

**SPECIAL COUNCIL  
PUBLIC HEARING  
MINUTES**

Council Chamber  
Halifax City Hall  
4 December 1991  
5:40 p.m.

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

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

**PRESENT:** Her Worship Mayor Ducharme, Chairman; and Aldermen Holland, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Adams, Hanson, Jeffrey, and Macdonald.

**ALSO PRESENT:** Mr. Edward A. Kerr, City Clerk; and other members of City staff.

**ADDED ITEMS**

At the request of the City Clerk, the following items were added to the agenda:

**Case No. 6411: Schedule "C" Development Agreement - 2281  
Brunswick Street**

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

**MOVED by Alderman Downey, seconded by Alderman Meagher that,** as recommended by the City Planning Committee, Council set a date for a public hearing to consider entering into a development agreement with Dr. Judith Mills to permit use of 2281 Brunswick Street as a psychological counselling centre.

**Motion carried.**

The City Clerk advised that the Public Hearing was scheduled for Wednesday, 22 January 1992 at 7:30 p.m. in the Council Chamber, Halifax City Hall. *L*

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Sale of City Owned Land between 38 & 42 Titus Street

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

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the parcel of land identified as "Easement 6P" on Plan TT-36-28289 be sold to Pierre Jabbour for \$10,650.

Motion carried.

Council then continued with its regular agenda as follows:

Public Hearing: Case No. 6352: Lot Modification - 3661 - 67 Windsor Street

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

Mr. Paul Dunphy, Planner, addressed Council and, using diagrams and photographs, outlined the application by Mr. Samir Metledge for modification of the minimum R-3 frontage requirements from 90 feet to 79 feet, a reduction of 11 feet, at 3661-67 Windsor Street (as contained in the staff report dated 23 October 1991).

Mr. Samir Metledge, the applicant, addressed Council and, referring to the staff report, expressed his appreciation to staff for their recommendation of his request. Mr. Metledge asked that Council look favourably upon his application.

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

MOVED by Alderman Pottie, seconded by Alderman Jeffrey that:

- 1) City Council enter into a development agreement with Mr. Samir Metledge to permit modification of the R-3 lot frontage requirements at 3661-67 Windsor Street.
- 2) Council requires that the agreement shall be signed within 120 days, or any extension thereof

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granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, the approval will be void and obligations arising hereunder shall be at an end.

Motion carried.

There being no further business to discuss, the meeting adjourned at 5:45 p.m.

HER WORSHIP MAYOR DUCHARME  
CHAIRMAN

/sm

Edward A. Kerr, CMC  
City Clerk

HEADLINES

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

Council Chamber  
Halifax City Hall  
Halifax, N.S.  
12 December 1991  
8:00 P. M.

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

The meeting was called to order and those present, led by Her Worship Mayor Ducharme, joined in the recitation of the Lord's Prayer.

**PRESENT:** Her Worship Mayor Moira Ducharme, Chairman; Deputy Mayor Bill Stone; and Aldermen Holland, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Adams, Hanson, Jeffrey, Macdonald, and Crowley.

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

**SWEARING IN - POLICE CONSTABLES**

The following Constables were introduced to City Council at this time: Constable Bruce Ayers, Constable Douglas Hill, William Finney, and Brian Veniot.

Her Worship Mayor Ducharme welcomed the four new police constables to the City of Halifax on behalf of members of Council, and administered the Oath of Office to them for the Halifax Police Department.

Police Chief Vincent MacDonald then presented Constable Bruce Ayers, Constable Douglas Hill, William Finney, and Brian Veniot with the Badge of Office.

**MINUTES**

Minutes of a special meeting of Halifax City Council, held on Wednesday, 20 November 1991, and on Wednesday, 4 December 1991, and of a regular meeting held on Thursday, 28 November 1991, were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Fitzgerald.

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APPROVAL OF THE ORDER OF BUSINESS,  
ADDITIONS AND DELETIONS

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

- 20.1 Halifax Harbour Clean-Up - Roach's Pond  
Option (Alderman Adams)
- 20.2 Award of Tender 91-113 - Electrostatic  
Colour Plotter - GIS
- 20.3 Sale of Beer and Wine in Convenience Stores  
(Alderman O'Malley)
- 20.4 1991 Prince Arthur Street - Application for  
Substantial Alteration of Heritage Property
- 20.5 Refuse Collection Service - Condominium  
Properties (Alderman O'Malley)
- 20.6 Computer Network Upgrade

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

- 17.1 Appointments

MOVED by Alderman Adams, seconded by Alderman  
Hanson that the agenda, as amended, be approved.

Motion passed.

DEFERRED ITEMS

Dilapidated Building - Civic No. 2368 Creighton Street

This item was deferred to this meeting from the  
meeting of City Council held on 17 October 1991.

At the request of Alderman Downey, Mr. H.A.  
MacEachern, Manager of Inspection Services, addressed  
Council and indicated that this matter could be deferred  
for another three months. He noted that, it was his  
understanding, the engineer had not finished the study on  
the structure of the building to date.

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MOVED by Alderman Downey, seconded by Alderman Hanson that this matter be deferred to the 12 March 1992 meeting of City Council.

Alderman Downey indicated that hopefully the plans would be submitted by that time.

The motion was put and passed.

Possible Street Closure - Portion of Monastery Lane

This item was deferred to this meeting from the meeting of City Council held on 28 November 1991.

The following information was submitted:

- An information report dated 2 December 1991;
- A letter dated 10 December 1991 with attachments was submitted from Hugh K. Smith, President, FS Industries Limited;
- A submission with attachments dated 6 December 1991 from the residents on Allan Street.

