

**HALIFAX CITY COUNCIL
MINUTES**

Council Chamber
Halifax City Hall
26 September 1991
8:00 p.m.

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

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

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

ALSO PRESENT: Mr. P. Connell, Acting City Manager; Mr. W. Anstey, City Solicitor; Mr. E. Kerr, City Clerk; and other members of City staff.

MINUTES

Minutes of a Special Meeting of Halifax City Council, held on Wednesday, 4 September 1991, and of a regular meeting held on Thursday, 12 September 1991 were approved on a motion by Deputy Mayor O'Malley, seconded by Alderman Ducharme.

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

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

- 20.1 Award of Tender 91-38: Sewer Rehabilitation Barrington Street
- 20.2 Award of Tender 91-39, Sewer Rehabilitation Commission Street
- 20.3 Recommendation - Tax Concessions and Grants Committee

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

20.4 Springvale Avenue

The City Clerk advised that, at the request of the petitioner, he was proposing to defer 10.8 Petition for Tax Relief Under the Assessment Act to the next regular meeting of the Committee of the Whole, scheduled for Wednesday, 9 October 1991.

Alderman Jeffrey indicated that he was prepared to support a deferral of this item, but he wanted to briefly address the matter and he requested that it be kept on tonight's agenda.

At the request of Alderman Jeffrey, Council
agreed to retain this item on tonight's agenda, with the understanding that it would be deferred to the next regular meeting of the Committee of the Whole, scheduled for Wednesday, 9 October 1991.

Port Activity - Halterm/Ceres

The following information was submitted: a staff report dated 24 September 1991; a supplementary staff report dated 26 September 1991; and a letter dated 26 September 1991 from Mr. Donald H. McDougall, Q.C., on behalf of Halterm Limited and Cerescorp Inc.

The Chairman noted that the item Port Activity - Halterm/Ceres was scheduled to be dealt with at this meeting. He advised that, in light of late information received on the item and due to the critical situation of the Port and the urgency of action required by the City of Halifax, it was suggested that this matter be deferred to a special meeting of Council. The Chairman added that it was suggested that this matter be dealt with separately at a meeting on Monday, 30 September 1991 where staff could submit a full and final report on the matter.

It was agreed that this matter be deferred to a meeting of City Council on Monday, 30 Sept 1991, 4:00 p.m.

The agenda, as amended, was approved on a motion moved by Alderman Fitzgerald, seconded by Alderman Downey.

At 8:15 p.m. Alderman Holland entered the meeting.

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DEFERRED ITEMS

Case No. 6361: Appeal of Minor Variance Approval - 1124 Robie Street

A public hearing into this matter was held on Monday, 16 September 1991.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that the decision of the development officer to grant the minor variance be upheld, and the appeal of the approval be refused.

The City Clerk advised that Aldermen Grant, Ducharme, and Flynn were ineligible to vote owing to their absence from the 16 September 1991 public hearing.

Motion carried with Aldermen Grant, Ducharme, and Flynn abstaining.

Case No 6361: Substantial Alteration of a Registered Heritage Property - 1124 Robie Street (deferred from 29 August 1991 City Council)

At a meeting of City Council on 29 August 1991 a motion was passed to defer this item to such time as the appeal of minor variance with respect to this item was dealt with.

Therefore, with respect to the previous item, this matter was deferred from the 29 August 1991 meeting of City Council to this meeting.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that as recommended by the Heritage Advisory Committee, City Council accept the most recent submission attached to the 11 July 1991 staff report for 1124 Robie Street, a registered heritage property; and support the owner's request for a four foot side yard variance, but requests reconsideration of the extension of the roofline as indicated on the drawings, and that the windows be compatible with those windows that are in existence on the principal (original) facade.

Motion carried.

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

A public hearing on this matter was held on Monday, 16 September 1991.

Alderman Meagher indicated that he was prepared to make a motion approving the item, and in doing so, he would include that any changes to the property be internal and that external changes to the property be limited to the proposed installation of gravel along the back of the property to prevent runoff.

The Chairman advised that the City Solicitor has indicated that the change in the contract requested by Alderman Meagher regarding external changes was permissible.

MOVED by Alderman Meagher, seconded by Deputy Mayor O'Malley that City Council enter into a development agreement with Quackenbush and Thomson Barristers and Solicitors to permit residential and office use of 2571 Windsor Street; and further, that external changes to the property not be permitted, with the exception of the proposed installation of gravel along the back of the property as indicated in a letter to staff dated 16 September 1991.

The City Clerk advised that Aldermen Grant, Ducharme, and Flynn were ineligible to vote owing to their absence from the 16 September 1991 public hearing.

Motion carried with Alderman Grant, Ducharme, and Flynn abstaining.

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

A public hearing into the above matter was held on Monday, 16 September 1991.

MOVED by Alderman Meagher, seconded by Alderman Downey that the application to amend the development agreement respecting 2548-50 Agricola Street, lands of Lee Management Limited, be approved by City Council.

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The City Clerk advised that Aldermen Grant, Ducharme, and Flynn were ineligible to vote owing to their absence from the 16 September 1991 public hearing.

Motion carried with Aldermen Grant, Ducharme, and Flynn abstaining.

Case No. 6264: Development Agreement - 2024-46 Robie Street

A public hearing into the above matter was held on Monday, 16 September 1991.

Alderman Meagher addressed the matter and indicated that he was prepared to support the recommendation of staff with the exception of the property at 2046 Robie Street. The Alderman noted that this was a residential property, approximately 100 years old, and he expressed concern about the possibility of losing another property in an area which was experiencing a trend of diminishing residential properties. He stressed the importance of maintaining the area as residential, noting that the area in question was predominately residential, and in an R-3 zone. The Alderman also noted the importance of retaining buildings such as the one in question, and he pointed out that, even though it wasn't a registered heritage property, it was approximately 100 years old. Alderman Meagher advised that for these reasons he would not be able to support permitting the property at 2046 Robie Street to be used for parking in association with Cruikshank's Funeral Home.

MOVED by Alderman Meagher, seconded by Alderman Holland that City Council recognize Cruikshank's Funeral Home, and existing parking located at 2024, 2028-32, and 2040 Robie Street, and that 2046 be removed from the development agreement approval.

Alderman Holland referred to Alderman Meagher's comments regarding the loss of residential properties and he expressed concern about the decline of residential properties in the Peninsula area of the City. In reference to 2046 Robie Street, Alderman Holland suggested that allowing the demolition of this property to permit a parking lot would not help the situation. In addition to this, he advised that a home around the commons area was unique and this was even more reason why it should not be torn down.

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Alderman Jeffrey indicated that he could not support such a motion. The Alderman advised that it was his view that if the business in question did not have adequate parking for its operation, the City of Halifax could very well lose it to Dartmouth or the county. Alderman Jeffrey stressed the point that the City should do all it can to keep businesses within the City.

Alderman Pottie questioned if there was anything in the Land Use Bylaw that would prevent the owner from removing the building from the property and "greening" the space.

In response to Alderman Pottie's question, Mr. Michael Hanusiack, Planner II, advised that prior to entering into any agreement one could develop the site as-of-right in accordance with the R-3 zone, therefore, the building could be levelled and the appropriate use would be a multiple unit apartment building.

Alderman Pottie noted that even with Alderman Meagher's motion it would not restrict the owner from removing the building at 2046 Robie Street and either leaving it as green space or constructing a multiple unit building. Further to this, Alderman Pottie advised that it was his understanding that the building in question was not in good condition and it was not the intention of the owner to renovate it. He noted that the neighbour next door to the property in question was opposed to the possibility of a vacant lot on this property, and he added that he was not sure that the motion on the floor would accomplish what the neighbour was seeking.

A discussion ensued and Council agreed to divide the motion into two parts as follows:

1. "City Council recognize 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."

The City Clerk advised that Aldermen Grant, Ducharme, and Flynn were ineligible to vote owing to their absence from the 16 September 1991 public hearing.

Motion carried.

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2. "that 2046 Robie Street be removed from the development agreement approval."

In reference to Alderman Pottie's comments, Alderman Stone suggested that it may be beneficial to defer this part of the motion to provide the opportunity to see if a better buffer could be established between the two areas. He added that, as it stands, the property owner of 2046 Robie Street could tear down the building and the next door neighbour would not have the advantage of having the building to act as a buffer between their property and the Cruikshank property.

MOVED by Alderman Stone, seconded by Alderman Pottie that the matter of 2046 Robie Street be deferred to provide an opportunity to review at the suggestion of a wider buffer between the two properties.

The motion to defer was carried.

The Chairman indicated that this matter would be deferred to the next regular meeting of City Council, scheduled for Thursday, 17 October 1991.

PETITIONS

Petition Alderman Stone Re: Langbrae Gardens

Alderman Stone submitted a petition signed by approximately 18 residents in the area of Langbrae Gardens. He advised that although this matter has not come before Council, the developer of the area has indicated to the residents that he wishes to change Phase 11 of the agreement for Langbrae Gardens.

Alderman Stone advised that the developer wishes to change Langbrae Gardens from 32 single dwelling homes, to 14 semi-detached homes, 24 one bedroom apartments, and 96 two bedroom apartments. He indicated that the residents were very concerned about the additional traffic and noise which would be generated with the change, and he noted that many residents purchased their homes in this area because of the peaceful, residential environment that the contractor assured them that they would be living in.

Alderman Stone submitted the petition to the City Clerk.

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Petition Alderman Hanson Re: Development - Melville Ridge

Alderman Hanson submitted a petition signed by approximately 35 residents along the Purcell's Cove Road in relation to the noise and general inconvenience they experience due to the Melville Ridge Development.

Alderman Hanson submitted the petition to the City Clerk.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 16 September 1991 and adjourned meeting of 23 September 1991.

Port Activity - Halterm/Ceres

This matter was discussed previously in the meeting when it was decided to defer this to a meeting of City Council to be held Monday, 30 September 1991 at 4:00 p.m.

Grace Maternity Hospital Campaign

Alderman Fitzgerald advised that at the meeting of the Finance Committee, this matter had been referred to staff for a report. The Alderman noted that a substantial amount of money was being requested over a period of five years or less, and he requested that the staff report be forwarded to the first Committee of the Whole meeting in November.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that this matter be forwarded to the 6 November 1991 meeting of the Committee of the Whole Council, pending a report from staff.

Motion carried.

Interim Location - Carlton Centre Annex

This matter had been forwarded to Council without recommendation.

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A letter dated 20 September 1991 from John Bruce, Executive Director, Gottingen Street Merchants Association was submitted.

Alderman Downey advised that following a meeting with Directors of Correctional Services on Monday, he would be willing to defer this matter to the next regular meeting of the Committee of the Whole. He requested that His Worship forward a letter to the Minister of Correctional Services stating that staff, along with Mr. Taylor and Mr. MacDonald, will meet and discuss possible alternate locations for the halfway house.

Alderman Downey advised that he still believes Gottingen Street was an inappropriate location for the halfway house and he would hope that the City would find an alternate site. The Alderman advised that he received letters from the Executive Director of Gottingen Street Merchants Association and the President of the Gottingen Street Merchants Association stating their disapproval of a Gottingen Street location.

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 9 October 1991, and that, in the interim, His Worship contact the Minister of Correctional Services Canada with respect to developing possible alternate locations for the halfway house.

Motion carried.

His Worship advised that, rather than forwarding a letter, he would contact the Minister by telephone tomorrow about the matter.

Acquisition of Civic No. 20 Withrod Drive

Alderman Hanson advised that at the Finance and Executive Committee meeting held on 23 September 1991, a member of the family involved with this matter made a presentation to Council relating the experience her family was put through over the past number of months when it was learned that the City would acquire her parents property, located at 20 Withrod Drive, due to the City's street widening activity.

Alderman Hanson suggested that, in his view, staff have been as accommodating as possible in regards to

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the request of the property owners. Referring to the health concerns of the individuals in question and noting the fact that they have lived at this location for over 55 years with the intention of spending the rest of their lives there, Alderman Hanson indicated that the individuals in question have been through a very traumatic experience and he felt that their request should receive Council's support.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that:

- i) Civic No. 20 Withrod Drive be acquired from Mr. and Mrs. Claude Fleming Sr. for \$130,000; and the property be serviced and accessed from Withrod Drive;
- ii) that an amount up to an additional \$5,000 be approved for rock excavation if necessary.

The Chairman noted that the access through Withrod Drive would be an easement.

Motion carried.

Pariview Trailer Park - Fire Hydrants

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

An information report dated 23 September 1991 was submitted.

Alderman Ducharme addressed the matter and, referring to the submitted report, indicated she was concerned about some points contained in the report. The Alderman noted that the report advised that standards call for fire hydrants to be approximately 400 feet apart and she pointed out that, in a previous report, it stated that the closest hydrant to some of the trailers was 1,050 feet from the residence. Alderman Ducharme, in referring to a previous fire, noted how quickly the fire had spread through the trailer, and she advised that some residents have told her that since this fire, fire insurance rates have been affected.

Alderman Ducharme advised that she would like staff to consider the feasibility of locating a fire

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the request of the property owners. Referring to the health concerns of the individuals in question and noting the fact that they have lived at this location for over 55 years with the intention of spending the rest of their lives there, Alderman Hanson indicated that the individuals in question have been through a very traumatic experience and he felt that their request should receive Council's support.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that:

- i) Civic No. 20 Withrod Drive be acquired from Mr. and Mrs. Claude Fleming Sr. for \$130,000; and the property be serviced and accessed from Withrod Drive;
- ii) that an amount up to an additional \$5,000 be approved for rock excavation if necessary.

The Chairman noted that the access through Withrod Drive would be an easement.

Motion carried.

Fariview Trailer Park - Fire Hydrants

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

An information report dated 23 September 1991 was submitted.

Alderman Ducharme addressed the matter and, referring to the submitted report, indicated she was concerned about some points contained in the report. The Alderman noted that the report advised that standards call for fire hydrants to be approximately 400 feet apart and she pointed out that, in a previous report, it stated that the closest hydrant to some of the trailers was 1,050 feet from the residence. Alderman Ducharme, in referring to a previous fire, noted how quickly the fire had spread through the trailer, and she advised that some residents have told her that since this fire, fire insurance rates have been affected.

