee of the Whole Council meeting, suggested that perhaps this small patch of asphalt could be used for recreational purposes (i.e. hopscotch, ground hockey, basketball) now that it has been established. The Alderman asked that the Recreation comment in this regard.

At approximately 9:50 p.m. His Worship Mayor Wallace returned to the meeting with Deputy Mayor O'Malley taking her usual seat in Council.

Responding to Alderman Grant's suggestion, His Worship Mayor Wallace commented that any suggestion that the asphalt remain sends "shivers" throughout the whole City.

A discussion followed and His Worship reiterated the points he read and submitted at the last Committee of the Whole Council meeting regarding the asphalt roadway through a section of the Halifax Commons near the Willow Tree (a copy of which is contained in the official file for this meeting).

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After a short discussion, Alderman Holland indicated that he wished to deal with the item 20.11 "Wheelchair Athletes - Commons Accessibility" at this time - which he had added to the agenda at the beginning of the meeting. Alderman Holland noted that there is no facility on the Commons for wheelchair persons. He suggested that this matter should be considered.

In closing the debate, Alderman Grant reiterated his request that the Recreation Department report on what recreational uses a piece of asphalt the size of the piece in question could be used for.

Motion passed.

Legislation Protecting the Halifax Commons  
and  
Design Study for the Halifax Commons

The above two items were dealt with at this time simultaneously.

An information report dated 22 August 1991 was submitted.

His Worship Mayor Wallace addressed the items and reiterated his comments as read and submitted at the last Committee of the Whole Council meeting with respect to legislation protecting the Halifax Commons, and a design study for the Halifax Commons (copies of which are included in the official file of this meeting). His Worship advised that members of Council give suggestions to City staff from time to time as to what should be considered in the design study. For example, Mayor Wallace noted that Alderman Fitzgerald had suggested that the wading pool be converted to a spray pool or eliminated and replaced with landscaping.

Alderman Fitzgerald indicated that he agreed that the design study should be carried out with public input before developing the legislation to protect the Commons. He suggested that this was the direction staff should be given.

Alderman Grant suggested that general commons legislation should be considered during the development of the design study and the legislation. He went on to reiterate his comments made at the last Committee of the Whole Council meeting with respect to closing Sackville Street between Summer and South Park Streets so that the Wanderers Grounds and the Public Gardens could be united. Secondly, Alderman Grant reiterated his suggestion at the Committee of the Whole Council meeting with respect to

negotiating a transfer of land with the Province for the Victoria General Parking lot.

MOVED by Alderman Grant, seconded by Alderman Fitzgerald that:

- (1) firstly, City staff undertake a Design Study for the Halifax Commons and bring to City Council practical, no-nonsense recommendations for an improved physical lay-out, and a plan for the realignment of recreational uses, such recommendations being cognizant of our present economic environment; and, upon completion of the Design Study,
- (2) staff prepare a report for City Council on legislation that would protect the geographical integrity of the existing Halifax Commons and guarantee no future erosions;  
  
staff recommend a policy for the recapture of certain areas formerly part of the Halifax Commons that may become available in the future;  
  
similar legislation be considered for the Mainland North Common; and
- (3) staff provide a complete history on the development of the Commons.

Motion passed.

**Report of the Task Force on City Traffic - Proposed MDP Amendments**

MOVED by Alderman Ducharme, seconded by Alderman Jeffrey that, as recommended by the Committee on Works, the adoption of the roadway classification system as determined by the Task Force on City Traffic and the relevant required amendments to the Municipal Development Plan to incorporate this roadway classification as the Principal Street system be referred to the Planning Advisory Committee for public meeting.

Noting that the roadway classification was the first step, Alderman Fitzgerald questioned when the arterial and collector streets, where improvements have been suggested, might be dealt with.

In response to Alderman Fitzgerald's question, the Chairman suggested that staff would be bringing forth information.



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Alderman Meagher indicated that it was his hope that the problems in the old part of the City with respect to speeding would be addressed as soon as possible.

Alderman Grant questioned, with respect to the roadway classification, whether it was staff's intention to set minimum width standards and whether they are going to set a priority of getting them done based on traffic volumes. The Alderman asked for a staff report in this regard. Alderman Grant expressed particular concern with respect to Rockingstone Road and suggested if it was to become a collector road that it would have to be made wider.

Motion passed.

#### REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on 21 August 1991 as follows:

#### Fairview Trailer Park - Fire Hydrants

An information report dated 27 August 1991 from Kenneth E. Hartlen, Acting Fire Chief, was submitted.

MOVED by Alderman Ducharme, seconded by Alderman Jeffrey that this matter be deferred to the Committee of the Whole Council meeting scheduled for Monday, 16 September 1991 pending receipt of a full report from the Halifax Fire Department on the lack of fire hydrants in the Fairview Trailer Park.