Alderman Meagher addressed the matter and, with the use of a video presentation, described the problems on Allan Street as a result of the amount of traffic that is flowing from Monastery Lane onto Allan Street and from Allan Street on Monastery Lane. In his comments, Alderman Meagher noted that approximately 6000 vehicles use Allan Street a day. He went on to refer to additional traffic counts as described in the submissions from the residents on Allan Street dated December 6th. Alderman Meagher reiterated his concern that this tremendous amount of traffic is dangerous to the residents in the area and emphasized that it should be eliminated with the closure of Monastery Lane north of Quinpool Centre.

MOVED by Alderman Meagher, seconded by Alderman Macdonald that Monastery Lane be cul-de-saced at a point approximately 100-150 feet south of Allan Street and that sufficient space remain in order to allow access for vehicles coming and going into Quingate Place to Monastery Lane and Quinpool Road.

The City Clerk noted that Alderman Holland should not participate in the vote on this item.

Responding to a question from Alderman O'Malley, the City Manager advised that staff had not had the opportunity to prepare a response to the suggestions in the

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submission from FS Industries Limited dated 10 December 1991.

Alderman Fitzgerald indicated that he agreed there was a problem with traffic on Allan Street, but expressed the concern that the proposed closure would shift the traffic to another street. He noted that he would like to see, as a first step, dialogue between the owners of Quinpool Centre and the residents in the area to see if a solution could be worked out which would decrease the traffic on this street.

A discussion followed and, in response to a question from Alderman Crowley, the City Manager advised that the Fire Department considers that the proposed closure would limit their access to respond to calls in the Quingate apartments and were therefore recommending against the closure.

Alderman Adams expressed the view that traffic should be encouraged to use the main arterial streets rather than the residential streets. He suggested, as a possible solution, that during particular times of the day Quinpool Road be made a three lane street one direction and a one lane street the other direction. For example, he suggested that, between the hours of 7:00 a.m. and 8:30 a.m., Quinpool Road become three lanes going towards downtown. Further, he suggested that, in the afternoon hours, Quinpool Road be made a three lane street going towards the Armdale Rotary. The Alderman suggested that this alternative could possibly encourage traffic to use the main arterial routes through the City.

Deputy Mayor Stone noted that there used to be a no right turn sign at the exit from the Quinpool Centre onto Monastery Lane. He suggested that consideration should be given to replacing this sign which could help alleviate the traffic problems on Allan Street. The Deputy Mayor added that a sign indicating "local truck traffic only" should also be considered for Allan Street.

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that this matter be deferred to the next Committee of the Whole Council meeting to be held on Wednesday, 8 January 1992, and that, in the meantime, the Traffic Authority arrange a meeting with the residents in the area and Mr. Hugh K. Smith, President of FS Industries Limited, to discuss the concerns and proposals suggested in Mr. Smith's letter of December 10th and provide a report back to Council.

After a short discussion, the motion was put and passed with Alderman Meagher voting in opposition and Alderman Holland abstaining.

PETITIONS AND DELEGATIONS

Petition Alderman Fitzgerald Re: Halifax -  
The Greatest Little City in North America

Alderman Fitzgerald noted that a number of residents have indicated that the City Manager should be commended for his work in promoting the City of Halifax as the greatest little City in North America. Alderman Fitzgerald presented a petition at this time to be submitted to the City Manager in his efforts in promoting the City.

The City Manager commented that, at the suggestion of Alderman Holland (at the last Committee of the Whole Council meeting) with respect to appropriate signage for the City, it would be fitting to post a sign at every entrance to the City of Halifax promoting the City as the greatest little City in North America.

The Chairman noted that the matter would be referred to Tourism.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 4 December 1991, as follows:

Gottingen Street Area Merchants Association:  
Application for 1991-92 Mainstreet Budget

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council:

1. allocate a sum of \$37,500 to the Gottingen Street Area Merchants Association for the year 1991-92, on the understanding that the province will allocate an equal amount;
2. reduce the above amount to match the province's contribution, in the event that the province's allocation is less than \$37,500;
3. authorize the transfer of the final amount allocated by the City from the Mainstreet Capital Account No. CK051 to a special operating account.

Motion passed.



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Use of City-Owned and Private Vehicles  
by City Employees

This matter was forwarded to Council without recommendation pending a further report from the City Manager.

A staff report dated 10 December 1991 was submitted.

Alderman Jeffrey addressed the matter and referred to the staff report of December 10th from the City Manager. With respect to the comment by the City Manager regarding City employees using their own vehicles for transportation of goods for example, salt, etc., Alderman Jeffrey advised that this was not an issue. He pointed out that the matter before Council was with respect to City vehicles going out of the City. The Alderman clarified that he was not saying that vehicles should be taken away from the employees but that they would only use them in the City.

Alderman Jeffrey added that he could not support the recommendation in the report from the City Manager stating that owing to the benefit received by the City in having its Works Supervisors available for emergency duty, they be permitted to take City vehicles home if they live no further than Tantallon to the south, Sackville to the Northwest and Porter's Lake to the east.

MOVED by Alderman Jeffrey, seconded by Alderman Holland that, as of this date, all new employees and present employees who get promoted to either foreman or supervisor, that all City vehicles will not be taken outside City limits unless permission has been granted by the City Manager on special occasions.

A lengthy discussion ensued and it was MOVED in amendment by Alderman Macdonald, seconded by Alderman Meagher that the motion be amended to state that the new policy include payment for personal miles whether the employee lives outside City limits or within the City.

During the discussion, the City Manager clarified that those City employees who take City vehicles home do so because they are on call. He noted that while most people in the private sector pay for personal mileage, they are not on call such as is the case with City employees.

After a discussion, the amendment was put and defeated.

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In response to a question, Alderman Jeffrey clarified that the reference in the motion to present employees referred to existing employees who may be promoted in the future.

Subsequent to a further discussion, the original motion was put and passed.

The Atlantic School of Theology Library Campaign

A staff report dated 12 December 1991 was submitted.