Alderman Ducharme advised that she would like staff to consider the feasibility of locating a fire

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hydrant closer to the trailers, and she suggested that the Apollo Court entrance or further down Main Avenue could be alternatives.

MOVED by Alderman Ducharme, seconded by Alderman Jeffrey that staff review the feasibility of the City placing a fire hydrant on City property which would be closer to the trailers in the Fairview Trailer Park and report back to Council.

Motion carried.

Discussion Paper Concerning the Business Occupancy Tax

MOVED by Alderman Fitzgerald, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, City Council support the staff recommendations as contained in the 13 September 1991 report and forward them to the Union of Nova Scotia Municipalities.

Alderman Ducharme noted that this matter was forwarded to the U.N.S.M. at their conference last week and their Joint Resource Committee will be meeting this Thursday to discuss the recommendation that will go forward to the Province as the answer from the municipalities.

Motion carried.

Tender/Proposal 90-130 - Mobile Radio System

MOVED by Alderman Fitzgerald, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, Council authorize the signing of an agreement with Motorola Canada Limited for the supply of a new radio system, at a price of \$2,750,000, with a total project funding of \$2,900,760 to be provided from the Equipment Replacement reserves; and execution of this contract would be dependent upon agreement on all contractual details.

Motion carried.

Petition for Tax Relief Under the Assessment Act

A supplementary staff report dated 24 September 1991 was submitted.

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The Chairman noted that, previously in the meeting, it was proposed that this matter be deleted from the agenda and deferred to the next regular meeting of the Committee of the Whole. He added that it was generally agreed to defer this matter, but prior to doing so Alderman Jeffrey would like to comment on the item.

Referring to the submitted report, Alderman Jeffrey expressed his disappointment and concern that the home of the individual in question was going for tax sale and he pointed out that she was informed of this through a telephone call. Alderman Jeffrey noted that no one informed her lawyer of this intended action, and he advised that the individual was extremely upset. Noting the health problems of the individual, Alderman Jeffrey suggested that it was inappropriate to put the individual through this kind of stress for the amount of taxes owed.

Alderman Jeffrey advised that he would propose a motion to defer this matter in order that her lawyer would have an opportunity to address Council and appeal to Council on the owner's behalf.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 9 October 1991.

Motion carried.

Award of Tender 91-132: Supply and Installation of Vehicle Detection Loops

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, tender 91-132 for traffic signal vehicle detection loops be awarded to the lowest bidder, Black & MacDonald Limited, for the tendered amount of \$234,372.13 (funds to be authorized from account numbers RC#9133 and #91518 - Traffic Signal Loop Detectors \$209,372.13; and funding transfers, if applicable, be approved from account number 91507 - Island - North Street/Chebucto Road \$25,000.00).

Motion carried.

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COMMITTEE ON WORKS

City Council considered the report of the Committee on Works from its adjourned meeting held on 23 September 1991.

Possible Street Closure - Gerrish Street

A supplementary report dated 24 September 1991 was submitted.

Alderman Downey addressed the matter and thanked staff for the staff report.

MOVED by Alderman Downey, seconded by Alderman Stone that a date be set for a public hearing on the possible closure of Gerrish Street.

Motion carried.

The City Clerk advised that the date for the public hearing would be Wednesday, 6 November 1991 at 7:30 p.m. in the Council Chamber, Halifax.

Alderman Downey referred to the matter and, noting that Council first addressed the matter in February 1991, indicated his concern about the length of time it has taken to bring this matter to a public hearing.

Recycling Program - Condominium and Apartments

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

1. City Council proceed with the extension of the recycling program for condominium properties, to be implemented in October 1991 at a cost of \$9,200/month for the 91/92 budget period with funds to be made available through Section 201 (1) Charter borrowing.
2. the expansion of the existing recycling program to include apartment buildings be reviewed in the spring of 1992 after the Metropolitan Authority Material Recovery Facility (MRF) is operational.

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Alderman Ducharme noted that at a Metropolitan Authority meeting held last Tuesday, it was indicated that all four municipalities felt that providing the facilities, such as the igloos and depots, for recyclables from apartments and condominiums was the responsibility of the Metropolitan Authority. She noted that staff were now proceeding to look at providing igloos or depots for apartment buildings and condominiums and she advised that this should reduce the amount of waste going to the landfill site as well as reducing the amount the condominiums are paying in tipping fees.

At the request of Deputy Mayor O'Malley, Mr. Connell explained how the program would work.

After further discussion and questioning of staff, the motion was carried.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on 16 September 16 September 1991.

Charlie Zone Office - Argyle Street

Alderman Downey advised that he was prepared to propose a motion approving the expenditure of \$10,000, but would vote against the approval of the proposed office for \$1 per year without having options. Alderman Downey advised that he received telephone calls from other areas such as Spring Garden Road, Historic Properties, and other areas along Argyle Street indicating that they would have provided the same option to have the office located in their premises if they had known about the proposal.

Alderman Downey indicated that he did not believe it was proper to locate the office in the proposed building, even for \$1 per year.

The Chairman indicated that for clarification, the motion would be split into two motions; and the first motion would be for the approval of the \$10,000 expenditure and the second motion would be for the approval of the location of the office.

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MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Council approve of an additional \$10,000 in the salary account of the Police Department for this year, with funds to be made available under the provisions of Section 201, subsection (1) of the City Charter.

Motion carried.

In referring to the staff recommendation of the location of the office, Alderman Pottie indicated that he concurred with the location. He suggested that, due to the nature of the activities on Argyle Street, there was a real need for an office to be located here. The Alderman noted that, with funding to November, this office was an interim measure for the City and he added that once the evaluation was completed in early November, and if Council wished to continue with this office, then it would be appropriate to go through the usual tendering process.

MOVED by Alderman Pottie, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, the office be located in the Carlton Hotel at a rate of \$1 per year, as outlined in the 9 September 1991 staff report and until the approved amount of \$10,000 is expended.

After further discussion the motion was carried.

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

**Motion Alderman Fitzgerald Re: Ordinance 137,
the Deferred Payment of Taxes Ordinance - SECOND READING**

Consideration of this matter was given at the last Committee of the Whole Council meeting held on 23 September 1991.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that City Council approve **SECOND READING** of the proposed amendment to Ordinance 137, the Deferred Payment of Taxes Ordinance, as follows:

BE IT ENACTED by the Council of the City of Halifax that Ordinance 137, the Deferred Payment of Taxes Ordinance, be amended as follows:

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1. Subsection (2) of Section 3 of said Ordinance 137 is amended by deleting the numbers and words "30th day of June" in the third line thereof, and by substituting therefor the numbers and words "30th day of September."

Motion passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meetings held on Monday, 16 September and on Monday, 23 September, 1991, as follows:

Historic Properties Rejuvenation and report from the Heritage Advisory Committee: Historic Properties 1991 Master Plan

An information report dated 20 September 1991 was submitted.

A letter dated 20 September 1991 from Mr. A.M. McCrea, P.Eng., Historic Properties (Privateers Wharf) Limited, was also submitted.

Alderman Fitzgerald addressed the matter and noted that, as Council was aware, the Heritage Advisory Committee (HAC) has discussed the proposal for the 1991 Master Plan for Historic Properties. The Alderman advised that the HAC could support all of the proposed changes with the exception of the proposed pedway. He explained that the HAC had difficulty accepting the proposed pedway between Privateers Wharf and the Carpenter Shop and voted unanimously against it. Alderman Fitzgerald advised that the HAC was very concerned about the negative affect the pedway could have on the historic aspect of these properties. He reiterated that the HAC felt that the proposed pedway is not in the best interests of the overall aesthetics of this historic development.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that City Council approve the recommendation of the Heritage Advisory Committee relating to the requests of the applicant, but leaving out the pedway, as follows:

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1. That the changes to the service corridor between the Law Courts building and the Pontac and Anchorage buildings as proposed be approved;
2. That the concept of a new glass pavilion structure located on the new dock adjacent to the Court House Wharf be approved;
3. That the enclosure of the existing walkway between the Anchorage House and the new glass pavilion be approved as proposed;
4. That the exterior landscaping between the Pickford and Black and Carpenter Shop buildings and Collins Bank and Red Store buildings not detract from the vista from the water through to Water Street and be low profile; and,
5. That the alterations to the facade of the Carpenter Shop as proposed be approved;

The Chairman questioned if the motion would allow the opportunity for the developer to come back with further designs for a pedway for consideration by Council and staff.

Alderman Fitzgerald suggested that there was no reason why the developer could not continue to try to come up with an alternative solution to the proposed pedway in the future, but pointed out that his motion was recommending that the pedway not be considered at this time.

A discussion followed and Alderman Flynn, referring to the information report of 20 September 1991, noted that the Canadian Parks Service staff advises that, if the concept of the covered pedestrian crossing between Privateers Warehouse and the Carpenter Shop is approved by City Council, they will work with the Armour Group to create a design for a location that will mitigate the effect on the historic building fabric, views and pedestrian movement. The Alderman suggested that this be part of the motion and that Council approve the concept of a "link" rather than stipulating that it be a "pedway". He expressed the concern that some sort of a link was crucial for the economic survival of Historic Properties.

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Responding to a question from Alderman Flynn, Alderman Fitzgerald advised that the HAC, at the present time, unanimously agree that any type of pedway or link joining the two buildings is not in character with the site.

MOVED in amendment by Alderman Flynn, seconded by Alderman Jeffrey that the motion be amended by adding "6. That the concept of a link between Privateers Warehouse and the Carpenter Shop be approved and that a committee be formed with the Canadian Parks Service, the Heritage Advisory Committee and the Armour Group to create a design for a location that will mitigate the effect on the historic building fabric, views and pedestrian movement for consideration of Council."

Following a discussion, the amendment was put and defeated.

Following a further discussion, the main motion was put and passed.

10:20 p.m. His Worship Mayor Wallace retired from the meeting with Deputy Mayor O'Malley taking the seat of the Chair.

Halifax Shopping Centre

MOVED by Alderman Flynn, seconded by Alderman Hanson that this matter be deferred to the next Committee of the Whole Council meeting scheduled for Wednesday, 9 October 1991, pending receipt of a report.

Motion passed.

Case No. 6170: Development Agreement - 1491 Carlton Street

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the City Planning Committee, the time limit for signing the development agreement with UNICEF Nova Scotia to permit the use of 1491 Carlton Street for office and retail use be extended to 31 January 1992.

Motion passed.

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Responding to a question from Alderman Flynn, Alderman Fitzgerald advised that the HAC, at the present time, unanimously agree that any type of pedway or link joining the two buildings is not in character with the site.

MOVED in amendment by Alderman Flynn, seconded by Alderman Jeffrey that the motion be amended by adding "6. That the concept of a link between Privateers Warehouse and the Carpenter Shop be approved and that a committee be formed with the Canadian Parks Service, the Heritage Advisory Committee and the Armour Group to create a design for a location that will mitigate the effect on the historic building fabric, views and pedestrian movement for consideration of Council."

Following a discussion, the amendment was put and defeated.

Following a further discussion, the main motion was put and passed.

10:20 p.m. His Worship Mayor Wallace retired from the meeting with Deputy Mayor O'Malley taking the seat of the Chair.

Halifax Shopping Centre

MOVED by Alderman Flynn, seconded by Alderman Hanson that this matter be deferred to the next Committee of the Whole Council meeting scheduled for Wednesday, 9 October 1991, pending receipt of a report.

Motion passed.

Case No. 6170: Development Agreement - 1491 Carlton Street

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the City Planning Committee, the time limit for signing the development agreement with UNICEF Nova Scotia to permit the use of 1491 Carlton Street for office and retail use be extended to 31 January 1992.

Motion passed.

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Land Use Bylaw Amendment - Section 34F(1)

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the City Planning Committee, Council set a date for a public hearing to consider the application to amend section 34F(1) of the Peninsula Land Use Bylaw as set out in the resolution in Appendix "C" of the staff report dated 4 September 1991.

Motion passed.

The City Clerk advised that the public hearing would be scheduled for Wednesday, 23 October 1991, at 5:30 p.m.

MOTIONS

Motion Alderman Fitzgerald Re: Proposed Amendments to Ordinance 182: Downtown Halifax Business Improvement District Commission (FIRST READING)

Notice of Motion with regard to the proposed amendment of this Ordinance was given by Alderman Fitzgerald during a meeting of City Council held on 12 September 1991.

A report dated 5 September 1991 was submitted from the City Solicitor.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that Halifax City Council approve FIRST READING of the amendment to Ordinance 182, the Downtown Halifax Business Improvement Commission Ordinance, attached as Schedule "A" to the report from the City Solicitor dated 5 September 1991; and further, that the matter be referred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 9 October 1991) for consideration and report.

Motion passed.

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Motion Alderman Flynn Re: Proposed Amendments to
Ordinance 165: The Blasting Ordinance (FIRST READING)

A report dated 5 September 1991 from the City Solicitor was submitted.

Notice of Motion with regard to the proposed amendment of this Ordinance was given by Alderman Flynn during a City Council meeting held on 12 September 1991.

MOVED by Alderman Flynn, seconded by Alderman Stone that City Council approve FIRST READING of the amendment to Ordinance 165, the Blasting Ordinance, attached as Appendix "A" to the report from the City Solicitor dated 5 September 1991; and further, that the matter be referred to the Committee of the Whole Council (scheduled for Wednesday, 9 October 1991) for consideration and report.

Motion passed.

Motion Alderman Jeffrey Re: Proposed Amendments to
Ordinance 176: Conflict of Interest (Municipal Elections
Act) FIRST READING

A report dated 4 September 1991 from the City Solicitor was submitted.

Notice of Motion with regard to the proposed amendment of this Ordinance was given by Alderman Jeffrey during a meeting of Council held on 12 September 1991.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson, that City Council approve FIRST READING of the amendment to Ordinance 176, the Municipal Elections Act, as attached to the report from the City Solicitor dated 4 September 1991; and further, that the matter be referred to the Committee of the Whole Council (scheduled for Wednesday, 9 October 1991) for consideration and report.