Alderman Ducharme asked that staff, in preparing the report, consider the streets in the local area, the hydrants that exist, and the need for any new hydrants on City property in order that the trailer park would be serviced adequately in the case of a fire

Alderman Jeffrey noted that a petition had been submitted containing approximately 69 signatures of residents requesting fire hydrants in the Fairview Trailer Park. The Alderman went on to express concern about the lack of adequate fire hydrants in this trailer park and concern that a trailer completely burnt in the trailer park a few weeks ago.

The motion was put and passed.

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

Recommendation Re: Population and Housing Report

MOVED by Alderman Downey, seconded by Alderman  
Fitzgerald that:

- (1) Council be requested to direct staff to examine and report on the possible ways in which the City can attempt to influence the trends as identified in the report entitled "Population and Housing" (June 1991);
- (2) that discussion be initiated with the residential development industry to help define practical barriers to residential development especially as it pertains to the Peninsula, and to formulate specific initiatives; and that
- (3) a list of possible sites for high-density residential development be provided at staff's earliest opportunity.

Alderman Grant made reference to the second phase development of the Kidstone Estates subdivision, Case 5896, noting that it has been ongoing for a number of years. He went on to advise that staff has advised, in their report of 16 May 1991, that the Department of Housing are still considering this application and will advise when to proceed. Alderman Grant asked that His Worship Mayor Wallace write to the Minister of Housing and question when they intend to proceed with this development. He suggested that the City should actively pursue this with the Housing Commission to have the second phase approved and the Chairman indicated that he would pursue the matter.

Alderman Ducharme noted that, following Wednesday's presentation at the Committee of the Whole Council meeting, a number of developers had spoken to her and indicated that perhaps when an item such as this is being discussed by Council, it would be appropriate to inform the Building Society, the Construction Associations, etc., so that they may be present and be well informed of the report. She asked that staff keep this in mind when they are further discussing the report.

The motion was put and passed.

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Ordinance 149, the Petty Trades Ordinance -  
(Sidewalk Vendors) SECOND READING

FIRST READING on this matter was given at the 25 July 1991 City Council meeting.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that the proposed amendments to Ordinance #149, the Petty Trades Ordinance, as attached to Schedule "A" of the report from the City Solicitor dated 16 July 1991, be given SECOND READING.

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its last regular meeting held on Wednesday, 21 August 1991, as follows:

Request for Bill Poster's License -  
Moosehead Breweries Limited

MOVED by Alderman Pottie, seconded by Alderman Stone that, as recommended by the City Planning Committee, Council approve the action of staff not to issue the permit for a billboard at 1575 Argyle Street as proposed by Moosehead Breweries Limited.

Motion passed.

Case No. 6361: Substantial Alteration of a Registered  
Heritage Property and Minor Variance Appeal -  
1124 Robie Street

MOVED by Alderman Holland, seconded by Alderman Pottie that this matter be deferred until such time as the appeal of minor variance with respect to this item has been dealt with.

Motion passed.

Blue Mountain Quarry

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the City Planning Committee, with respect to the Environmental Assessment Report of the Blue Mountain quarry Proposal, staff prepare

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a report and present it to the Provincial Department of the Environment by 13 September 1991; and that representation be made by the City at the public hearings on this matter to be held in Bedford at the end of September 1991.

Motion carried.

### Police Club Property

An information report dated 29 August 1991 was submitted along with photographs.

Alderman Holland addressed the matter and advised that he had received numerous telephone calls concerning this property. He noted that over the last couple of weeks there have been hundreds of truck loads of fill dumped into the shoreline of the Northwest Arm. The Alderman pointed out that the south side of the property has been extended by 45 feet from what was stone.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that staff be requested to determine what exactly is occurring which allows the infilling of the property in question to the extent that has taken place.

The Acting City Manager noted that a staff report had just been circulated this evening on the matter, but advised that they would review whether there is anything further that should be done.

Alderman Holland indicated that the report did not deal with the business of the southern boundary.

Alderman Fitzgerald expressed concern that the persons involved extended the stone an additional 10 to 12 feet intentionally. He further expressed the concern that the Port Corporation allowed this to happen. Alderman Fitzgerald questioned whether all property owners are permitted to extend their properties another 10 to 12 feet because the Coast Guard and Port Corporation have no problem with such a proposal.

The motion was put and passed.

QUESTIONS

Question Alderman Fitzgerald Re: Women's Prison

Alderman Fitzgerald questioned the status of the City's presentation on accepting or gaining the Women's Prison in the Metropolitan area.

His Worship Mayor Wallace advised that the City has made a presentation and has been asked to identify available lands that would be suitable. Mayor Wallace noted that this list will be sent to the Solicitor General.