MOVED by Alderman Holland, seconded by Deputy Mayor Stone that this matter be deferred and the item referred to the Heritage Advisory Committee for a report on the evaluation of the building as a heritage property designation.

Motion passed.

Annual Review of Licenses, Permits and Fees -  
Newspaper Box Permit Fees

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize the City Solicitor to seek Changes to Ordinance #180, the Streets Ordinance, to effect changes to newspaper box location fees for 1992 and 1993 as contained in the report dated 28 November 1991.

Motion passed.

Current Borrowing Resolution

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council give authorization to the Mayor and City Clerk to sign the current borrowing resolution (as attached to the 21 November 1991 report), in the sum of \$7,000,000 for the period 1 January 1992 to 30 June 1992 in accordance with Section 213 of the Halifax City Charter.

Motion passed.

Tax Billing Interest Rates

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the interest rate on past due taxes revert to 2% above the City banker's prime loan rate

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effective 16 December 1991, and that a rate of 20% per annum be charged for the months of March and April 1992, again, in an effort to add incentive to payment prior to year end as sums outstanding at 31 March 1992 will add to the amounts to be provided in the 1992/93 budget and consequently increase taxes.

Alderman Adams asked that, if necessary, the 2% reference be changed to a 2% above the City banker's prime loan rate per annum if this was not already understood.

Motion passed.

Encroachment License -  
Civic No. 274-276-278 Bedford Highway

MOVED by Deputy Mayor Stone, seconded by Alderman Macdonald that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of an encroaching free-standing sign at the front of Civic #274-276-278 Bedford Highway.

Motion passed.

Encroachment License - Civic No. 1713 Bedford Row

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of an encroaching step, landing, and wheelchair ramp at the front of Civic #1713 Bedford Row.

Motion passed.

Acquisition of Lot 29 Osborne Street and  
Wildwood Avenue -Right-of-Way

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Lot 29 Osborne Street and the Wildwood Avenue right-of-way be acquired for \$54,000 as settlement in full (funds to be made available in Account #CK019 Sundry Land Acquisitions).

Motion passed.

Acquisition of Parcel H-152,  
Civic No. 453 Herring Cove Road

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive

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Committee, the acquisition of Parcel H-152 be settled with Mr. Charles Weldon for \$9,860 plus interest in accordance with the Expropriation Act (funds to be made available in Account No. CJO12, the Herring Cove Widening Account).

Motion passed.

Pollution Control Charges

Alderman Fitzgerald addressed the matter and MOVED, seconded by Alderman Hanson that this matter be forwarded to the next meeting of the Finance and Executive Committee, to be held on Wednesday, 8 January 1992, pending a report from staff.

Alderman O'Malley asked that an update on the conceptual costs of the Harbour Clean-up be provided in the report which is to be submitted and the City Manager advised that that would form part of the report.

Motion passed.

Metropolitan Authority - Financing, etc.

Alderman Fitzgerald addressed the matter and, reiterating his comments made at the last Committee of the Whole Council meeting, expressed concerns about incineration. He expressed concern about the uncertainty of the cost of incineration and the uncertainty about potential health and environmental problems.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that City Council:

- 1) request a review of the Act with respect to the Metropolitan Authority and report back to Council;
- 2) request the Metropolitan Authority to justify their cost analysis and provide information on the financial implications of the proposed incinerator;
- 3) request the Metropolitan Authority to provide information with respect to health and environmental concerns;
- 4) request the Provincial and Federal Governments to take the question of recyclable materials and packaging seriously and call a meeting or a conference to deal with this very serious problem.

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Alderman Macdonald addressed the matter and indicated that he was convinced that the environmental concerns have been overplayed substantially and that this whole incineration program, if it is approved, would pass provincial environmental review. In his comments, Alderman Macdonald expressed the view that the issues raised by Alderman Fitzgerald have been addressed time and time again over the last few weeks. He noted that he had real concerns, as a member on the Metropolitan Authority, about the City's position on the Authority and that he still had high hopes for regional cooperation. Alderman Macdonald suggested that this whole issue should be put to rest for at least two months. He commented that he firmly believed that any further elaborate studies would be counter-productive and hurt the City's position on the Metropolitan Authority.

After a discussion, the motion was put and passed.

City Greeting Signage at City Entrances

Alderman Holland addressed the matter and noted that he had raised this matter at the last Committee of the Whole Council meeting. He noted that he had received a number of comments from citizens that the City does not really welcome people to Halifax nor advertise the City enough. Alderman Holland noted that there are five entrances to the City and that signs should be erected welcoming people to the City of Halifax. He added that the City should also advertise its twinnings with other Cities.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that this matter be forwarded to the appropriate staff for comment with respect to the type of signage that could be erected and the costs involved.

Motion passed.

Local Improvement Rates 1992-1994

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council approve the 1992-1994 Local Improvement Rates as shown in Appendix "A" of the 29 November 1991 staff report, and that there be no local improvement charges for sidewalk renewals and pavement renewals.

Motion passed.

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Tender 91-151 - Two 1992 Harley Davidson  
Police Motorcycles

MOVED by Alderman Pottie, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, authority be granted to award Tender 91-151 - Two 1992 Harley Davidson Police Motorcycles to Harley Davidson-Dartmouth, the only bidder meeting specifications for a tendered price, including all taxes, of \$13,600.00 each (funding to be made available in account number 26104.8300.80001 titled, Vehicle Reserves -Police).

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 4 December 1991, as follows:

Municipal Leaf Composting Program  
- Specialized Equipment Project

Alderman Adams declared a possible conflict of interest and retired from the Council Chamber.

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

- (1) the Mayor and City Clerk enter into an agreement with Procter and Gamble Company to provide a specialized compost turning machine;
- (2) the City of Halifax share will be \$5000.00 from Account #1500-54474 (Special Item Account - Specialized Equipment);
- (3) the City of Halifax provide a diesel power unit from a decommissioned fire truck, approximate resale value of \$1000.00.