Motion passed.

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26 September 1991

MISCELLANEOUS BUSINESS

Award of Tender 91-20: Upgrading of Traffic and Pedestrian
Signals at Intersection of Bayers Road and Joseph Howe Dr

A staff report dated 13 September 1991 was submitted.

Alderman Jeffrey addressed the matter and advised that, over the past few years, he has conferred with Mr. Kennedy, Traffic Authority, about the problems at this particular intersection. He explained that when pedestrians try to cross this intersection, motor vehicles also proceed on a green arrow signal. The Alderman added that the problem is aggravated with trucks coming down the Bicentennial Highway and making a left hand turn onto Joseph Howe Drive towards the Fairview Overpass which blocks the street across Bayers Road. Alderman Jeffrey advised that he was informed that, once this upgrading took place, the Traffic Authority could then proceed to establish a flashing green light at this intersection.

Mr. Peter S. Connell, Acting City Manager, advised that this tender is a separate issue from the one referred to by Alderman Jeffrey noting that the work would not affect the general configuration of the traffic flow. However, Mr. Connell advised that the matter could be studied and a report provided to Alderman Jeffrey.

MOVED by Alderman Jeffrey, seconded by Alderman
Flynn that:

1. Council award Tender 91-20 for the project, materials and services listed at the unit prices quoted for a bid price of \$24,533.82 and a Total Project Cost of \$30,000.00 to G. & R. Kelly Enterprises Ltd.
2. Funding in the amount of \$40,000.00 for this project be authorized from operating account number 54476 Special Item - Traffic Improvements.

Motion passed.

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26 September 1991

QUESTIONS

Question Alderman Downey Re: Budget for the
Halifax Housing Authority

Alderman Downey asked for an update report from the Halifax Housing Authority on their budget. He explained that it was his understanding that their budget included some cost sharing for maintenance work in Sunrise Manor to resolve the problem with windows leaking. The Alderman suggested that this matter be placed on the next Committee of the Whole Council agenda for 9 October 1991.

Question Alderman Downey Re: Traffic - Corner of Cornwallis
and Maynard Streets

Alderman Downey requested that the Traffic Authority examine the corner of Cornwallis and Maynard Streets noting that, over the past couple of months, there have been three or four accidents at this location.

Question Alderman Downey Re: Gordon B. Isnor Manor
Ambulance Entrance/Exit

Alderman Downey referred to the ambulance ramp in front of the Gordon B. Isnor Manor on Maynard Street. Noting that vehicles park in this area and, therefore, make it difficult for ambulances to enter and exit the Manor, the Alderman asked that the Traffic Authority investigate the possibility of putting signage in this area to prevent this from happening. He further asked that the Police Department be asked to ticket the vehicles parking in the area.

Question Alderman Meagher Re: Taxes - Property Title Search

Alderman Meagher advised that he had received a telephone call from a resident who owns a property lot on River Road. The Alderman explained that this gentleman owed \$1200 in taxes and that, after paying \$600, he came down to the City to pay \$400 more and was informed that the City would only give him credit for \$200 because the \$200 had been paid to a Legal Firm to search the title of his property. Alderman Meagher added that it was his understanding that over 400 properties were given to a

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legal firm at \$200 for each title search. The Alderman expressed the concern that this practice of penalizing these property owners was grossly unjust.

Mr. Wayne Anstey, Q.C., City Solicitor, advised that he was not aware of the particulars of this particular property, but advised that, because of the requirements of the Assessment Act, the City has to give notice to registered property owners and to any registered encumbrancers of property in the event of a tax sale. Because of difficulties in the past with putting properties up for sale and not knowing all the details, the City Solicitor advised that it is true that, for about the last ten years, the City has been having title searches carried out on properties which are put up for tax sale. Under the Assessment Act, Mr. Anstey advised that the municipality is entitled to recover from the taxpayer the cost of these title searches. He noted that they are not all given to one law firm advising that they are spread among a number of law firms because they need to be done relatively quickly.

10:30 p.m. His Worship Mayor Wallace returned to the meeting with Deputy Mayor O'Malley taking her usual seat in Council.

Alderman Meagher expressed concern with this practice suggesting that an article clerk in the City's Legal Department should do this title search. He suggested that paying out \$80,000 for outside legal help was not good business practice. The Alderman added that he had difficulty with the concept of 400 properties being searched while only about 20 are listed for tax sale. Alderman Meagher asked for a report on the matter.

Question Alderman Re: Board of the Halifax Civic Hospital

Alderman Meagher noted that he had been speaking to Mr. A. Zive, Chairman of the Board of the Halifax Civic Hospital, on this date. He advised that Mr. Zive inquired when the Board of the Civic Hospital would be dissolved and when the individual members and the collective members of the Board would receive a total discharge from their duties.

Alderman Meagher went on to ask that the City draw up the necessary documents to discharge this Board from its duties and obligations.

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Question Alderman Stone Re: Traffic Lights at the
Dunbrack Street Intersections

Alderman Stone referred to a report he received from the Traffic Authority regarding the installation of the traffic lights on Dunbrack Street at three intersections. The Alderman indicated that he was pleased to see that, since reading this report, the traffic lights at the Farnham Gate Dunbrack Street intersection have been installed. He went on to note that the report indicates that the controllers for the other intersections would be coming into the City in early October and that they would probably be installed the later part of that month.

Alderman Stone indicated that it was his hope that these controllers be installed as soon as they arrive and as quickly as possible.

Question Alderman Stone Re: Diesel Trucks in Residential
Areas

Alderman Stone indicated that he had asked a question at a previous meeting regarding diesel trailer trucks in residential areas. The Alderman noted that it was his understanding that the Legal Department was researching this matter and indicated that he would like to receive a report as soon as possible.

Question Alderman Stone Re: Boa Constrictors

Alderman Stone indicated that he would like the regulations with respect to Boa Constrictors (snakes) in public places established before the next warm season.

Question Alderman Ducharme Re: Committee on Safe Cities

Alderman Ducharme noted that Council had formed a Committee in April consisting of representatives from the Recreation Department, Social Planning Department, Police Department, and the Halifax District School Board to consider safety in the cities. She went on to note that she had received a telephone call from Debbie Forsyth-Smith saying that she had forwarded a request to the Safe Cities Committee to look at an incident which involved a woman being placed in a rather unsafe situation. Alderman Ducharme questioned whether this matter had been forwarded

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26 September 1991

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City Council
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to that Committee and, if it had not been, that it be referred to them at this time.

Question Alderman Ducharme Re: Titus Smith School

Alderman Ducharme advised that she had received a joint request from the Fairview, Rockingham and Clayton Park seniors asking if Titus Smith School could be made available to them for a drop-in centre because they do not have a centre large enough to meet in. She asked that the City Manager comment on the feasibility of allowing the seniors to use the present premises in the interim while the decision is being made with respect to the building.

Question Alderman Ducharme Re: Anchor Shaft - Regatta Point

Alderman Ducharme referred to a letter received by Council from Mr. Ruffman suggesting that perhaps the anchor shaft that has been placed at the development on the Arm (Regatta Point) is unsafe. She asked for a report with respect to who is responsible for the safety of the monument and that an investigation take place on whether or not that anchor is safely secured.

Question Alderman Pottie Re: Crosswalk at Liverpool Street and Connaught Avenue

Alderman Pottie noted that there have been a couple of incidents, since school started, where children were almost hit in the crosswalk on Connaught Avenue at the foot of Liverpool Street. Alderman Pottie asked that staff provide a report on the possibility of relocating this crosswalk from Liverpool Street to Cork Street at Connaught Avenue.

Alderman Pottie went on to request that the Chief of Police consider having a policeman present in the area of this crosswalk during the next few weeks during the hours of 8:30 a.m., 12:00 noon and 3:30 p.m.

Question Alderman Jeffrey Re: 157 Brook Street

Alderman Jeffrey noted that last winter the resident at 157 Brook Street had suffered with water coming down the street and onto his property. The Alderman added

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that it was his understanding that this gentleman was in the process of suing the City. Alderman Jeffrey asked that staff provide a report on the matter explaining what the City intends to do in order to eliminate the problem.

Question Alderman Jeffrey Re: 123 Melrose Avenue

Alderman Jeffrey noting that the seniors who used to live at 123 Melrose Avenue have now moved to other parts of the City. As a result, Alderman Jeffrey advised that the property is unattended and is unsightly. The Alderman asked that staff investigate the matter and that steps be taken to clean up the property.

Mr. Peter S. Connell, Acting City Manager, advised that a letter was received on the matter which he noted was passed on to the City's Building Inspector for investigation.

Question Alderman Jeffrey Re: Bowling Alley on Coronation Avenue

Alderman Jeffrey advised that there was a pool hall in the bowling alley building on Coronation Avenue operating illegally. He emphasized that something should be done about this situation.

The City Solicitor advised that he had signed an information report on this date pertaining to this matter. He noted that the Legal Department is proceeding with prosecution immediately.

Alderman Jeffrey indicated that this was a frustrating situation. He went on to comment that there was a break-in in the neighbourhood last week. Alderman Jeffrey explained that there is an entrance going to Halifax West at the bottom of Coronation Avenue and suggested that this was causing some of the problems in the area because of the number of children using this entrance. Alderman Jeffrey requested that the School Board consider closing this entrance so that the children would use the main entrance on Dutch Village Road and Titus Street.

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Question Alderman Holland Re: Raccoons

Alderman Holland expressed concern about the problem of raccoons in the south end. He noted that raccoons have caused a great deal of damage to a number of the cats and that he would like staff to see what can be done about this situation. Alderman Holland advised that he believed that the animals were coming from the CNR cutting. He added that he was very concerned that a young child might be attacked by these raccoons.

Question Alderman Holland Re: Property Title Search

Alderman Holland referred to the question raised earlier by Alderman Meagher with respect to the fees charged by various legal firms in the City for property title searches. He questioned whether these title searches are tendered amongst the legal community and, secondly, whether consideration has ever been given to hiring a paralegal on staff full time to do this job.

Question Alderman Hanson Re: Armdale Rotary

Alderman Hanson referred to the traffic congestion problem at the Armdale Rotary and asked if the Police Department could monitor the situation until at least the construction at the Mumford Road Bridge is completed

Question Alderman Hanson Re: Chain Link Fence -
Cowie Hill Playground

Alderman Hanson noted that the chain link fence at the Cowie Hill playground is damaged and questioned if a segment of the fence could be removed or repaired as quickly as possible.

Question Alderman Grant Re: 26 Acorn Road

Alderman Grant asked for an update on the situation with respect to 26 Acorn Road.

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26 September 1991

Question Alderman Grant Re: 72 Thornhill Drive

Alderman Grant referred to a letter he received from the owner of the property at 72 Thornhill Drive. The Alderman requested a report on the problem outlined by this property owner.

Question Alderman Grant Re: Recycling

Alderman Grant questioned whether the Metropolitan Authority would accept recyclables from commercial businesses.

The Chairman advised that, it was his understanding, collection would be a municipal responsibility. He suggested that the matter would, therefore, be a decision that would be made by the municipality.

Alderman Grant noted that the commercial businesses would not necessarily want their recyclables collected. He explained that his question was whether or not the Metropolitan Authority had the capacity to handle commercial recyclables and whether there was storage to store recyclable glass, for example, for a long period of time.

Question Alderman Grant Re: Mardi Gras

Alderman Grant asked for information about the plans with respect to Mardi Gras for this year, the costs, and whether or not consideration is being given to cancelling the event this year because of all the happenings over the last few months.

Question Alderman Grant Re: Riverview School -
100 Leiblin Dr

Alderman Grant asked that the following items be placed on the agenda for the next Committee of the Whole Council meeting scheduled for 9 October 1991: Riverview School; 100 Leiblin Drive.

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Question Alderman Grant Re: October 31st Council meeting

Noting that the last regular meeting of City Council in October falls on the 31st, Halloween, Alderman Grant questioned whether consideration should be given to changing the meeting to the preceding day (Wednesday, 30 October 1991).

Question Deputy Mayor O'Malley Re: Power Damage - North End

Deputy Mayor O'Malley noted that, because of the high winds last night, a tree fell on the power lines in the north end of the City and caused a transformer to go out. When the power was restored, Deputy Mayor O'Malley explained that, in at least two homes, television sets, vcr's, microwave ovens, and stereo speakers went out. The Deputy Mayor inquired as to who would be responsible for this problem and asked for a report in this regard.

The Chairman suggested that it was the responsibility of the Power Corporation, but Deputy Mayor O'Malley advised that she was informed that it was not.

Question Deputy Mayor O'Malley Re: Bus Shelter -
Young and Robie Streets

Deputy Mayor O'Malley noted that Young Street was closed between Robie and Agricola Streets during the reconstruction of the street in the summer. She explained that, when it opened, the concrete pad for the bus shelter at the west bound stop on Young Street and Robie Street was not put back in place. The Deputy Mayor asked that this matter be brought to the attention of Metro Transit with the request that action be taken to restore this pad.

Question Deputy Mayor O'Malley Re: Inspection -
Duffus Street and Devonshire Avenue

Deputy Mayor O'Malley asked for an inspection to be carried out in the area of Duffus Street and Devonshire Avenue with respect to tree branches that may be extending and touching power lines. If this is the case, the Deputy Mayor suggested that the trees be pruned and asked for a report once the inspection has been carried out.

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Question Alderman Fitzgerald Re: Pan American Games

Alderman Fitzgerald referred to a copy of a letter received from His Worship Mayor Wallace with respect to the Pan American Games. The Alderman asked that a report be provided on the approximate costs associated with these games.

Question Alderman Fitzgerald Re: Port Task Force

Alderman Fitzgerald questioned if any appointments had been made to the Port Task Force which was announced by the Premier.

Question Alderman Fitzgerald Re: Service Stations -
Hours of Operation

Alderman Fitzgerald noted that the City Solicitor's Department is reviewing the matter with respect to Hours of Operation for Service Stations. The Alderman expressed the concern that service stations are able to remain open 24 hours a day. He indicated that this was particularly of concern in residential areas and that staff should look into the matter of changing the hours from 7:00 a.m. to 11:00 p.m. or midnight. The Alderman indicated that he would like to receive a report as soon as possible so that the matter could be further addressed by Council.