Question Alderman Fitzgerald Re: Loop Detectors

Alderman Fitzgerald questioned the status of the loop detectors for traffic control in the City.

Question Alderman Fitzgerald Re: Public Gardens Study

Alderman Fitzgerald questioned what progress was being made with respect to the Public Gardens Study.

Question Alderman Fitzgerald Re: Director of Recreation

Alderman Fitzgerald asked for an update report with respect to the appointment of a Director of Recreation.

Question Alderman Fitzgerald Re: Brenhold Development

Alderman Fitzgerald asked for a report on the status of the Brenhold Development.

Question Alderman Jeffrey Re: Paraplegic Parking  
around the Halifax Commons

Alderman Jeffrey asked for a staff report pertaining to paraplegic parking around the Halifax Commons.

Question Alderman Jeffrey Re: Buffer Zone - Rosedale Avenue

Referring to the top of Rosedale Avenue above Gesner Street, Alderman Jeffrey advised that there is a deadend street at this location where storm sewers were installed. He went on to advise that the residents were told when the cul-de-sac was put there that there would be

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a buffer zone between the homes and Dunbrack Street. The Alderman advised that this has not been done and that there is a steel barricade which is not complete. Alderman Jeffrey explained that there are trucks cutting over the curb and onto some properties onto Dunbrack Street. He asked that staff address the matter and ensure that vehicles cannot cut across, and that trees be planted in the area to serve as a buffer zone.

Question Alderman Jeffrey Re: Accidents -  
Corner of Alex Street and Rosedale Avenue

Alderman Jeffrey asked that the Traffic Authority provide him with a report on the number of accidents that have occurred over the last four or five years at the corner of Alex Street and Rosedale Avenue.

Question Alderman Jeffrey Re: Four-Way Stop Sign -  
Corner of Birch Street and Rufus Avenue

Alderman Jeffrey referred to the four-way stop sign at the corner of Birch Street and Rufus Avenue. He advised that he had received a number of telephone calls from residents very upset about vehicles not stopping at this intersection. The Alderman asked that the Halifax Police Department investigate the situation and police the area to make sure that vehicles do stop at this intersection.

Alderman Jeffrey also advised that truck traffic has become very heavy on Birch Street. The Alderman asked that staff investigate the matter to determine if a trend is developing of trucks travelling through Adelaide Avenue and Coronation Avenue and cutting up to Willett Street.

Question Alderman Stone Re: Traffic Lights -  
Dunbrack Street

Alderman Stone noted that there were traffic lights on Dunbrack Street at three intersections. The Alderman commented that he was pleased that the standards have been established. However, he advised that it was his understanding that the controllers have been ordered but have not arrived to date. Alderman Stone indicated that he would like to know from staff when these controllers are expected to be received, installed and operational at all three intersections.

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Question Alderman Stone Re: Mainland Linear Park

Alderman Stone advised that problems still exist with respect to motorized vehicles using the stretch of land (Mainland Linear Park) which extends from Mainland Avenue to Kearney Lake. He noted that while staff have blocked some of the exits, cars and motor vehicles are still entering this area. Alderman Stone asked that staff investigate the possibility of erecting signs at this location indicating "Motor Vehicles Prohibited" or establishing a barricade (i.e. large rocks) half way up the Park.

Question Alderman Stone Re: Basketball Facilities - Grosvenor Park

Alderman Stone advised that at the 27 June 1991 City Council meeting he had presented two petitions from the neighbourhood residents expressing concern about the basketball facilities in Grosvenor Park. The Alderman advised that he was still awaiting a report from staff on how this situation could be resolved.

Question Deputy Mayor O'Malley Re: Alexander MacKay School

Deputy Mayor O'Malley questioned whether or not the Alexander MacKay School has been declared surplus by the Halifax District School Board and, if it has, has the City taken any steps to acquire the School. She advised that it was her understanding that, under the new School Board Act, a property such as this surplus school would become the property of the elected School Board.

The Acting City Manager advised that he was not aware of this school being declared surplus, but advised that staff will formally reply to the Deputy Mayor on the matter. Regarding the aspect of property becoming the property of the elected school board when declared surplus, Mr. Smith advised that it was his recollection that that was part of Bill 147 that was not approved but was not part of Bill 200 which was approved. He indicated that he would investigate this matter and that it would be part of the City's brief which will be presented to the Education Select Committee.

Deputy Mayor O'Malley advised that the Alexander MacKay School is very old and has a tremendous amount of history. She suggested that perhaps this school should be reviewed by the Heritage Advisory Committee as a possible heritage building.

Question Deputy Mayor O'Malley Re: Budget Submissions

Deputy Mayor O'Malley inquired whether the deadline for budget submissions from the Alderman could be extended from the end of August to September 15th.