The motion was put and passed.

Alderman Adams returned to the meeting.

Special Streets Upgrading Program

MOVED by Alderman Downey, seconded by Deputy Mayor Stone that, as recommended by the Committee on Works, Council authorize the transfer of funds in the amount of

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\$120,000.00 from Capital Account No. 91526 to Capital Account No. 91529 for the Special Streets Upgrading Program.

The motion was put and passed.

Bayers Road Improvements

This matter had been forwarded to Council without recommendation from the 4 December 1991 meeting of the Committee on Works.

Correspondence, dated 9 December 1991, was received from Mr. Ron Bedgood.

Alderman Crowley asked that Mr. Bedgood's letter be formally tabled, and further that staff respond in report form to the question posed on p. 2 of that letter, namely whether ". . . citizens have any legal means to require that an obvious dangerous condition be made safe by those responsible." In the same context, the Alderman asked for information from staff with regard to another request from Mr. Bedgood; i.e., that the curbs on Bayers Road be restored to their original location so that residents can exit to the left, off Pennington Avenue, safely.

Alderman Crowley emphasized that she had driven through this particular section of Bayers Road on a number of occasions in order to familiarize herself with the concerns which have previously been raised regarding the recent street improvements. In her remarks, the Alderman drew attention to the restrictions now imposed on the residents of Pennington Avenue as well as on the users of St. Andrews Community Centre, the Petrocan service station, residents of the Bayers Park Apartments, and on other abutting property owners. She went on to suggest that not all of these individuals had been canvassed as to their views on the proposed improvements, adding that, in her opinion, should future large-scale changes be anticipated, every effort should be made to seek input not only from the Alderman in question but from his/her constituents. The Alderman also suggested that additional steps should be taken to facilitate the transition period, possibly through the use of media advertisements or a traffic control police officer.

It was subsequently moved by Alderman Crowley, seconded by Alderman Pottie that no further action be taken on this project by City staff until the following matters have been resolved, at least on an interim basis:

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- (1) the alignment problem due to the recently-installed median;
- (2) a modification to address the left-turn problem for users exiting Pennington Avenue onto Bayers Road; and
- (3) a report to be submitted to the regular meeting of Committee of the Whole Council scheduled for Wednesday, 22 January 1992 respecting the outcome of the monitoring and the type of monitoring undertaken on this portion of Bayers Road.

With reference to the motion put forward by Alderman Crowley, the City Manager advised that while staff has already begun a review of these street improvements and a possible reconfiguration of this section of Bayers Road, it may not be possible to have a comprehensive report (complete with the results of the monitoring process) available for the 22 January meeting. Mr. Murphy therefore suggested that if this is indeed the case, staff will endeavor to provide an interim report at that time.

Deputy Mayor Stone referred to another matter raised by Mr. Bedgood (namely, that motorists exiting from Pennington Avenue must now cross two separate traffic lanes both under separate controls) and asked for staff comment in this regard.

The motion was put and passed.

10:30 p.m. - Her Worship Mayor Ducharme retires from the meeting, with Deputy Mayor Stone assuming the Chair.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on Wednesday, 4 December 1991, as follows:

Forest Firefighting - Proposed  
Purchase of Equipment

MOVED by Alderman Meagher, seconded by Alderman Hanson that, as recommended by the Safety Committee, the request for the purchase of two four-wheeled, all-terrain vehicles, a motorized boat suitable for fighting forest fires around lakes, and related equipment as outlined in



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the 25 November 1991 staff report, be reviewed during the 1992 budget process.

The motion was put and passed.

REPORT - COMMITTEE OF THE WHOLE COUNCIL,  
BOARDS AND COMMISSIONS

Proposed Amendments to Ordinance 170, the  
Tax Concession Ordinance (SECOND READING)

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 14 November, and was further considered at a regular meeting of the Finance and Executive Committee held on Wednesday, 4 December 1991.

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council approve SECOND READING of the amendment proposed for Ordinance 170, the Tax Concession Ordinance, relating to the taxation of the former Riverview School now leased by the Spryfield Day Care Centre (attached as Appendix "A" to the staff report of 25 October 1991).

The motion was put and passed.

Report from the Halifax Taxi Commission Re: Request for  
An Amendment to the Provincial Motor Vehicle Act Re:  
Municipal Jurisdiction - Metro Area Taxi Industries

A report, dated 3 December 1991, was submitted from Alderman Stephen Adams, Chairman of the Halifax Taxi Commission. Correspondence, dated 11 December 1991, was also submitted from Mr. G. A. MacIntosh, solicitor for Airline Taxi and Limousine Service.

At Alderman Adam's request, the City Solicitor commented briefly on the letter submitted from Mr. MacIntosh. In his remarks, Mr. Anstey emphasized that, in his opinion, there is no substantial difference in either the intent of the Taxi Commission's recommendation and that expressed in the 11 December correspondence or in the two proposed solutions. He went on to note that, in instances where amendments to Provincial legislation is being proposed, the City normally takes the approach of identifying the problem and putting forward a general solution, leaving it to Provincial representatives to draft the appropriate legislation. In this case, Mr. Anstey emphasized that both the Taxi Commission and Mr. MacIntosh agree that the problem is one of passenger vulnerability when taxi trips cross municipal boundaries, and that an

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appropriate solution is that the requirements of the licensing municipality follow a taxi vehicle wherever it travels within the Province of Nova Scotia.

It was therefore moved by Alderman Adams, seconded by Alderman Hanson that, on behalf of its Taxi Commission, Halifax City Council seek an amendment to the Nova Scotia Motor Vehicle Act to provide that municipalities be empowered to regulate the transportation of passengers and goods by vehicles for hire licensed by those municipalities, regardless of where in Nova Scotia the trip originates or terminates.

The motion was put and passed.