Question Alderman Fitzgerald Re: Cost of Incineration

Alderman Fitzgerald requested a report from the Metropolitan Authority with respect to the cost of a new incinerator.

Question Alderman Fitzgerald Re: Social Services

Alderman Fitzgerald noted that Mr. Crowell, Director of Social Planning, has some tremendous ideas on ways of getting people off social assistance. He went on to refer to a report that was received with respect to the adult school, etc.

Alderman Fitzgerald suggested that the City should work towards getting a one tier social services system and that Council should make a firm commitment and

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26 September 1991

have a full debate on the matter at a future Committee of the Whole Council.

Question Alderman Flynn Re: Armdale Rotary

Alderman Flynn commented on the traffic problem at the Armdale Rotary which is partially caused by the closure of Mumford Road. He explained that the evening traffic seems to flow quite well because there is a traffic person directing traffic. However, Alderman Flynn explained that during the morning hours and at noon the traffic is horrendous and, therefore, asked that the Police Department establish some traffic control in the area.

Question Alderman Flynn Re: Construction - Bayers Road

Alderman Flynn noted that there was construction about to start on Bayers Road at Pennington in front of the Bayers Road Shopping Centre. Alderman Flynn questioned whether the construction firm doing this work could be requested to stop construction at 4:00 p.m. to allow traffic to flow through the area.

Question Alderman Flynn Re: Daycare Signs

Alderman Flynn expressed concern about the apparent inconsistency of the laws respecting daycare signs. The Alderman noted that some daycares are allowed larger signs than others. The Alderman indicated that there should be some consistency in the rules in this regard and asked that staff investigate the matter.

Question Alderman Holland Re: Halifax Port Corporation

Alderman Holland questioned whether staff should check with other municipalities, prior to Monday's meeting with the Port Corporation, about sharing the financial burden of the Port Authority and how willing they would be to help in this regard.

The Chairman suggested that no action be taken until after Monday's meeting when the matter will be discussed fully.

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26 September 1991

NOTICE OF MOTION

Notice of Motion Alderman Pottie Re: Amendments to
Ordinance #19, the Bill Posters and Posting of Bills

Alderman Pottie gave notice of motion that at the next regular meeting of Halifax City Council, to be held on 17 October 1991, he proposes to introduce a motion recommending amendments to Ordinance #19, the Bill Posters and Posting of Bills.

Notice of Motion Alderman Pottie Re: Amendments to
Ordinance #166, Respecting Signs, Billboards and
Advertising Structures

Alderman Pottie gave notice of motion that at the next regular meeting of Halifax City Council, to be held on 17 October 1991, he proposes to introduce a motion recommending amendments to Ordinance #166, Respecting Signs, Billboards and Advertising Structures.

ADDED ITEMS

Award of Tender 91-38: Sewer Rehabilitation
Barrington Street

and

Award of Tender 91-39, Sewer Rehabilitation
Commission Street

These items were added to the agenda at the request of the City Clerk.

A staff report dated 23 September 1991 was submitted along with a staff report dated 24 September 1991.

Mr. Peter S. Connell, P.Eng., Acting City Manager, addressed the matter as the Director of Engineering and Works and outlined the proposed method for the rehabilitation of two separate sections of existing sewer on Barrington Street and on Commission Street. In his comments, Mr. Connell responded to various questions from members of Council.

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26 September 1991

MOVED by Alderman Grant, seconded by Alderman
Hanson that:

1. Council award Tender 91-38 for project, materials and services listed and for the unit prices quoted at a total project cost of \$200,000.00 to I.G.L. Canada Ltd; and approve funding for this project from Capital Account No. 94022;
2. Council award Tender 91-39 for the materials and services listed for the lump sum price quoted to the lowest bidder, I.G.L. Canada Limited, at a tender price of \$102,694.00 and a total project cost of \$120,000.00; and approve funding for this project from Capital Account #94020.

Motion passed.

Recommendations - Tax Concessions & Grants Committee

This item was added to the agenda at the request of the City Clerk.

MOVED by Alderman Meagher, seconded by Alderman
Downey that the following grants to organizations be approved:

Sunrise Manor	\$ 400.00
Centennial Arena	60,000.00
Canadian Paraplegic Association	2,200.00
Family Service of Support	1,000.00
Alexandra Children's Centre (Children's Co-op)	16,000.00
Children's Developmental Centre	5,000.00
St. Joseph's Children's Centre	2,000.00
South End Community Day Care	8,500.00
Peter Green Hall Children's Centre	500.00
Spryfield Lions Club Pool	30,000.00
City Centre Ministry	500.00

Responding to a question from Alderman Stone, Alderman Meagher advised that the Tax Concessions and Grants Committee was still considering the grant to the Captain William Spry Community Centre.

Motion passed.

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26 September 1991

Traffic - Cunard Street, Windsor Street, Compton Avenue
(Alderman Meagher)

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

Alderman Meagher requested that this matter be forwarded to the next Committee of the Whole Council meeting to be held on Wednesday, 9 October 1991, and that a representative from Traffic Services be in attendance.

Request for Four Way Stop Sign - Harvard/Allan Street
(Alderman Meagher)

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

Alderman Meagher requested that this matter be forwarded to the next Committee of the Whole Council meeting to be held on Wednesday, 9 October 1991, and that a representative from Traffic Services be in attendance.

Springvale Avenue (Alderman Jeffrey)

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

Alderman Jeffrey addressed the matter and noted that he had just received an information report dated 26 September 1991 on this item. Alderman Jeffrey thanked staff for the report and indicated that no further action was required.

There being no further business to discuss, the meeting was adjourned at approximately 11:45 p.m.

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

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S/M

**SPECIAL COUNCIL
MINUTES**

Council Chamber
City Hall
Halifax, N.S.
30 September 1991
6:30 P.M.

A special meeting of Halifax City Council was held on this date for the purpose of ratifying the resolution that was passed at the special Committee of the Whole Council meeting held earlier on this date regarding a proposed tax agreement with Halterm and Ceres.

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

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

ALSO PRESENT: Mr. Peter S. Connell, P.Eng., Acting City Manager; City Solicitor; City Clerk; and other members of City staff.

Tax Agreement - Halterm & Ceres

This item was discussed at the special Committee of the Whole Council meeting held earlier on this date.

MOVED by Alderman Fitzgerald, seconded by Alderman Grant that, as recommended by the Committee of the Whole Council, Council enter into an agreement with the two container pier operators, Halterm/Ceres, for support to the level of \$450,000 reduction in taxes for the balance of 1991/92 and in the three subsequent years based on the chart attached as Appendix 'A' in the staff report of 24 September 1991,

Motion passed.

6:35 p.m. there being no further business to discuss, the meeting adjourned.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

EDWARD A. KERR
CITY CLERK

/MMD

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

Council Chamber
Halifax City Hall
9 October 1991
7:40 p.m.

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

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

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

ALSO PRESENT: Mr. Donald F. Murphy, City Manager; Ms. Nadine Smillie, representing the City Solicitor, and Mr. Edward A. Kerr, City Clerk.

ADDITIONS/DELETIONS

Heritage Hearing - Point Pleasant Park

At the request of the City Clerk, it was agreed to defer the Heritage Hearing - Point Pleasant Park to a meeting of Special City Council on October 23, 1991 at 5:30 p.m. in the Council Chamber, Halifax City Hall.

Historic Properties - Rejuvenation

At the request of the City Clerk, this item was added to the agenda.

A supplementary report dated 1 October 1991 was submitted.

The Chairman indicated that, due to an oversight at the 26 September 1991 City Council meeting, the motion passed by Council did not deal with the changes in the Historic Properties lease agreement although it was Council's impression that this was being approved. The Chairman advised that for record purposes, this matter was added to the agenda for formal approval.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that City Council approve the proposed lease amendments as contained in the staff report dated 27

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August 1991, subject to review of the final form of the amendments.

Motion carried.

The following items were added to the agenda being forwarded to this meeting from a meeting of the Finance and Executive Committee held earlier on this date:

Tender 91-120 - Highway Salt

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

MOVED by Alderman Fitzgerald, seconded by Alderman Ducharme that as recommended by the Finance and Executive Committee, Tender #91-20 (highway salt) be awarded to the Canadian Salt Company Limited at the unit prices quoted in the staff report, dated 23 September 1991.

Motion carried.

Possible Change of Council Meeting Date - October 31, 1991

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

MOVED by Alderman Ducharme, seconded by Alderman Grant that as recommended by the Finance and Executive Committee, the regular meeting of Halifax City Council presently scheduled for Thursday, 31 October 1991 (Halloween night) be rescheduled to WEDNESDAY, 30 OCTOBER.

Motion carried.

Award of Tender #91-126: Landscape Restoration - Merv Sullivan Sportsfield

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

MOVED by Deputy Mayor O'Malley, seconded by Alderman Fitzgerald that as recommended by the Finance and Executive Committee, authority be granted to award Tender #91-126 (Landscape Restoration - Merv Sullivan Sportsfield) to Terra Nova Landscaping, the lowest bidder meeting

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specifications, at a tendered price of \$105,930.00 (funds to be made available from Account Number 25206.9160.97049, titled "Sodding/Merv Sullivan Sportsfield").

Motion carried.

Award of Tender #91-140R: Curtain Wall - Centennial Pool

This item was 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 Downey that as recommended by the Finance and Executive Committee, Tender #91-140R (Curtain Wall - Centennial Pool) be awarded to Alvin Co. Ltd. in the amount of \$34,133.00 and for a total project cost of \$40,959.60 (funds to be made available from Account Number 22502.9160.97033, titled "Centennial Pool Curtain Wall Replacement").

Motion carried.

Authorisation of Debenture Issue

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

MOVED by Alderman Ducharme, seconded by Alderman Hanson that as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to formally sign this debenture on behalf of the City authorizing acceptance of the terms of this issue by the City of Halifax and the agreement as to the repayment terms detailed in the staff report of 4 October 1991.

Motion carried.

Appointment of Consultant - Armdale Pumping Station Upgrading

This item was 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 Hanson, seconded by Alderman Ducharme that as recommended by the Finance and Executive Committee:

- (a) Council approve the appointment of U.M.A. Engineering Ltd. to undertake the study and design of the Armdale Pumping Station rehabilitation; and
- (b) the funds for the payment to the consultant be made available from the Pollution Control Account #95009.

Motion carried.

Appointment of Director of Recreation

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

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that as recommended by the Finance and Executive Committee, Mr. Richard Arthur Cameron be appointed Director of Recreation for the City of Halifax.

Motion carried.

The City Manager referred to his report (9 October 1991) circulated to Council at this afternoon's meeting of the Committee of the Whole Council and indicated that he was very pleased with Council's approval of Mr. Richard Cameron as the new Recreation Director of the City of Halifax.

The City Manager then introduced Mr. Cameron to Council.

Mr. Cameron addressed Council, expressing his appreciation for Council's endorsement of his appointment and advised that he was looking forward to serving Council and the City of Halifax in his new position.

Council then continued with its regular agenda as follows:

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HERITAGE HEARINGS

Heritage Hearing - Grand Parade

The above item was last considered at a Special City Council meeting on 21 August 1991 and was deferred to this meeting.

A report dated 23 September 1991 was submitted at a meeting of the Committee of the Whole Council Meeting held earlier on this date.

Alderman Fitzgerald advised that in speaking with staff and the Chairman of the Heritage Advisory Committee he was pleased with the proposed designations of the Grand Parade and Public Gardens and, unless there was some objection, he was prepared to approve the designations at this time.

MOVED by Alderman Fitzgerald, seconded by Alderman Grant that the Grand Parade be registered as a Municipal Heritage Property.

Motion carried.

Heritage Hearing - Public Gardens

The above item was last considered at a meeting of Special City Council on 21 August 1991 and was deferred to this meeting.

A report dated 23 September 1991 was submitted at a meeting of the Committee of the Whole Council Meeting held earlier on this date.

MOVED by Alderman Fitzgerald, seconded by Alderman Grant that the Halifax Public Gardens be registered as a Municipal Heritage Property.

Motion carried.

Alderman Ducharme referred to the heritage designations of the Public Gardens and Grand Parade and, noting that these registrations were a historic move, suggested that they should be mentioned at the next regular meeting of City Council, scheduled for 17 October 1991, and

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perhaps Council could encourage the Heritage Advisory Committee to seek a world heritage designation.

In response to Alderman Ducharme's suggestion, the Chairman indicated that this matter would be placed on the agenda of the next City Council meeting and he advised that staff or the Chairman of the Heritage Advisory Committee would provide a report on the designations and possible further recognition.

Heritage Hearing - Point Pleasant Park

The above item was last considered at a meeting of Special City Council on 21 August 1991 and was deferred to this meeting.

At the beginning of meeting, this matter was deferred to a Special Council Meeting on 23 October 1991 at 5:30 p.m. in the Council Chambers, Halifax City Hall.

Public Hearing Re: Case No. 6374: Development Agreement -
30-32 Parkhill Road

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

Mr. Gary Porter, Planner, addressed Council and using diagrams, outlined the application for a development agreement (lot modification) for the property at 30-32 Parkhill Road to enable subdivision into two lots having less than the minimum lot size (as outlined in the staff report dated 15 August 1991).

Mr. Peter Drillio, the applicant, addressed Council and indicated that he was requesting the subdivision so that the building he began renovating could be legally occupied.

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

Alderman Hanson addressed the matter and indicated that in light of the fact that this request has staff's recommendation and that there was no opposition to it, he was prepared to approve the matter at this time.

MOVED by Alderman Hanson, seconded by Alderman Grant that the application for a development agreement (lot modification) at 30-32 Parkhill Road, lands of Peter D.

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Drillio and Melissa C. Drillio, to enable subdivision into two lots, be approved.

Motion carried.

There being no further business, the meeting adjourned at 7:55 p.m.