The Acting City Manager advised that staff like to receive submissions as early as possible but advised that late submissions could probably be considered.

Question Alderman Downey Re: Overhead Crosswalk Signs

Alderman Downey advised that last February Council had approved three overhead crosswalk signs for Gottingen Street at Charles, Uniacke, and Gerrish Streets. The Alderman questioned the status of the installation of these overhead crosswalk signs noting the importance of having these installed as soon as possible.

Alderman Downey also questioned the status of the installation of the traffic lights at the corner of Cornwallis and Brunswick Streets.

Question Alderman Downey Re: CN Intermodal Terminal

Alderman Downey referred to an information report dated 27 August 1991 with respect to the CN Intermodal Proposal. He noted that the report states that Canadian National has now advised that they no longer require the property under the Seaview Park entrance road. Alderman Downey pointed out that the June staff report on the matter dealt with the access road through the Park. He went on to note that the August 27th information report indicates that permits will be issued for the terminal upon application without coming to Council. The Alderman advised that he was surprised to receive this report prior to the public meeting on the CN Intermodal Terminal which is scheduled for September 10th, and questioned the need for the meeting.

Mr. Richard J. Matthews, Director of Development and Planning, addressed Council and clarified that the terminal itself is a harbour related use in the Harbour Related Zone which makes it an as of right use. He explained that CN have shortened the terminal so that they no longer need to close the access road to Seaview Park. Therefore he advised that there really is no more issue with respect to access to Seaview Park because they will not require that roadway. He further commented that he was not really in a position to say whether the public meeting was still required.



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Responding to a question from Alderman Downey, Mr. Bill Sullivan, Chief Engineer, informed that the provincial study was due within the next week to ten days.

After a short discussion, the Chairman suggested that staff would collect any information forthcoming from the Province and subsequently provide a complete update to Council. His Worship noted that possibly the matter could be placed on the next Committee of the Whole Council agenda scheduled for 4 September 1991 if necessary.

Question Alderman Hanson Re: Deadline for  
Capital Budget Submissions

Referring to the question raised earlier by the Deputy Mayor with respect to an extension for budget submissions, Alderman Hanson indicated that he agreed an extension was needed with respect to capital budget submissions and that the deadline of September 15th would be appropriate.

Question Alderman Hanson Re: Public Pathway between  
Towerview Drive and Seaview Avenue

Alderman Hanson advised that the public pathway between Towerview Drive and Seaview Avenue needs repair. He advised that a chainlink fence is associated with the property and that a possible hazard exists.

Question Alderman Holland Re: Truck Deliveries

Alderman Holland referred to a telephone call he had received last Tuesday morning at 5:00 a.m. from a resident expressing concern that there were deliveries being made by one of the companies delivering oxygen to the hospitals. He explained that a lot of noise occurs as a result of these deliveries during the night and questioned what could be done to see that deliveries of this type do not take place in the middle of the night.

Alderman Holland indicated that the same problem exists when trucks go down to the Grain Elevators during the night. The Alderman asked that staff investigate the matter to determine what could be done so that deliveries do not take place at unreasonable hours.

CITY COUNCIL  
29 AUGUST 1991

Question Alderman Meagher Re: Speeding

Alderman Meagher expressed concern that over the last year or two there appears to be a loss of control over speeding in the City of Halifax. The Alderman questioned if there was anything that could be done to have the 50 kilometer per hour speed limit reinstated.

Question Alderman Meagher Re: Enforcement of Stop Signs

Alderman Meagher expressed concern about the lack of enforcement of stop signs and asked that the Halifax Police Department monitor the situation and enforce the law.

Question Alderman Meagher Re: Lot Modification -  
2134 Robie Street

Alderman Meagher advised that last Spring the City had rejected a modification at 2134 Robie Street where the owner had built at the back of his property. The Alderman noted that the matter was again before staff who are presently preparing a report.

Alderman Meagher indicated that he would like to know from Building Inspection the procedure with respect to minor variances, i.e. when someone has done something that required a minor variance approval, how long does it take before staff notifies the person and how long does it take staff to proceed with court action if the person refuses to follow the correct procedure.

Question Alderman Meagher Re: Four-Way Stop Sign -  
Harvard/Allan Streets

Alderman Meagher referred to the information report dated 29 August 1991 indicating that it was impossible for staff to complete a report on the Harvard/Allan Street area prior to the 4 September 1991 Committee of the Whole Council meeting. He noted that staff have indicated that the report would be ready for the following Committee of the Whole Council meeting.

Alderman Meagher advised that he would still like to have this item remain on the agenda for the September 4th Committee of the Whole Council meeting in order for the neighbours in the area to receive an update on the situation from the City's Traffic Authority.