**Report from the Halifax Taxi Commission Re: Request  
For an Amendment to the Provincial Motor Vehicle Act  
Re: Emergency Signalling System - Taxi Vehicles**

A report, dated 2 December 1991, was submitted from Alderman Stephen Adams, Chairman of the Halifax Taxi Commission.

Having briefly reviewed the contents of the Commission's 2 December report, it was moved by Alderman Adams, seconded by Alderman Pottie that Halifax City Council, on behalf of its Taxi Commission, request that Section 179(5) of the Nova Scotia Motor Vehicle Act be amended to add "taxis whose operators believe themselves to be in physical danger" to the list of those vehicles permitted to display flashing red lights.

The motion was put and passed.

**Recommendation - Tax Concessions  
and Grants Committee**

A report, dated 5 December 1991, was submitted from Alderman N. Meagher, Chairman of the Tax Concessions and Grants Committee.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Tax Concessions and Grants Committee, the following grants be approved:

Alice Housing . . . . .	\$ 2,500.00
Centennial Arena Commission . . . . .	20,000.00 *
National Access Awareness Week . . . . .	500.00
Phoenix House . . . . .	250.00
Friends of the Public Gardens . . . . .	250.00

\* \$10,000 in Capital; \$10,000 in Operating

The motion was put and passed.

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REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 4 December 1991, as follows:

Civic No. 6310 York Street

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the City Planning Committee, the City Solicitor be authorized to apply to the Supreme Court of Nova Scotia for an injunction in respect of the illegal development and occupation of the property at 6310 York Street, Halifax, Nova Scotia, as being contrary to provisions of City of Halifax Land Use Bylaw, the Planning Act, Ordinance 131, the Building Code Act and the Halifax City Charter.

In putting forward this motion, Alderman Fitzgerald urged that the necessary application to the Supreme Court be initiated as quickly as possible.

The motion was put and passed.

Case No. 6394: 1326 Barrington Street -  
Application for Development Agreement  
(SET DATE FOR PUBLIC HEARING)

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the City Planning Committee, a public hearing date be scheduled to consider the application for a development agreement to allow variety of commercial uses at Civic No. 1326 Barrington Street.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 5 FEBRUARY 1992** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

Case No. 6313: Request for Plan  
Amendment - Regatta Point Area

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that, as recommended by the City Planning Committee, staff provide a report with the suggested policy for a development agreement for Lot RP-1 at the next regular meeting of Committee of the Whole Council scheduled for 8 January 1992.

The motion was put and passed.

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Case No. 6398: Development Agreement  
- Kearney Lake Road (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the City Planning Committee, a public hearing date be scheduled to consider the application for a development agreement to permit expansion of the Petro-Canada service station at 124 Kearney Lake Road to permit construction of additional service bays and car wash as shown on Plans P200/18541, inclusive of Case 6398, (as attached to the staff report of 25 November 1991).

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 5 FEBRUARY 1992** at 7:30 p.m. in the Council Chamber, Halifax City Hall.

MOTIONS

Motion Alderman Adams Re: Proposed Amendment to Ordinance 116 - English Fluency Requirement - Halifax Taxi Operators (FIRST READING)

Notice of Motion with regard to this matter had been given by Alderman Adams during a regular meeting of Halifax City Council held on Thursday, 28 November 1991.

A report, dated 2 December 1991, was submitted by Alderman Adams as Chairman of the Halifax Taxi Commission.

MOVED by Alderman Adams, seconded by Alderman Holland that Halifax City Council give FIRST READING to an amendment (attached as Appendix "A" to the Taxi Commission's report of 2 December 1991) to City Ordinance 116, the Taxi Ordinance, specifying that all new applicants for a Halifax taxi license be tested with regard to their fluency in the English language; and further, that the matter be referred to the next regular meeting of the Committee of the Whole Council (scheduled for Wednesday, 8 January 1992) for consideration and report.

The motion was put and passed.

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Motion Alderman Adams Re: Proposed Amendment  
to Ordinance 116 - Membership: Halifax Taxi  
Commission (FIRST READING)

Notice of Motion with regard to this matter had been given by Alderman Adams during a regular meeting of Halifax City Council held on Thursday, 28 November 1991.

A report, dated 2 December 1991, was submitted by Alderman Adams as Chairman of the Halifax Taxi Commission.

MOVED by Alderman Adams, seconded by Alderman Fitzgerald that Halifax City Council give FIRST READING to an amendment (attached as Appendix "A" to the Taxi Commission's report of 2 December 1991) to City Ordinance 116, the Taxi Ordinance, allowing managers of local taxi brokerages to serve as full voting members of the Halifax Taxi Commission; and further, that the matter be referred to the next regular meeting of the Committee of the Whole Council (scheduled for Wednesday, 8 January 1992) for consideration and report.

The motion was put and passed.

NOTE: With reference to the Commission's report of 2 December 1991, line 1, para. 1 should be amended to read "Section 3(3)(c) . . ."

Proposed Administrative Order #21  
- Recreation Committee (SECOND READING)

First Reading with regard to this matter had been approved during a regular meeting of Halifax City Council held on Thursday, 28 November 1991.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that City Council give SECOND READING to Administrative Order #21 respecting the functions, duties and responsibilities of the Recreation Department (as attached to the staff report, dated 6 November 1991).

The motion was put and passed.

MISCELLANEOUS

Appointments

This matter had been deleted by the City Clerk during the setting of the meeting's agenda.

QUESTIONS

**Question Alderman Fitzgerald Re:**  
Incinerator - Victoria General Hospital

Alderman Fitzgerald asked for comments from the City's Inspection Services Division with regard to the Victoria General Hospital's new "state of the art" incineration.

**Question Alderman Fitzgerald Re:**  
Homeless Youth

Alderman Fitzgerald made reference to an Information Report recently submitted to members of Council by the Director of Social Planning regarding the number and status of the homeless in the City of Halifax.