HIS WORSHIP MAYOR WALLACE
CHAIRMAN

/sm

HEADLINES

Additions/Deletions:

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

Council Chamber
Halifax City Hall
17 October 1991
8:00 P.M.

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

The meeting was called to order with members of Council joining in the recitation of the Lord's Prayer.

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

ALSO: Mr. Donald F. Murphy, City Manager; Mr. Wayne Anstey, City Solicitor; Ms. Margaret MacDonell, Acting City Clerk; and other members of City Staff.

MINUTES

Minutes of the Regular Meeting of City Council, held on 26 September 1991 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 Acting City Clerk, Council agreed to add:

- 20.1 Case No. 6265: Billboards
- 20.2 St. Catherine's School Yard (Alderman Pottie)
- 20.3 Award of Tender #91-124: Chocolate Lake Community Centre - Window Replacement

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

20.4 Raccoons

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

20.5 Hours of Operation - Service Stations

The agenda, as amended, was approved on a motion
moved by Alderman Fitzgerald, seconded by Alderman Downey.

DEFERRED ITEMS

Case No. 6264: Development Agreement - 2046 Robie Street

This item was deferred to this meeting from a
meeting of City Council held on 26 September 1991.

A supplementary staff report, dated 16 October
1991, was submitted.

A letter dated 16 October 1991 from Mr. Robert G.
Grant, Stewart McKelvey Stirling Scales, was submitted.

Two letters, dated 8 October 1991 and 15 October
1991, from Mr. Ronald W. Burton to Mr. Robert Grant,
Stewart McKelvey Stirling Scales, were submitted.

Alderman Flynn advised that, due to a conflict of
interest, he would not be participating in this matter, and
he retired from the meeting.

Alderman Meagher addressed the matter and
indicated that he and others living in the area were still
of the opinion that approval of this matter would not
retain the stability of the neighborhood. The Alderman
added that he would like to see the houses remain in this
area and not torn down to be made into parking lots.
Alderman Meagher advised that for these reasons he could
not support approval of this matter.

MOVED by Alderman Meagher, seconded by Alderman
Holland that 2046 Robie Street be excluded from the

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development agreement in connection with Cruikshank's Funeral Home.

The Acting City Clerk advised that Alderman Ducharme and Alderman Grant were ineligible to vote owing to their absence from the 16 September 1991 public hearing.

Motion carried with Aldermen Ducharme and Grant abstaining.

Alderman Flynn returned to the meeting.

Municipal Heritage Site Designations - Grand Parade and Public Gardens

Heritage hearings on the above items were held at a Special Council Meeting on 9 October 1991 and, at that time, the items were approved by Council and forwarded to this meeting for formal recognition of the Municipal Heritage Site Designations.

Alderman Ducharme noted that the recommendation at the Special Council meeting also included the Heritage Advisory Committee investigating the possibility of world heritage designations.

With respect to the world heritage designations, the City Manager advised that the Canadian Parks Service is going to provide the necessary documentation to the City to nominate the public gardens as a world heritage designation.

The Chairman noted that the heritage hearing for Point Pleasant Park which was originally scheduled for October 9, 1991, was deferred to 23 October 1991 at 5:30 p.m.

Alderman Fitzgerald referred to a proposed conservation study of the public gardens between the Federal Government and the City and he questioned the status of this matter.

In response to Alderman Fitzgerald's question, the Chairman noted that there has been ongoing correspondence with the Federal Minister of the Environment. The Chairman added that the cost-shared study would commit the City to any expenditures recommended in

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the study, and although it would be the City's intention to cost-share in any reasonable expenditures, he didn't want the City to be in the position that it didn't have the option of saying that some expenditures were too much.

PUBLIC HEARINGS, HEARINGS ETC.

Hearing - Dilapidated Building:
- Civic No. 5514 Atlantic Street

A staff report dated 11 September 1991 was submitted.

Mr. Hugh MacEachern, Manager of Inspection Services, addressed Council and, using photographs, reviewed the reasons why the single car garage located at Civic No. 5514 Atlantic Street should be demolished and the site cleared (as outlined in the staff report).

There were no persons in the public gallery wishing to address Council on this matter.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that the single car garage located at Civic No. 5514 Atlantic Street be ordered demolished and the site cleared.

Motion carried.

Hearing - Dilapidated Building:
- Civic No. 2168 Creighton Street

A staff report dated 9 October 1991 was submitted.

The Chairman noted that there was a request for postponement of this matter to 12 December 1991, and that the reason given was to allow a possible purchaser of the building to submit a plan for renovations.

Mr. Hugh MacEachern, Manager of Inspection Services, addressed Council and advised that he visited the building and spoke with the owner and the prospective buyer. Mr. MacEachern added that the prospective buyer intends to present a plan to reconstruct the building to

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meet building codes. Mr. MacEachern then presented photographs of the building on the overhead monitor.

There were no persons in the public gallery wishing to address Council on this matter.

MOVED by Alderman Downey, seconded by Alderman Meagher that this matter be deferred to the 12 December 1991 meeting of City Council.

Motion carried.

PETITIONS

Petition Alderman Hanson Re: Rocklyn Road Extension - Minimum City Services

Alderman Hanson submitted a petition signed by approximately five residents of the Rocklyn Road Extension requesting minimum City Services as follows: Road Maintenance, Refuse Removal, Police and Fire Protection, and Snow Removal.

Alderman Hanson requested that staff review and comment on this matter.

Petition Alderman Holland Re: Belmont on the Arm - Central Boulevard

Alderman Holland submitted a petition signed by approximately twenty residents of Belmont on the Arm requesting that the status quo of the Central Boulevard be maintained because its character enhances the quality of the neighborhood and the quality of life.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on 9 October 1991 as follows:

Annual Review of Licenses, Permits and Fees

This matter was last discussed at a Finance and Executive Committee meeting held on 9 October 1991 when at that time a motion was passed to defer the matter and deal

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with it at a later time when the newspaper publishers are prepared to make a presentation to Council.

The Chairman noted that there was an error in the staff report (23 September 1991) with respect to the newspaper boxes, and he advised that the actual increase was \$10,000.00 and not \$10.00, if 350 newspaper boxes were being charged for.

A discussion ensued with Alderman Fitzgerald expressing concern about the economic situation in the City of Halifax at this time and therefore indicated he would like the matter deferred.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that this matter be deferred.

Motion carried.

Disposition of Riverview School

A staff report dated 15 October 1991 was submitted.

A report dated 15 October 1991 from the City Solicitor was submitted.

The City Manager, referring to the submitted reports, addressed the matter and advised that, due to time constraints, he did not include all comments he wished to be brought to Council's attention.

The City Manager pointed out that he considers this item to be two separate matters; the disposition of the Riverview School; and, the problem of the Spryfield Day Care Centre. He expressed the view that both matters should be considered separately. On another point, the City Manager advised that, in light of the current economic situation, he believed that Riverview School should be dealt in a manner that is in the best business interest of the City.

The City Manager advised that, in looking at Riverview School as an asset, if it were to be rezoned to R-4 for disposal, it would be an asset worth about \$270,000. He added that if it was zoned R-2 and disposed of, then it would be worth approximately \$150,000. He noted that if the City developed the property in either way

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it would produce a greater tax revenue than what would be produced by the School as a day care centre. The City Manager advised that, from a business point of view, he was still recommending disposal of the property.

In recognizing the needs of day care centres, the City Manager advised that he believed that the Spryfield Day Care Centre should be considered for some assistance. He added that he did not think that leasing the School for a daycare was good from a business point of view, and that it would be difficult to quantify the amount of assistance the City would be giving them if it simply turned over the School.

The City Manager also expressed concern about the day care centre's ability to handle the maintenance expenditures and he indicated that there would be expenditures over and above the normal maintenance.

On another point, the City Manager advised that the City has not provided day care facilities in any City building, therefore he suggested that this matter, if approved, could be precedent setting.

The City Manager suggested that, if the City was to get involved with assistance to day care centres, it should be done on a Council policy basis which would apply to all situations. He advised that there were also other opportunities that should be investigated, such as spare classrooms in schools which might be available for this purpose. The City Manager added that there are additional costs with this proposal that are unforeseen. He noted that the proposed day care centre would be located on a busy highway and that at least one additional crossing guard would be required.

In summary, the City Manager advised that he was concerned about this proposal with respect to increasing costs to the City and that it was his view that alternative ways should be investigated to assist day cares if that is what Council felt should be done. In conclusion, the City Manager cautioned against dealing with this item on an individual basis and reiterated that these are two separate problems and should be dealt with separately.

Alderman Grant addressed the matter and emphasized that the Spryfield Day Care Centre was asking to lease the building for \$1000 and that they were prepared to pay all the residential taxes and all maintenance costs.

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At 8:45 p.m. Alderman Jeffrey entered the meeting.

Alderman Grant pointed out that the Day Care Centre was not asking for a grant from the City and that they would like to eventually buy the building but are unable to buy it at this time. The Alderman noted that a few years ago, the building was inspected and, as a result, the school system was required to make the necessary repairs. Therefore, he noted that much of the building was in good condition.

Alderman Grant referred to a comment in a staff report which indicated that the Spryfield Day Care Centre did not mention this financial arrangement before. He advised that when this building became available in 1990, he asked that discussion take place with the people of the Spryfield Day Care while it was still with the School Board.

Alderman Grant then presented a zoning map on the overhead monitor and showing the area in question and the number of apartment buildings. He noted that there were 8 apartment buildings with 40 units in the area. Therefore, he suggested that a daycare centre would be an "oasis" in this area and, on the whole, it would be a great benefit to the City. Alderman Grant noted that the Spryfield Daycare Centre Corporation would be operating the Riverview Children's Centre.

Alderman Grant proposed a motion that the City of Halifax work out an arrangement with the Spryfield Day Care Group for the lease of Riverview School based on the arrangements as contained in the 15 October 1991 staff report prepared by the City Solicitor and, further, if this cannot be accomplished prior to the end of the present Council's term, that the City formally sign a letter of intent with the Board of Directors of the Spryfield Day Care to develop this lease arrangement.

In seconding the motion, Alderman Holland referred to the City Manager's comments concerning the loss of revenue to the City with this proposal. He suggested that property values increase as time goes on and that the City would benefit from having this property in its land bank account. He added that, from a people point of view, the daycare centre would be a great opportunity for the City to offer leadership on the daycare issue.

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Alderman Fitzgerald addressed the matter and indicated that he supported the idea, but that he had two major concerns. He advised that his first concern was with respect to the future policy regarding surplus property and other daycare centres. As a second concern, the Alderman suggested that, if approved, the daycare centre should not receive any grants from the City. In concluding his remarks, Alderman Fitzgerald suggested that Council should consider whether it should become so involved in the daycare business. As a possible alternative, Alderman Fitzgerald indicated that J.L. Ilsley School may have spare rooms if the agreement with the County of Halifax is not worked out.

A discussion ensued with a number of Alderman speaking in support of Alderman Grant's proposed motion.

Deputy Mayor O'Malley referred to comments made regarding the ability of the daycare centre to cover all maintenance costs. She advised that she was informed that the Centre was aware of the number of repairs required on the building and have made financial preparations for quite some time. She added that the daycare centre does not have any intention of requesting assistance from the City for these repairs.

Alderman Stone expressed concern about the costs associated with approving this motion. He advised that, as indicated in the proposal by the Spryfield Daycare Centre, if all taxes, betterment charges, building construction, operation, maintenance and insurance were to be the responsibility of the Board of Directors of the Spryfield Daycare Care Centre and, as well, if the agreement were to include that the Daycare Centre would be responsible for any additional costs, he would be prepared to support the motion.

Alderman Stone noted that the property in question was surrounded by apartment buildings and that he did not believe that if the City sold the property as single lots, people would purchase them for single family housing. He expressed the opinion that it would be unfair to put another apartment building in an area already with so many apartments. The Alderman indicated that what the people really want is a community children's centre and he suggested that, if Council approved this, it would give the Daycare Centre the opportunity to operate on its own.

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After further discussion, it was MOVED by Alderman Grant, seconded by Alderman Holland that:

- (1) the City of Halifax work out a formal arrangement with the Spryfield Day Care Centre Group for the nominal lease of Riverview School based on the document as attached to the 15 October 1991 report prepared by the City Solicitor.
- (2) the lease state that the City of Halifax will not provide any grants to the Daycare Centre;
- (3) if this matter cannot be accomplished prior to the end of the present Council's term, that the City formally sign a letter of intent with the Board of Directors of the Spryfield Day Care Centre to develop this lease arrangement.

Motion carried.

Alderman Grant requested that the legal documentation regarding this matter refer to the centre as a children's centre rather than a daycare centre.

100 Leiblin Drive

This matter was forwarded to this meeting from a meeting of the Finance and Executive Committee held on 9 October 1991.

MOVED by Alderman Grant, seconded by Alderman Hanson that this matter be deferred to the next regular meeting of the Finance and Executive Committee, scheduled for Wednesday, 23 October 1991 at 2:00 p.m. in the Council Chamber, Halifax City Hall.

Motion carried.

Spring Garden Road BIDC - Revised Budget

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council approve the amended Spring Garden Road BIDC Budget for 1991/92 in the form attached to the staff report of 3 October 1991.

Motion carried.

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Acquisition of Parcel H-155, Civic
No. 459 Herring Cove Road

MOVED by Alderman Hanson, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, all outstanding claims for the acquisition of Parcel H-155, Civic No. 459 Herring Cove Road as shown on Plan No. TT-41-29893 be settled in full with Mr. Gordon and Mrs. Theresa Brown for \$16,343.18 plus interest in accordance with the Expropriation Act. This amount includes:

Injurious Affection	\$ 7,000
Cost of Grading, Repaving	1,593.18
Reconstruction Costs	4,950
Legal Fees	<u>2,800</u>
Total	\$16,343.18

Funds to be made available from the Capital Account for the project, the Herring Cove Road Widening Phase III, Account No. CJ012.

Motion carried.

Request from Halifax Shopping Centre/Eaton's Re: Extension of Shopping Hours - Midnight Madness 13 December 1991

The Chairman noted that at the 9 October 1991 Finance and Executive Committee meeting, Council withheld a recommendation on this item prior to canvassing the businesses in their wards for opinions on the matter.