In his remarks, the Alderman noted that Mr. Crowell had made reference to the presence of a large number of homeless youth (between the ages of 16-19), and asked that Council be kept apprised of any significant changes in this homeless sub-group.

**Question Alderman Fitzgerald Re:**  
Camp Hill Hospital

Alderman Fitzgerald asked that staff provide a report on the soil that is currently being removed from the Camp Hill property (e.g., whether the soil is pyritic in nature, where it is being taken, etc.).

**Question Alderman Fitzgerald Re:**  
DND Property - Windsor Park

Alderman Fitzgerald advised that the Halifax Industrial Commission would very much like to acquire the DND Property at Windsor Park so that major road improvements could be initiated and additional development undertaken. The Alderman went on to indicate that he understood that a formal recommendation in this regard had been made at one time, and asked for an update on the matter.

**Question Alderman Fitzgerald Re:**  
Docking Facility - Cruise Ships

Alderman Fitzgerald asked for a report from the City Manager on whether further consideration is being given to the feasibility of constructing a docking facility for cruise ships. The Alderman went on to note that, in

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his opinion, the existing facilities are inappropriate for this purpose, adding that it was his understanding that a report on this matter had previously been commissioned.

**Question Alderman Downey Re:**  
Overhead Crosswalk Signs

Alderman Downey noted that the overhead crosswalk signs at the intersection of Gerrish and Gottingen Streets have been installed but are not yet functioning. The Alderman asked for information from staff as to when these signs will be in working order and, in addition, when the signs requested for Uniacke and Charles will be installed.

**Question Alderman Downey Re:**  
Deaf Communicator

Alderman Downey made reference to a hearing impaired individual who was formerly receiving social assistance payments, but who is now incarcerated in the Correctional Centre. The Alderman asked for information as to the agency (e.g., the City of Halifax or the Province) which will be responsible for ensuring that this individual is provided with appropriate communicating devices.

**Question Alderman Meagher Re:**  
Individuals on Disability Pensions

Alderman Meagher noted that he had been requested to ascertain whether a special transit fare (similar to that in effect for seniors) could be introduced for those individuals receiving Provincial disability pensions.

The Alderman indicated that he would appreciate the City's Metro Transit representatives making such a request at their next Transit meeting.

**Question Alderman Meagher Re:**  
Returnable Bottles

Alderman Meagher indicated that he understood that the bill pertaining to returnable bottles has been drafted, but has not yet been signed. Emphasizing that this is a matter of some urgency, the Alderman asked that Her Worship the Mayor write to the Provincial Minister of the Environment to urge that this bill be enacted as quickly as possible.

In his remarks, the Alderman made reference to similar laws in Prince Edward Island and the State of Maine

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which also provide for deposits on pop tins. Alderman Meagher endorsed this concept and expressed the hope that the Province of Nova Scotia will take a similar approach.

**Question Alderman Meagher Re:**  
**Sobey's Store - Windsor Street**

Alderman Meagher made reference to an addition which is currently underway at the Sobey's Store on Windsor Street purportedly to house an air-conditioning unit. The Alderman indicated that he had understood the original Sobey's building to have been constructed under a development agreement with the City and asked for information from Inspection Services as to whether, if this is indeed the case, an addition of this nature can be erected without specific consent from Council.

Alderman Meagher went on to express concern regarding the negative implications the addition of a large-scale air conditioning unit will have on the residential property owners on Summit Street, and asked whether the City has any controls in place that could be used to address this problem.

11:00 p.m. - Her Worship Mayor Ducharme returns to the meeting with Deputy Mayor Stone resuming his usual seat on Council.

**Question Alderman Meagher Re:**  
**Hope Cottage**

Alderman Meagher brought to Council's attention that the St. Vincent de Paul Society has for many years been responsible for the operation of Hope Cottage, a facility that provides over 50,000 meals annually to those in need.

The Alderman strongly recommended (and it was so agreed) that Her Worship the Mayor, on behalf of Halifax City Council, forward a letter of appreciation to Mr. George Moffatt, Chairman of the Society, for the group's efforts in this regard.

**Question Alderman O'Malley Re:**  
**Snow Clearing**

Alderman O'Malley expressed concern on behalf of various residents in the City's North End (many of them senior citizens) with regard to the snow removal process. In her remarks, the Alderman noted that on some streets (for example, Roome Street and the lower part of Devonshire



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Avenue near Russell), there is no green belt between the curb and the sidewalk, leaving residents confused as to where they should be placing their snow.

The Alderman went on to note that since many senior residents are physically incapable of removing their own snow, they must pay to have it done for them. She emphasized that, this being the case, it is extremely frustrating, not to mention expensive, for these individuals to pay to have their sidewalks and driveways cleared, only to have the City plows return to pile the snow back up. She therefore asked for advice from staff as to when might be the most appropriate time for residents to remove their snow.

Mr. Peter S. Connell, Director of Engineering and Works, acknowledged that it is often extremely difficult for residents to decide on the most appropriate time to remove their snow. He suggested, however, that shovelling be postponed until City plows have cleared the roadway from curb to curb, adding that, for those residents lacking a green area between their curb and sidewalk, it would be best for them to build up a windrow at the curb, rather than throwing the snow all over the street.

**Question Alderman Macdonald Re:**  
**Traffic Problems - Mainland North**

Responding to a question from Alderman Macdonald, Mr. Peter S. Connell, Director of Engineering and Works, advised that, according to the findings of the City's Task Force on Traffic, there are unfortunately no short-term solutions to the traffic problems experienced on several of the streets in Mainland South. Mr. Connell went on to emphasize, however, that several long-term recommendations have been developed to address these difficulties, adding that staff will be bringing them forward as part of the Capital Budget Review process in 1992.

**Question Alderman Crowley Re:**  
**Railway Crossing - Sears Facility**

Alderman Crowley advised that concerns had been expressed to her by residents of Morningside Drive whose movements have been curtailed by the recent closure by CN of its openings both in the vicinity of Sears and at the top of Olivet Street. The Alderman went on to emphasize that this undertaking by CN has caused considerable inconvenience for these residents, many of whom are senior citizens, who must now walk a considerable distance to reach their destination, rather than take the long-established short-cuts through CN property.

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Alderman Crowley therefore asked if staff would contact CN representatives with a request that the situation be reassessed, and that a report on the matter be subsequently submitted.

**Question Alderman Crowley Re:**  
Snow Removal

Concurring with remarks made earlier by Alderman O'Malley, Alderman Crowley reported that she has already received a number of telephone calls from senior citizens concerned about snow removal and the expense involved if others must be hired to do this work. The Alderman made particular reference to incidents in which seniors have paid to have their snow removed, only to find their sidewalks and driveways blocked again by the return of City plows.

Alderman Crowley emphasized that because seniors are rapidly becoming the largest component of the City's population make-up, it was her opinion that a small aldermanic committee should be established to review the problems experienced by these individuals in terms of snow removal. She further suggested that the snow removal program presently operated by Spencer House might also be reviewed in this context.

**Question Alderman Adams Re:**  
Visibility Problems - Sussex Street

Alderman Adams reported that just above the William Spry Centre on Sussex Street and between the intersection with Kidston Road, there is a sharp turn bearing to the right at which a number of trees are located on private property. The Alderman went on to emphasize that, particularly in the summer when the trees are covered in leaves, it is often very difficult for motorists attempting to turn left into the Centre or to turn left onto Kidston Road to see oncoming traffic.

Given the dangers inherent in this situation, Alderman Adams asked that the Traffic Authority be requested to investigate the situation and submit a report.

**Question Alderman Adams Re:**  
Trees - Herring Cove Road

Alderman Adams also reported complaints concerning various trees located on a commercial property adjacent to the Herring Cove Road which block the

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visibility of motorists exiting off either Hartlen Avenue or Pinegrove Drive. The Alderman therefore asked that the Traffic Authority assess the situation and submit a report.

**Question Alderman Adams Re:**

Intersection of Herring Cove Road/Old Sambro Road

Alderman Adams made reference to the heavy volume of vehicular traffic (particularly between the hours of 7:00 - 8:30 a.m.) which turns left from the Old Sambro Road onto the Herring Cove Road on its way to the Armdale Rotary. In his remarks, the Alderman drew Council's attention to the crosswalk which has been installed at the intersection of Herring Cove Road and the Old Sambro Road, emphasizing that, at this hour of the morning, even a handful of pedestrians using this crosswalk can cause a substantial slow-down of traffic movement.

The Alderman therefore asked if consideration might be given by the City's Traffic Authority to prohibiting use of this crosswalk between the hours of 7:00 - 8:30 a.m. in order to facilitate vehicular movement through this area.

**Question Deputy Mayor Stone Re:**

Women's Correctional Centre

Deputy Mayor Stone made reference to Council's deliberations regarding the proposed Women's Correctional Centre during its meeting on 28 November, and asked that the letter subsequently forwarded on Council's behalf be distributed.

Responding to a question from the Deputy Mayor in this same context, Her Worship Mayor Ducharme reported that no indication had been received to date as to the location of this facility.

**Question Deputy Mayor Stone Re:**

Mount Saint Vincent Bus Service

Responding to a question from Deputy Mayor Stone, Her Worship Mayor Ducharme advised that the Metropolitan Authority has addressed the request from Mount Saint Vincent University (i.e., that the bus service between it and other universities be reinstated), and that services will be resumed on Monday, 6 January 1992. Her Worship went on to advise that she would circulate the report approved by the Authority in this regard.

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**Question Alderman Downey Re:**  
Winter Parking Ban

Alderman Downey reminded members of Council that the City's winter parking ban will go into effect at 1:00 a.m., Sunday, 15 December 1991.

**Question Alderman Downey Re:**  
Sewer Hook-Up: Halifax Industrial Park

Responding to a question from Alderman Downey regarding a proposed cost-sharing arrangement with the Province of Nova Scotia regarding a sewer hook-up at the Halifax Industrial Park, the City Manager advised that no response has been received to date from Provincial officials. Mr. Murphy indicated, however, that he would endeavor to follow up on the matter.

**Question Alderman Holland Re:**  
Replanting of Trees

Alderman Holland made reference to the many beautiful trees that are scattered throughout the City of Halifax, and noted that while it is often apparent that these trees are being cut down and removed, there would not appear to be equal evidence that efforts are being made to replace them. The Alderman therefore asked for information from staff as to what steps are being taken in this regard.

NOTICES OF MOTION

**Notice of Motion Alderman Macdonald Re:**  
Proposed Amendments to Various City Ordinances  
- License Fees and Other Charges

Alderman Macdonald gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on Thursday, 16 January 1992 he proposes to introduce a motion to amend various City ordinances with regard to license fees and other charges.

ADDED ITEMS

**Halifax Harbour Clean-Up:**  
Roach's Pond Option (Alderman Adams)

This matter had been added to the agenda at the request of Alderman Adams who noted that there are at

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present four options with regard to waste treatment under consideration by the Halifax Harbour Clean-Up Corporation. The Alderman went on to point out that one of these options involves the construction of a tertiary treatment plant at Roach's Pond which is in close proximity to a heavily populated residential area in Ward 7. He emphasized that residents are extremely concerned not only about the difficulties which would be imposed by the construction process but also about the environmental threat to MacIntosh Run.

Alderman Adams went on to point out that the Roach's Pond option is the most expensive option being considered by the Corporation, both from the perspective of the capital outlay required and in terms of ongoing maintenance.

Taking these circumstances into consideration, therefore, the Alderman proposed that Halifax City Council go on record as opposing the placement of sewage treatment plants in the proximity of any residential community in the City of Halifax.