Alderman Flynn addressed the matter and advised that he checked with several of the businesses in his area and they did not have a problem with one night of extended Christmas Shopping Hours.

MOVED by Alderman Flynn, seconded by Alderman Ducharme that Council grant approval for all shopping centres in the City of Halifax to remain open to the public on December 13, 1991 for two additional hours for the purpose of a "midnight madness" sale.

Motion carried.

In reference to the staff report of 2 October 1991, the Chairman indicated that City Council will have to

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amend Ordinance 121 (the Retail Shop Closing Ordinance) to allow the extended hours on 13 December 1991.

Conference 1999 Report

Alderman Ducharme addressed the matter and advised that when the Halifax 1999 Conference Report was first presented to Council, they were advised that the various Chairs would be very interested in continuing with the process and in developing the actual plan. Noting that the Chairs were very well versed in all aspects of the Conference, Alderman Ducharme pointed out that Council should not lose the knowledge they have.

MOVED by Alderman Ducharme, seconded by Alderman Flynn that, as recommended by the Finance and Executive Committee, as outlined in the staff report of 26 September 1991, a Task Group on an Action Plan for 1991 be established consisting of the City Manager, and representatives of the Engineering and works Department, the Development and Planning Department, the Finance Department, and the Social Planning Department (as permanent members), augmented from time to time by representatives from other departments; and of two members of Council in addition to the Mayor.

Further to this, Alderman Ducharme requested that, if appropriate, the Chairs be consulted as well, to which Council agreed.

Motion carried.

The Chairman noted that Mr. Cecil Wright, Vice Chairman of the Conference 1999, was in attendance and he thanked Mr. Wright for his involvement on the Committee.

Possible Sale of Parcel "A", George Street -
Canterbury Group Limited (Possible Street Closure
- Public Hearing Date

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, in accordance with Section 350 of the City Charter, Council set a date for a public hearing to close that portion of George Street as shown on Plan No. TT-45-30983 of the 1 October 1991 staff report.

Motion carried.

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The Acting City Clerk advised that the date for the public hearing was scheduled for Wednesday, 20 November 1991 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Renewal of Lease - 5994 Spring Garden Road

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the existing lease with Najib El Hage for the premises located at 5994 Spring Garden Road (Dairy Deli) be amended to allow for a five-year renewal option substantially similar to attachment "A" of the 30 September 1991 staff report.

Motion carried.

Award of Tender #91-130: Captain William Spry Restoration

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

- (1) authority be granted to award Tender #91-130 (Captain William Spry Community Centre Restoration) to Ellis-Don (Atlantic) Limited, the lowest bidder meeting specifications; and that
- (2) Council approve a pre-commitment of \$150,000.00 in the 1992-93 Capital Budget to increase Account #90003 from \$800,000.00 to 950,000.00.

Alderman Fitzgerald addressed the matter and expressed concern about the amount of money required for repairs to a relatively new building. Alderman Fitzgerald requested that the motion include that aggressive legal action be taken on this matter.

In response to Alderman Fitzgerald's concern, the City Solicitor advised that those instructions were given to staff when the matter was before Council originally. He added that the insurers for the contractor and the designer have been put on notice and were both now actively involved in monitoring the situation. The City Solicitor added

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that, if the situation was not settled, then this matter would be going to court.

The City Solicitor noted that Council should be aware that staff will not be commencing legal action immediately and will wait until all the work is done because, until the work is done, staff won't know the full extent of the cause of the problem and, secondly, staff won't have a final number until the work is done.

A discussion ensued with the City Manager and the City Solicitor responding to questions.

In reference to the City Solicitor's comments regarding the commencement of legal action, Alderman Jeffrey noted that the City has incurred similar problems with the Centennial and Northcliffe pools as with Captain William Spry, and he requested an update on the status of legal action with the Centennial Pool and the Northcliffe Pool.

In response to Alderman Jeffrey's question, the City Solicitor advised that the matter has been settled with respect to the Centennial Pool, but advised that he wasn't sure of the status of the Northcliffe Pool.

The City Solicitor indicated that he would provide a report on the status of the legal action with respect to the Northcliffe Pool.

Motion carried.

Report of Advisory Group on Race Relations
from the Province of Nova Scotia

Alderman Ducharme advised that at the 9 October 1991 Committee of the Whole, a motion was passed to support the initiatives that have been introduced and a report was requested to come back in three months time on how these initiatives are proceeding. Alderman Ducharme advised that it was indicated that everyone would respond within 30 days. Noting that the education questions were forwarded to the Halifax District School Board, she questioned if a response was received within the 30 days.

The Chairman indicated that the City received all the responses from the departments and then responded as a whole.

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Alderman Ducharme suggested that the education component of those recommendations was very important with regard to how the question Council is addressing proceeds. She also questioned whether the Metropolitan Authority had provided a response regarding landfill.

Additionally, Alderman Ducharme advised that the Chief of Police indicates that there is a Visible Minority Review Committee that will look at Recommendation #1 and she asked for a report on this Committee, particularly whether there is community representation on the Committee.

Alderman Ducharme advised that the Report indicates that recommendation #4 belongs with the Police Commission and she questioned if this was forwarded to the Police Commission.

In response, the Chairman advised that if it hasn't already been forwarded to the Police Commission, then it will be.

In response to questioning by Alderman Ducharme, the Chairman indicated that the Police Commission, the Education Board, and the Metropolitan Authority will be pursued for their recommendations and responses.

MOVED by Alderman Ducharme, seconded by Alderman Flynn that;

- (1) Halifax City Council continue its support of the initiatives outlined in the 9 October 1991 staff report, and, in response to the Advisory Group's Recommendations on Race Relations, instruct staff to expand these initiatives with additional research and discussions with all levels of government where appropriate; and that
- (2) Halifax City Council direct staff to report back to Council within three months on the progress of these initiatives and the results of discussions with other levels of government.
- (3) the Police Commission, the Education Board, and the Metropolitan Authority be pursued for their responses.

Motion carried.

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City Home Trust and Basinview Home
Patient Trust Funds

A supplementary staff report dated 16 October 1991 was submitted.

Deputy Mayor O'Malley noted that Council just received a report on the matter and has not had an opportunity to review the information. She suggested that this item be deferred to the next regular meeting of the Committee of the Whole Council.

MOVED by Deputy Mayor O'Malley, seconded by Alderman Flynn that this matter be deferred to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 23 October 1991 at 2:00 p.m. in the Council Chamber, Halifax City Hall.

Motion carried.

Redress Report - Highway 101 Landfill Closeout Committee

A staff report dated 15 October 1991 was submitted.

MOVED by Alderman Ducharme, seconded by Alderman Flynn that Halifax City Council recommend to the Metropolitan Authority that the Authority take a position that it is responsible only for damages which may be legally established by individual residents who have suffered compensatory losses and that the Authority take such steps as may be necessary to deal with such claims in an appropriate manner.

Motion carried.

10:05 p.m. - His Worship the Mayor retires from the meeting with Deputy Mayor Marie O'Malley assuming the Chair.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 9 October 1991, as follows:

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**Request for Four-Way Stop Sign:
Harvard/Allan Street**

Following is the motion approved during the 9 October meeting of the Committee on Works:

That:

- (1) a public hearing date be scheduled to consider a cul-de-sac on Monastery Lane at Allan Street; and that
- (2) Council appeal to the Provincial Traffic Authority regarding the installation of a four-way stop sign at the corner of Harvard and Allan Streets.

Reiterating remarks made during the 9 October meeting, Alderman Meagher emphasized that the heavy volume of vehicular traffic, using these residential streets at all hours of the day and night, has severely impacted on the tranquillity of the Harvard/Allan Street neighborhood and is posing a definite safety hazard to the many small children who live in this area.

It was therefore moved by Alderman Meagher, seconded by Alderman Downey that:

- 1) a public hearing date be scheduled to consider the closure of Monastery Lane at the entrance to Quinpool Centre; and that
- 2) Council appeal to the Provincial Traffic Authority regarding the installation of a four-way stop sign at the corner of Harvard and Allan Streets.

Mr. Peter S. Connell, Director of Engineering and Works, responded to various questions regarding the proposed public hearing, following which the motion was put and passed.

The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 20 NOVEMBER 1991** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

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REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, 9 October 1991, as follows:

**Armed Robberies and
Thefts from City Parking Meters**

Following is the recommendation approved during the 9 October meeting of the Safety Committee:

That a letter be forwarded on behalf of Halifax City Council to the Attorney-General's Department expressing the City's disappointment with the court's decision in this matter.

Reiterating remarks made during the 9 October meeting of the Safety Committee, Alderman Fitzgerald pointed out that many victims of armed robberies, burglaries and other such crimes are traumatized by the experience to the point where they require professional counselling. The Alderman expressed the hope that, in dealing with these individuals, the Halifax Police Department is making every effort to direct them to appropriate agencies from which they can receive this kind of assistance.

Alderman Fitzgerald went on to indicate that, in his opinion, this situation is exacerbated by the "revolving door syndrome" in which offenders are repeatedly apprehended by the police, only to be given light or suspended sentences by the courts. The Alderman expressed his very deep concern about this state of affairs, and strongly recommended that Halifax City Council work in conjunction with its Police Department to petition the courts for harsher sentences.

Alderman Fitzgerald went on to make reference to a recent communique from the Federation of Canadian Municipalities relating to the upcoming Conference on Urban Safety, Drugs and Crime Prevention to be held in Paris in late November. Quoting from that publication, the Alderman noted that "the economic viability of cities in the next decade depends on public support for urban safety," and added that, in his opinion, municipalities must take a more proactive approach toward crime prevention in order to make our cities safe.

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10:20 p.m. - His Worship Mayor Wallace returns to the meeting, with Deputy Mayor O'Malley assuming her usual seat on Council.

Alderman Fitzgerald concluded his remarks by suggesting that crime prevention and a safer urban environment is an area in which Council should be prepared to take new initiatives, and asked that copies of the FCM communique be circulated to all members of Council for their reference.

Alderman Grant made reference to a recent CBC series on youth violence, and suggested that this is yet another aspect of urban crime which requires further investigation.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Jeffrey that:

- 1) steps be taken to ensure that victims of crime receive appropriate counselling and assistance;
- 2) a letter be forwarded on behalf of Halifax City Council to the Solicitor General and to his Provincial counterpart expressing the City's view that lawbreakers deserve harsher sentences for their crimes;
- 3) a series of public meetings be called by Halifax City Council to discuss new and progressive ideas with regard to crime prevention; and
- 4) Council consider the establishment of a task force to study the matter of youth violence in the City of Halifax.

The motion was put and passed.

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

**Motion Alderman Fitzgerald Re: Proposed Amendments
to Ordinance 182: Downtown Halifax Business
Improvement District Commission - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 26 September, and had also been discussed during a meeting

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of the Finance and Executive Committee, held on Wednesday,
9 October 1991.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Halifax City Council approve SECOND READING of the amendment proposed for Ordinance 182, the Downtown Halifax Business Improvement Commission Ordinance, attached as Schedule "A" to the report from the City Solicitor, dated 5 September 1991.

The motion was put and passed.

Motion Alderman Flynn Re: Proposed Amendments to Ordinance 165: The Blasting Ordinance - SECOND READING

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 26 September 1991, and had been further discussed during a meeting of the Finance and Executive Committee, held on Wednesday, 9 October 1991.

MOVED by Alderman Flynn, seconded by Alderman Ducharme that, as recommended by the Finance and Executive Committee, Halifax City Council approve SECOND READING of the amendment proposed for Ordinance 165, the Blasting Ordinance, attached as Appendix "A" to the report from the City Solicitor, dated 5 September 1991.

The motion was put and passed.

Motion Alderman Jeffrey Re: Proposed Amendments to Ordinance 176: Conflict of Interest (Municipal Elections Act) - SECOND READING

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 26 September 1991, and had been further discussed during a meeting of the Finance and Executive Committee, held on Wednesday, 9 October 1991.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Halifax City Council approve SECOND READING of

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the amendment proposed for Ordinance 176, the Municipal Elections Act, as attached to the report from the City Solicitor, dated 4 September 1991.

The motion was put and passed.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 9 October 1991, as follows:

Case No. 6283: Amendment to Schedule "K" Agreement - Knightsridge Subdivision

This matter had been forwarded to the City Solicitor's Department for advice.

A letter, dated 11 October 1991, was received from Mr. Robert W. Shaw, President of Clayton Developments Limited, together with a letter, dated 15 October 1991, from Mr. Elwin J. MacNeil, Q.C. of MacNeil Associates.

A supplementary report, dated 17 October 1991, was submitted from the City Solicitor.

MOVED by Alderman Stone, seconded by Alderman Hanson that the application made by Mr. Peter McDonough on behalf of the owners of Lot B-3 (125 Knightsridge Drive), Lot C (175 Knightsridge Drive), Lot A-8 (40 Knightsridge Drive), Lot A-4 (25 Camelot Lane) and Lot A-5 (100 Camelot Lane) for an amendment to the Stage II, Schedule K agreement (for Phase I of the Knightsridge development) to permit a total of 19 additional units be deferred, to give the owners an opportunity to respond to staff's inquiry.

The motion was put and passed.

MOVED by Alderman Stone, seconded by Alderman Fitzgerald that the application made by the owners of Lot B-2 (95 Knightsridge Drive) for an amendment to the Stage II, Schedule K agreement (for Phase I of the Knightsridge development) to permit a total of four additional units be approved, subject to the condition that additional parking is provided as required.

The motion was put and passed.

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Blue Mountain Quarry: Comments on
Environmental Impact Assessment Report

MOVED by Alderman Stone, seconded by Alderman Ducharme that, as recommended by the City Planning Committee, Council endorse the comments prepared by staff on the Blue Mountain Quarry Environmental Impact Assessment for submission, on behalf of the City of Halifax, to the Nova Scotia Department of Environment.

The motion was put and passed.

Case No 5628: Development Agreement
- Halifax Shopping Centre

MOVED by Alderman Flynn, seconded by Alderman Ducharme that, as recommended by the City Planning Committee, that:

1. City Council accept the proposal by Trilea Incorporated to undertake modifications to the Romans Avenue driveway at the Halifax Shopping Centre for the purpose of eliminating egress traffic at this location;
2. the final design of the driveway including any modifications to Romans Avenue be subject to approval by the Development Officer for the City; and, furthermore,
3. all costs associated with the modifications be the responsibility of Trilea Incorporated.

The motion was put and passed.

MOTIONS

Motion Alderman Pottie Re: Amendments to
Ordinance 19, the Bill Posters and Posting of
Bills Ordinance - FIRST READING

Deputy Mayor O'Malley declared a possible conflict of interest and retired from the meeting.

It was agreed that this matter would be addressed in conjunction with Agenda Item 20.1 ("Case No. 6265 - Billboards").

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This matter had last been discussed at a meeting of the City Planning Committee, held on Wednesday, 9 October. Notice of Motion with regard to the proposed amendments had been given by Alderman Pottie during a regular meeting of City Council held on Thursday, 26 September 1991.

A supplementary report, dated 16 October 1991, was submitted together with a report, dated 17 October 1991, from Mr. D. B. Hyndman, Chairman, Halifax Industrial Commission.

MOVED by Alderman Pottie, seconded by Alderman Jeffrey that the following amendments to Ordinance 19, the Bill Posters and Posting of Bills Ordinance, be approved by Halifax City Council for FIRST READING; and further, that they be forwarded to the next regular meeting of Committee of the Whole Council for consideration and report:

WHEREAS Ordinance Number 19, cited as the Bill Posters and Posting of Bills Ordinance, was enacted by a resolution of the City Council, dated 17 December 1936;

AND WHEREAS this Ordinance is one of general application, applying to advertising matter, bills, posters, placards or any other thing, matter or device used to advertise the business or goods of any person, firm or corporation, or any entertainment;

AND WHEREAS Ordinance Number 166, cited as the Signs Ordinance, applies specifically and exclusively to signs, billboards and advertising structures;

NOW THEREFORE BE IT ENACTED AS FOLLOWS:

1. Section 1(e) and Section 10 of Ordinance 19 are repealed;
2. Section 9 of Ordinance 19 is repealed and the following substituted therefor:

No person shall post any bill or placards containing any picture or reading material or an obscene or immoral character or depicting the commission of a crime.

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

It was further moved by Alderman Ducharme, seconded by Flynn that, with specific regard to Item 20.1 ("Case No. 6265 - Billboards"), the deferral of this matter to the 23 October meeting of Committee of the Whole Council be affirmed.

The motion was put and passed.

**Motion Alderman Pottie Re: Amendments to
Ordinance 166, Respecting Signs, Billboards
and Advertising Structures - FIRST READING**

Notice of Motion with regard to the proposed amendments had been given by Alderman Pottie during a regular meeting of City Council held on Thursday, 26 September 1991.

MOVED by Alderman Pottie, seconded by Alderman Grant that the following amendments proposed for Ordinance Number 166, the Signs Ordinance, be given FIRST READING by Halifax City Council; and further, that they be forwarded to the next regular meeting of Committee of the Whole Council for consideration and report:

WHEREAS Ordinance Number 166, cited as the Signs Ordinance, was ratified by City Council, dated 13 December 1979;

WHEREAS Ordinance Number 166 was specifically enacted to regulate the use of signs, billboards, and advertising structures;
NOW THEREFORE BE IT ENACTED AS FOLLOWS:

1. The following is added to Section 4 as subclauses (c) and (d):

4(c) Except as provided in Section 5, no billboard shall be permitted within 250 feet of zoned parkland if any part of the advertising surface of the billboard is visible at or below eye level from any part of said zoned parkland;

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- 4(d) Except as provided in Section 5, and subject to the requirements of this Ordinance, billboards shall be permitted on City-owned lands which are zoned to permit such billboards.

The motion was put and passed.

Deputy Mayor O'Malley returns to the meeting.

MISCELLANEOUS BUSINESS

Mayor's Advisory Committee on Access

A report, dated 15 October 1991, was submitted from His Worship Mayor Ron Wallace.

MOVED by Alderman Ducharme, seconded by Alderman Flynn that, as recommended by the Mayor's Advisory Committee on Access, the following be referred to the Halifax Transit Advisory Committee for assessment and report back to Council:

- 1) a review of the Access-A-Bus service be undertaken with a view to determining its proper status within Metro Transit operations;
- 2) an evaluation of present Access-A-Bus service be made to determine what is necessary to upgrade the service to the standard now provided to the larger community.

Speaking on the motion, Alderman Flynn reported that he had received a number of calls over the last several months from constituents expressing concern about an apparent reduction in Access-A-Bus service standards (in this context, the Alderman noted that people are finding it increasingly difficult to make vehicle reservations; in addition, there have been instances where passengers have spent up to two hours on the bus before reaching their destination).

Alderman Flynn queried whether this change in service was a result of a specific policy stance adopted by Metro Transit or whether, in fact, it was a consequence of the contract being turned over to a private company. He

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therefore asked that the matter be included in the overall review of Access-A-Bus services.

The motion was put and passed.

QUESTIONS

Question Alderman Jeffrey Re: "No Stopping"
Signs - Vicinity of Burton Ettinger School

Alderman Jeffrey noted that within the last several weeks "No Stopping" signs have been erected on Sunnybrae Avenue in the vicinity of the Burton Ettinger School. He went on to emphasize that these signs pose considerable difficulty for parents attempting to drop off their school children, particularly since the Police Department have been actively issuing tickets to offenders.

The Alderman went on to note that a meeting is presently being arranged by the Burton Ettinger PTA with the City's Traffic Authority, and asked that a report on those deliberations be provided to him as soon as possible.

Question Alderman Jeffrey Re:
157 Brook Street - Drainage Problems

Alderman Jeffrey noted that, in response to a question raised by him during the 25 September City Council meeting, he had received an Information Report (dated 7 October 1991) advising, in part, that storm sewers may be required to effectively address the ongoing drainage problems in this area.

In this context, the Alderman asked for further information from staff as to which streets would be proposed for the installation of these storm sewers as part of the City's 1992-93 Capital Budget.

Question Alderman Jeffrey Re: Condition of
Joseph Howe Drive/Dutch Village Road Intersection

Alderman Jeffrey made reference to concerns previously expressed relating to the extremely poor condition of the intersection at Joseph Howe Drive/Dutch

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Village Road. In his remarks, the Alderman noted that this particular portion of the roadway has not been repaired for almost ten years, and asked for information from staff as to whether this project could be entertained as part of the City's 1992-93 budget, or before (given the urgent nature of the problem).

**Question Alderman Stone Re: Traffic
Light Controls - Dunbrack Street**

Alderman Stone noted that he had earlier been advised by staff that the controls for the new traffic signal lights at various locations along Dunbrack Street are expected during the first week in November. The Alderman emphasized that these lights are very badly needed along this particular stretch of roadway, and urged that staff make every effort to complete this project as soon as the necessary controls have been received.

Question Alderman Stone Re: Speeding - Kearney Lake Road

Alderman Stone made reference to a previously-expressed concern regarding the vehicular speeds in use along Kearney Lake Road, particularly in the vicinity of the Grosvenor-Wentworth School, adding that the police had recently undertaken a period of selected enforcement in the area.

The Alderman noted that four speeding violations had been issued in that period, and strongly urged that the Police Department monitor this situation on an ongoing basis.

**Question Alderman Stone Re: Use
of Trucks on Kearney Lake Road**

Alderman Stone reported a problem with large, empty trucks using that portion of the Kearney Lake Road between Dunbrack Street and the Bedford Highway during the late evening and early morning hours. Emphasizing that this section of roadway is a designated truck route only during certain hours of the day, the Alderman asked that the Halifax Police Department investigate the situation and report.

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Question Alderman Ducharme Re:
Safety Audit - Metro Toronto

Alderman Ducharme submitted a copy of a report entitled Safety Audits Move Into the Streets of Metro Toronto, published by the Metro Action Committee on Public Violence Against Women and Children (October 1989).

The Alderman asked that this report (aimed at making urban streets safer for women and children) be distributed to the various police advisory committees with a request for their comments on the feasibility of carrying out a similar audit in Halifax.

Question Alderman Grant Re: Mardi Gras

Alderman Grant referred to a recent news report that Historic Properties will be sponsoring a Mardi Gras event in their courtyard off Upper Water Street on Saturday, 26 October. The Alderman expressed concern that the City's barricades, etc. will be concentrated in the Argyle Street area, and therefore asked that the matter be brought to the attention of the Special Events Committee.

Question Alderman Grant Re: Citizen
Appointments - Elections Procedures Committee

Alderman Grant strongly suggested that the former citizen members of the Elections Procedures Committee be contacted as quickly as possible to ascertain whether they would be interested in serving another term. The Alderman emphasized that the knowledge and expertise of these individuals are invaluable, and urged that, should they agree to continue their service to the City in this regard, their appointments be formalized at the next regular meeting of Halifax City Council on 30 October.

Question Alderman Grant Re: Policy Statement
- Department Requests from Elected Officials

Alderman Grant made reference to an Information Report, dated 7 August 1991, submitted in response to an earlier question of whether all policy which affects members of Council must be approved by City Council.

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In this same context, the Alderman referred to City Policy Number 1011, entitled "Department Requests from Elected Officials," and asked to have the matter placed on the agenda for the 23 October meeting of Committee of the Whole Council for discussion purposes.

Question Alderman Grant Re:
Appraisal Process - City Manager

Alderman Grant strongly urged that members of the present Council, who are due to retire following the 19 October municipal election, be given an opportunity to participate in the appraisal of the City Manager.

Question Alderman Hanson Re:
Traffic Speeds - Purcell's Cove Road

Alderman Hanson asked that the City Traffic Authority, in cooperation with appropriate Provincial authorities, arrange to have the speed limit along the Purcell's Cove Road set at a consistent 50 kilometres per hour. In this context, the Alderman emphasized that, at the present time, the posted speeds change from 50 kph to 70 kph, then back again to 50 kph as the motorist progresses in from the City Limits.

Alderman Hanson emphasized that such variations in regulated speeds make it extremely confusing for motorists, and also pose a certain threat to pedestrians in the area. He therefore asked that this matter be investigated as quickly as possible and a report submitted.

Question Deputy Mayor O'Malley Re:
Former Employees - Halifax Civic Hospital

Deputy Mayor O'Malley advised that she had recently been contacted by a representative of a number of former employees of the Halifax Civic Hospital, now working at the Camp Hill facility. The Deputy Mayor went on to note that, although these employees had been under the impression that all benefits pertaining to their employ at the Civic would be transferred with them, it would now appear that they are being overlooked, particularly in the area of in-service awards and other similar recognitions.

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The Deputy Mayor noted that a meeting will shortly be held to conclude the affairs of the Civic Hospital. She therefore asked that the above concern be discussed at that time, and that a report be subsequently submitted to Council.

Question Deputy Mayor O'Malley Re:
Funds Removed From Halifax Civic Hospital Reserve Fund

Deputy Mayor O'Malley made reference to the following motion, which was approved at a Special Meeting of Committee of the Whole Council held on 11 April 1990:

That \$1.2 million from the reserve fund of the Civic Hospital be turned over to the School Board, and that staff return to Council at a later date with a plan on how the funds can be refunded in the Capital Account for a future restorative care hospital.

The Deputy Mayor referred to the latter part of that motion, and asked for information from staff as to whether a report concerning the replacement of these funds is intended for submission in the foreseeable future.

Question Deputy Mayor O'Malley Re:
Rental of the Former Halifax Civic Hospital Facility

Deputy Mayor O'Malley asked for information from staff as to whether any rental has been received from the Provincial Government with regard to the former Halifax Civic Hospital facility and, if so, the amount.

Question Alderman Holland Re:
Construction Project - Tower Road

Alderman Holland expressed concern relating to the construction now underway on Inglis Street between Tower Road and Wellington Street, emphasizing that the project poses an obstruction to children attending the Tower Road School. The Alderman added that this problem is exacerbated by the fact that there is no crossing guard in this area, and therefore asked that the Police Department be requested to monitor the situation.

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Question Alderman Holland Re:
Bullhorns - Halterm Container Terminal

Alderman Holland advised that he has received a number of complaints about individuals employed at the Halterm Container Terminal who are allegedly using their bullhorns in an unprofessional manner.

The Alderman asked that staff convey these concerns to the appropriate individuals with a request that the bullhorns are used appropriately in the future.

Question Alderman Meagher Re:
Parking Availability - Beech Street

Alderman Meagher submitted correspondence, dated 27 September 1991, from Mr. Luke F. Rimmington of 2569 Beech Street, in which Mr. Rimmington offered various possible solutions to the parking problems in such residential areas as Beech Street.

The Alderman asked that this correspondence be forwarded to the City Traffic Authority for consideration and report.

Question Alderman Meagher Re:
Traffic Lights - Preston and Vernon Streets

Alderman Meagher reported that he had received a complaint from one of his constituents regarding the traffic lights at the Quinpool Road intersection of both Preston and Vernon Streets. The Alderman noted that the "red hand" seems to appear rather prematurely, before pedestrians have time to reach even the middle of the street.

The Alderman expressed concern with regard to the safety hazards this kind of situation creates, and asked that the Traffic Authority be requested to investigate the matter.

Question Alderman Meagher Re:
Traffic - Cunard Street, Windsor Street, Compton Avenue

Alderman Meagher made reference to the above-mentioned item which had been previously discussed by Council, and asked to have it added to the agenda of the

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next regular meeting of Committee of the Whole Council scheduled for Wednesday, 23 October 1991.

Question Alderman Flynn Re:
Incineration Policy of the Metropolitan Authority

Alderman Flynn made reference to a memorandum from Mr. B. G. Smith, the City's Director of Finance, dated 4 October 1991 to Mr. D. F. Murphy, Q.C., as well as to a subsequent letter from Mr. Murphy dated 11 October.