In putting forward this proposal, the Alderman noted that he understood the deadline for submissions to the Corporation on this matter to be Friday, 13 December.

The City Manager acknowledged the concerns put forward by Alderman Adams on behalf of his constituents, but cautioned that if a similar motion were approved by the councils of all the participating municipalities, the project would reach a stalemate position. Mr. Murphy instead suggested that the Alderman's recommendation be endorsed by Council as an expression of its concern, adding that he would personally undertake to convey these sentiments to the Corporation.

While concurring with Alderman Adams' concerns, Alderman Hanson expressed the hope that all municipalities would cooperate so that the harbour clean-up project can be eventually completed.

It was therefore moved by Alderman Hanson,  
seconded by Alderman Fitzgerald that the matter be deferred  
to the next regular meeting of Committee of the Whole  
Council (scheduled for Wednesday, 8 January 1992), pending  
receipt of a staff report responding to Alderman Adams'  
concerns.

The motion to defer was put and passed.

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Award of Tender #91-113:  
Electrostatic Colour Plotter - GIS

A staff report, dated 6 December 1991, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that authority be granted to purchase one only Electrostatic Colour Plotter from Calcomp at a cost of \$59,665.00 and to obtain a five year Calcomp service package at a cost of \$1,738.80 per year, subject to full adherence to all tender criteria (specifications, etc.) and successful on-site evaluation and testing now taking place (funds to be made available in Account Number 26114.0054 entitled "Computer Equipment - GIS Development").

The motion was put and passed.

Sale of Beer and Wine in  
Convenience Stores (Alderman O'Malley)

This item was added to the agenda at the request of Alderman O'Malley.

Alderman O'Malley addressed the item and indicated that she had read some media reports and had received telephone calls and letters regarding the proposal for the sale of beer and wine in convenience stores. Acknowledging that this was not a matter over which City Council had any jurisdiction, Alderman O'Malley noted that, at meetings of the Drug Awareness Committee in Ward 5, the matter has been a topic of discussion and everyone is looking for more information and an avenue through which they can register their views and concerns. For this reason, the Alderman expressed the view that it was important for City Council to become better informed on the issue.

Alderman O'Malley went on to ask that Council request the City's Drug Awareness Coordinator, Mr. Todd Leader, to address Council at the next Committee of the Whole Council meeting (Wednesday, 8 January 1992) on the issue and provide advice as to how Council should proceed with respect to the matter. She further suggested that a member of the Drug Dependency Committee be invited to address Council as well on the item. Alderman O'Malley indicated that perhaps an invitation could be communicated to the various Drug Awareness Committees representing different Wards throughout the City to come and hear the discussion.

The City Manager advised that he would pursue this matter and have the item placed on the agenda for the

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next Committee of the Whole Council meeting to be held on  
Wednesday, 8 January 1992.

1991 Prince Arthur Street - Application for  
Substantial Alteration of a Heritage Property

A staff report, dated 9 December 1991, was  
submitted, together with a report, dated 11 December 1991,  
from Mr. Stephen Townsend, Chair, Heritage Advisory  
Committee.

MOVED by Alderman Fitzgerald, seconded by  
Alderman Holland that, on the recommendation of its  
Heritage Advisory Committee, City Council approve the  
application for a substantial alteration of the existing  
cottage situate on Lot "B" of the registered heritage  
property located at Civic Number 1991 Prince Arthur Street.

The motion was put and passed.

Refuse Collection Service -  
Condominium Properties (Alderman O'Malley)

This item was added to the agenda at the request  
of Alderman O'Malley.

Alderman O'Malley addressed the matter and  
referred to the information report dated 29 November 1991  
regarding refuse collection services for condominium  
properties. As Council is aware, Alderman O'Malley noted  
that on September 12th Council decided to expand the  
garbage collection services to include condominium  
properties beginning 1 January 1992. However, the Alderman  
noted that the report of November 29th indicates that  
service to condominium properties will not begin until 3  
February 1992. Alderman O'Malley went on to question  
whether the condominium corporations been notified that  
Council's motion of September 12th to pick up the garbage  
effective 1 January 1992 has been delayed until the first  
week in February.

Mr. P.S. Connell, Director of Engineering and  
Works, addressed Council and advised that staff has  
contacted the various condominium groups with respect to  
this delay.

Alderman O'Malley noted that she had received a  
couple of telephone calls regarding the matter who  
questioned whether the City was going to provide some  
interim arrangement for the month of January. If not, she  
noted that they were wondering whether there would be any

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legal implications in this regard since Council was not going to proceed with what was approved for January 1st.

Mr. Connell advised that staff had tried to meet the January date and had great difficulty working out the separate means of pick-up. He suggested that, if there were particular persons who had a problem with the delay, they contact his office to see if something could be worked out for January. Mr. Connell added that staff were hoping to receive cooperation for one month.

Alderman O'Malley asked that the City Solicitor provide a report with respect to whether or not there was a legal obligation with regard to Council's motion of September 12th.

Computer Network Upgrade

This matter had been added to the agenda at the request of the City Clerk.

A staff report, dated 11 December 1991, was submitted.

On the recommendation of the City Manager, it was moved by Alderman Hanson, seconded by Alderman Adams that City Council approve a sum of \$490,000.00 for the upgrade of the City network service, based upon the following:

\$289,500.00	. . .	Hardware
129,600.00	. . .	C-Net Licenses
20,000.00	. . .	UNION
<u>50,900.00</u>	. . .	Misc. Software/Contingency
\$490,000.00	. . .	Total

The motion was put and passed.

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

HER WORSHIP MAYOR MOIRA DUCHARME  
AND  
DEPUTY MAYOR BILL STONE  
CHAIRMEN

E. A. KERR, CMC  
CITY CLERK

mmd\*K



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