In his remarks, Alderman Flynn noted that Mr. Smith had expressed strong reservations concerning the costs involved in the incineration approach to refuse handling. The Alderman indicated that, in light of these reservations, Council should make every effort to halt the process in order that a more comprehensive cost analysis of the proposal and its impact on the City of Halifax could be undertaken.

The City Manager advised that a meeting is presently being arranged with the chief administrative officers and finance directors from participating municipalities, at which time all costs pertaining to the incineration project will be thoroughly reviewed with the Metropolitan Authority.

Alderman Flynn strongly recommended that this meeting be called as quickly as possible so that a report might be brought back for consideration before the present City Council retires.

**Question Alderman Downey Re: Cornwallis
and Maynard Streets - Traffic Improvements**

Alderman Downey made reference to a report recently received from the Traffic Authority regarding certain traffic improvements that can be undertaken at Cornwallis and Maynard Streets. Noting that the suggested improvements are only minor in nature, the Alderman strongly urged that this work be commenced as quickly as possible.

Question Alderman Downey Re:
Halifax Housing Authority - Window Replacement

Alderman Downey noted that during the 9 October meeting of the Finance and Executive Committee he had

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recommended that work by the Halifax Housing Authority begin as quickly as possible on the window replacement project for Sunrise Manor.

The Alderman asked to have this item placed on the agenda of the next regular meeting of Committee of the Whole (scheduled for Wednesday, 23 October) with the Housing Authority being asked to submit a report on the matter for consideration at that time.

Question Alderman Fitzgerald Re:
Administration of Justice

Alderman Fitzgerald asked for an update (in report form) on the status of the proposed take-over of the administration of justice by the Provincial Government.

Question Alderman Fitzgerald Re:
Trade-Off: Social Assistance and Policing

Responding to a question from Alderman Fitzgerald, His Worship Mayor Wallace advised that very little progress is being made vis a vis the proposal that the City of Halifax would undertake policing duties for certain municipalities in return for social assistance payments.

Question Alderman Fitzgerald Re:
Mardi Gras Preparations

Alderman Fitzgerald advised that the Special Events Committee is in charge of the City's preparations for the 1991 Mardi Gras event.

Question Alderman Fitzgerald Re:
Joint Committee: City/School Board Representatives

Responding to a question from Alderman Fitzgerald regarding the status of the above-mentioned committee, the City Manager advised that several weeks ago he had received a letter indicating that, at the direction of the Halifax District School Board, the Director of Education, Dr. Young, and Mr. Stephen Clancy wished to meet with him [Mr. Murphy] to discuss the "parameters" of the proposed joint committee.

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Mr. Murphy went on to note that he had refused such a meeting, emphasizing that Council, in proposing a joint committee of this nature, had been quite specific about its purpose, and as a consequence no further discussion on this particular subject was necessary.

Question Alderman Fitzgerald Re:
Voting Requirements - Jewish Community

Alderman Fitzgerald noted that members of the local Jewish community continue to be concerned that regular polling days are consistently scheduled for Saturdays, the traditional Jewish sabbath. As a member of the Election Procedures Committee, Alderman Fitzgerald indicated that, in his opinion, this is a matter which should be satisfactorily resolved in time for the next regular election in three years' time.

Question Alderman Fitzgerald Re:
Funding - Farmers Market

Alderman Fitzgerald made reference to a letter recently received from the Municipality of the County of Halifax, indicating that, because funds have already been expended for the 1991-92 year, they are unable to make any contribution to the Farmers Market.

In light of the circumstances, therefore, Alderman Fitzgerald asked that the County be approached to cost-share in this venture for the 1992-93 fiscal year.

Question Alderman Fitzgerald Re: City of
Halifax Participation in the Metropolitan Authority

Alderman Fitzgerald noted that, when the Metropolitan Authority was first established, there had been no indication that the City of Halifax would find itself dealing with amounts of capital greater than the City's own budget. The Alderman expressed concern that the City has committed itself in this manner, and suggested that a legal opinion be sought on the "intent of the day," particularly given the fact that Halifax has very little control over the manner in which these funds are spent.

Alderman Fitzgerald asked that the City Solicitor comment on this matter, and provide information as to the

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steps the City might be able to take to regain control of its finances with regard to its contributions to the Metropolitan Authority.

Question Alderman Pottie Re:
Intersection of Almon Street/Connaught Avenue

Alderman Pottie asked if staff might consider repainting the white traffic lines at the intersection of Almon Street and Connaught Avenue as quickly as possible in order to alleviate the confusion currently caused to motorists by their absence.

NOTICES OF MOTION

Notice of Motion Alderman Flynn Re: Amendment
to Ordinance 121, the Retail Shop Closing Ordinance

Alderman Flynn gave Notice of Motion that, at the next regular meeting of Halifax City Council, scheduled for Wednesday, 30 October 1991, he proposes to introduce for First Reading amendments to City of Halifax Ordinance 121, the Retail Shop Closing Ordinance.

The purpose of this amendment is to extend the hours during which retail stores may open on Friday, 13 December 1991.

ADDED ITEMS

Case No. 6265: Billboards

This matter was dealt with earlier in the meeting in conjunction with Agenda Item 16.1 ("Motion Alderman Pottie Re: Amendments to Ordinance 19, the Bill Posters and Posting of Bills Ordinance - FIRST READING").

St. Catherine's School Yard (Alderman Pottie)

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

Alderman Pottie, through the use of colored photographs, brought to Council's attention that the play

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area, the school grounds and the walkways at St. Catherine's School are in what he termed "deplorable condition." In his remarks, the Alderman noted that in many places the asphalt has heaved as much as 6-8 inches; grass is growing through holes in the asphalt in the middle of the play area; and children are tripping and falling on a daily basis.

It was therefore moved by Alderman Pottie, seconded by Alderman Fitzgerald that City staff be instructed to get in touch with School Board officials as quickly as possible to determine whether plans can be developed to patch this area at least as a temporary measure, or to undertake a joint venture between the City and the School Board to make this school area safe for its children.

In putting forward this motion, Alderman Pottie asked for advice from the City Solicitor's Department as to whether the City would in fact be liable for any injuries caused by the condition of these play areas, despite the fact that the property is technically the responsibility of the Halifax District School Board.

The motion was put and passed.

Award of Tender #91-124: Chocolate
Lake Community Center - Window Replacement

A staff report, dated 10 October, 1991, was submitted.

MOVED by Alderman Hanson, seconded by Alderman Grant that authority be granted to award Tender #91-124 (Chocolate Lake Community Center - Window Replacement) to T.A.G. Developments Ltd. in the amount of \$54,213.00, and to approve the total project cost of \$65,055.60 (funds to be made available from Account Number 22502.91640 titled South Armdale Community Center Building Repairs).

The motion was put and passed.

Raccoons (Alderman Holland)

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

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Alderman Holland made reference to an Information Report, dated 9 October 1991, which had been submitted by staff in response to a question previously posed by the Alderman relating to a problem with raccoons in the City's South End. The Alderman expressed concern that, unless this matter is satisfactorily addressed, it is possible that a child will be injured by one of these animals.

It was therefore moved by Alderman Holland, seconded by Alderman Meagher that the City acquire traps with which to capture these raccoons, and that the Rodent Control Officer or some other member of staff be appropriately trained to address this matter in future.

In seconding this motion, Alderman Meagher pointed out that the raccoon problem is not confined to Peninsula South; rather, it is prevalent in all parts of the City and should therefore be rectified.

The motion was put and passed.

Hours of Operation - Service
Stations (Alderman Fitzgerald)

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

Alderman Fitzgerald pointed out that with the abolition of the Gasoline Licensing Board there are no regulations pertaining to the operating hours for service stations. Emphasizing that while he has no objection to 24-hour gas stations in certain parts of the City, he is opposed to locations which are in close proximity to otherwise quiet residential areas.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Meagher that the City Solicitor be asked to look into this matter and report to Council as to what steps can be taken in this regard.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 12:00 Midnight.

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

M. A. MACDONELL
ACTING CITY CLERK

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**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
23 October 1991
5:45 p.m.

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

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

PRESENT: Deputy Mayor O'Malley, Chairman; and Aldermen Fitzgerald, Downey, Pottie, Grant, Hanson, Jeffrey, Ducharme, and Stone.

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

Public Hearing Re: Case No. 6399: Land Use Bylaw Amendment - Sec. 34F(1)

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

Mr. Paul Dunphy, Planner, addressed Council and, with the use of diagrams, outlined the application to amend section 34F(1) of the land use bylaw so that this section does not apply to lot 6 of the Thornvale subdivision on Cromwell Road. Mr. Dunphy advised that the purpose of the amendment was to permit construction of a single unit house which meets the requirements of the R-1 zone (as outlined in sketches 1 and 2 of the 04 September 1991 staff report).

Mr. Dunphy responded to questions from Council.

In response to a question by Alderman Fitzgerald, Mr. Dunphy advised that, currently, lot 6 was for sale and the prospective purchaser wishes to build a home on the lot but their requirement is that the home is to be one story because of an invalid in the family. He added that, in order to have a house that is large enough and one story, the setback requirements have to be waived--that being, the 30 ft. setback from the adjacent house and the 30 ft. setback requirement from the water of the Northwest Arm.

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Mr. Dunphy advised that, if approved, the house would be constructed to the normal R-1 requirements which the other houses in the neighbourhood were constructed to.

Alderman Fitzgerald expressed concern about waiving the 30 ft. setback requirement from the Northwest Arm and he pointed out that Council has not permitted this for others. He indicated that it would not be fair to approve one when others who have requested the same have been refused.

In response to this concern, Mr. Dunphy explained that there was a difference between the lots in question and other lots referred to by Alderman Fitzgerald. He advised that Council has already approved a policy to exempt these two properties and, therefore, amending the bylaw was simply carrying out the existing policy which has been in place for the past nine years.

Alderman Fitzgerald advised that, ordinarily, he would not support a request to waive the 30 ft. setback requirement from the Northwest Arm but, he added, as outlined by staff, this situation appears to be unique. Alderman Fitzgerald indicated that he would be requesting a report from the Legal Department on this matter.

Mr. Dunphy responded to further questions from Council.

Alderman Pottie asked if it would be within Council's power to waive the sideyard requirements with a strong recommendation that the 30 ft. setback from the Northwest Arm be maintained.

In response to this, Ms. Donovan, representing the City Solicitor, advised that, in clarifying the question, Alderman Pottie was asking if, at this point in time, Council could process a minor variance application and not approve the zoning change.

Ms. Donovan advised that she would include a response to this question in the report which Alderman Fitzgerald has indicated he would be requesting.

Mr. Gordon Weld, the applicant, addressed Council and advised that the comment by staff that there was an invalid in his family was incorrect. He added that his wife had suffered a skiing accident and currently finds it difficult to walk, but that they are hopeful that this will correct itself in time. Mr. Weld noted that, however, this

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was the reason he and his wife wished to build a single story home because climbing stairs could pose a problem for his wife in the future.

Mr. Weld noted that the primary reason for the application was because the sewer easement passes through the lot and, as a result, the amount of space left to build a home was very small. He pointed out that the sideyard exemption was what he was really concerned with and he noted that the matter raised by Alderman Fitzgerald, regarding the 30 ft. setback from the Northwest Arm, has been discussed by he and his adjoining neighbour (lot 7). Mr. Weld added that they have agreed to enter into a restrictive covenant to restrict any construction within 30 ft. of the Arm. He emphasized that he has no intention of building any closer than 30 ft. from the Northwest Arm.

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

Alderman Fitzgerald indicated that he was prepared to move a motion on this item and, referring to questions raised, he requested a report from staff regarding such matters as to what was permitted and not permitted on the lot, and how binding a restrictive covenant would be between the two neighbours. In addition, Alderman Fitzgerald noted that the Solicitor indicated that she would include Alderman Pottie's question in the report.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that this matter be forwarded to Council without recommendation, pending a staff report.

Motion carried.

HERITAGE HEARING

Heritage Hearing Re: Point Pleasant Park

This matter had been deferred from a Special City Council meeting on 9 October 1991.

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

A supplementary report dated 17 October 1991 was submitted.

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Mr. Dan Norris, Heritage Planner, addressed Council and, using photographs, outlined the application to designate Point Pleasant Park as a Municipal Heritage Site.

Mr. Norris noted that this hearing was deferred to this meeting in order that the Point Pleasant Park Commission could meet with a representative of the Heritage Advisory Committee. He added that the meeting was held and that staff have received a letter of support from the Park Commission. Mr. Norris noted that the owner of the property, the Canadian Park Service, has also indicated its support for the designation.

Mrs. J. Kitz, Chairman of the Point Pleasant Park Commission, addressed Council and indicated that the Park Commission was concerned that the designation would cover the entire Park. However, she added that staff have assured her that the designation covers only the buildings in the Park.

Referring to the submitted report, Mrs. Kitz noted that there was a list of the buildings which would be covered by the designation. She indicated that the Commission had mild concerns about some of the buildings listed, such as the Park Canteen. Mrs. Kitz advised that the Commission was of the opinion that the Canteen was not suitable as a heritage property because it was constructed in 1970 and that it was the sort of building which may require future alterations. Mrs. Kitz noted that the Commission felt it would be preferable to exclude this from the list. She added, however, that she has been assured that, if this were the case, permission would be granted quickly. Mrs. Kitz added that the Park Commission has no serious objections to the designation.

Alderman Stone advised that he supported the heritage designation but would not want to do anything which would prevent renovations to the Park Canteen. He questioned if it would be possible to exclude the Park Canteen from the designation and suggested that the motion could exclude the buildings constructed after 1969, and, therefore, the Park Canteen would be automatically excluded.

In response to this Mr. Norris advised that it was possible to exempt some properties, noting that a new legal description would have to be drawn up exempting the Canteen property.

MOVED by Alderman Fitzgerald, seconded by Alderman Stone that this matter be forwarded to Council without

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recommendation and that a staff report be provided on the matter of excluding the Park Canteen from the designation.

Motion carried.

There being no further business to discuss, the meeting adjourned at 6:15 p.m.

DEPUTY MAYOR MARIE O'MALLEY
CHAIRMAN

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HEADLINES

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