

**CITY COUNCIL
15 APRIL 1992**

and asked that the Halifax Police Department undertake a period of selective enforcement in this regard.

**Question Alderman O'Malley Re:
Salary - Metropolitan Authority Employee**

Alderman O'Malley referred to a recent article published by the Halifax Mail Star, which alleged that a non-union senior employee of the Metropolitan Authority had, over the last five years, received a \$22,000 increase in salary as a result of "merit increments."

The Alderman expressed concern over the magnitude of this increase, particularly since the City of Halifax is responsible for paying over 60 percent of the Authority's operating costs. She therefore asked that the City Manager inquire into the validity of this media report and report back to Council as quickly as possible.

**Question Alderman Macdonald Re:
North End Transfer Station**

Alderman Macdonald reported that recently a neighbor of his had used a half-ton truck to haul various pieces of yard refuse to the City's North End Transfer Station, only to be charged a total of \$10.64 because the load was over the 200 kilogram limit.

The Alderman emphasized that the individual in question has assumed he was "doing the City a favor" by not leaving this waste at curbside and instead opting to deliver the garbage himself to the Transfer Station. Under the circumstances, therefore, Alderman Macdonald asked for information from staff as to whether, in situations such as this, it would not be more appropriate for the City to allow such haulers to deliver their garbage at no cost, or, conversely, that steps be taken to increase the present weight restriction.

**Question Alderman Macdonald Re: Waste
Receptacles - Dunbrack Street/Lacewood Drive**

Alderman Macdonald made reference to the fact that there are very few waste receptacles positioned along Dunbrack Street and Lacewood Drive, despite the proximity of a number of fast-food outlets. He therefore asked the City Manager to review this matter to determine whether additional receptacles could be placed in this vicinity.

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**Question Alderman Macdonald Re: Handicapped
Parking Spaces - Canada Games Diamond**

Alderman Macdonald reported that he had received a call from a handicapped individual who has been attempting over the last several years to secure 3-4 handicapped parking spaces on the street in the vicinity of the Canada Games Diamond. Noting that the provision of these spaces would be of particular benefit to those handicapped interested in viewing softball games and other forms of recreation on the Commons, Alderman Macdonald asked that the Traffic Authority review the matter and submit a report.

**Question Alderman Hanson Re:
Speed Limit Modification - Purcell's Cove Road**

Alderman Hanson expressed concern that although there has been considerable correspondence on the matter (the last letter being dated 5 February 1992), no action has yet been taken to modify the speed limit on the Purcell's Cove Road. The Alderman therefore asked that staff make every effort to obtain a decision on the matter as quickly as possible.

**Question Alderman Hanson Re:
Traffic Flows - Glenora and Herring Cove Road**

Alderman Hanson asked that the Traffic Authority undertake a reassessment of traffic flows at the intersection of Glenora and Herring Cove Road from the perspective of having some form of traffic controls installed either relatively quickly or at some point in the ongoing Herring Cove Road Improvement project.

**Question Alderman Hanson Re:
Traffic Counts - St. Margaret's Bay Road Ramp**

Alderman Hanson requested that the Traffic Authority undertake an hourly count of vehicles using the recently-installed ramp from the St. Margaret's Bay Road to Northwest Arm Drive. In his remarks, the Alderman emphasized that he has received a number of calls from residents who find this temporary structure a considerable advantage, adding that its use also decreases traffic volumes at the Armdale Rotary. Alderman Hanson therefore suggested that information obtained through these traffic counts might conceivably be used as an argument in support of the City's request that the ramp be made a permanent structure at this location.

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**Question Alderman Crowley Re:
Flooding Problems - Olivet Street**

Alderman Crowley made reference to the various staff reports she has received concerning the flooding problems experienced by residents of Olivet Street, and requested the following:

- (1) clarification re: " . . . staff is investigating the possibility of redesigning the inlet grating to reduce blockage of the screen . . ."
- (2) information as to the length of time this investigative process will take, as well as a more comprehensive report on the matter, including specifics;
- (3) information as to whether this problem is proposed to be addressed either through the City's 1992 Operating Budget or its long-term Capital Budget process.

**Question Alderman Crowley Re:
Use of City Boulevards**

Alderman Crowley noted that she has received a number of telephone calls regarding the use of City boulevards for various advertising purposes, and asked for clarification from staff as to whether this practice is indeed in conformance with City regulations.

**Question Alderman Downey Re:
Closure of Gerrish Street**

Alderman Downey noted that Council had previously approved a proposal to close a portion of Gerrish Street at Brunswick, and asked for information from staff as to when this closure will be implemented.

**Question Alderman Downey Re: Requirement for
Certified Cheques - Halifax Police Department**

Alderman Downey asked to be advised as to the rationale employed by the Halifax Police Department for requiring that individuals wishing to pay tickets at that location must do so by certified cheque.

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Alderman Holland advised that he had only recently forwarded a memorandum to the City Manager on this matter and had not yet received a reply.

It was therefore moved by Alderman Holland, seconded by Alderman Downey that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 22 April 1992.

The motion to defer was put and passed.

Coat of Arms (City of Halifax)

A staff report, dated 15 April 1992, was submitted.

MOVED by Alderman Hanson, seconded by Alderman Adams that Halifax City Council:

- (1) direct a petition to the Canadian Heraldic Authority indicating the wish of the City of Halifax to bear arms by lawful authority in a form similar to the current emblem of the City; and
- (2) direct the Mayor to write to the Governor General to request that, at his convenience, he personally present to the City the Letters Patent granting the arms.

The motion was put and passed.

There being no further business, the meeting was adjourned at approximately 10:45 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME
AND
ALDERMAN LONNY HOLLAND
CHAIRMEN

MARGARET A. SOLEY
ACTING CITY CLERK

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**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
22 April 1992
7:30 P. M.

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

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

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

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

**Public Hearing: Case No. 6441: 1572-76 Henry Street -
Appeal of Minor Variance Refusal**

A public hearing with respect to the above matter was held at this time.

A staff report dated 19 March 1992 was submitted.

Mr. Michael J. Hanusiak, Planner II, addressed Council and using diagrams outlined the appeal of minor variance refusal with respect to the side yard requirement of the Land Use Bylaw for the duplex at 1572-76 Henry Street (as described in the staff report of 19 March 1992). Mr. Hanusiak noted that the principal reasons for refusing the application were: 1) because the variance was not minor; and 2) because the deck had been constructed without a permit.

Responding to a question from Alderman Fitzgerald, Mr. Hanusiak advised that if the deck was constructed on patio tiles or paving stones, it would be permitted.

Mr. Wayne Finck, applicant, 1572-76 Henry Street, addressed Council and referred to the letter of refusal he received from staff in respect to his application and to his response to that refusal dated January 12, 1992. Noting that it was stated that the deck being so close to his neighbour's property line would become a factor in privacy, Mr. Finck pointed out that it had not been mentioned that he had erected a fence between both properties for the very reason of privacy.

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Mr. Finck also pointed out that the abutting property owner has advised that he does not object to the deck remaining and that his neighbour, Mr. Raymond, had written a letter of support for the project.

Mr. Finck presented pictures of his property at this time illustrating the project. In closing, Mr. Finck advised that he honestly did not believe that a permit was required for walkways, steps, and ground level patios and that there was no intentional disregard of the Land Use Bylaw.

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

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that the decision of the Development Officer to refuse the application for a minor variance of the side yard requirement of the Land Use Bylaw for the duplex at 1572-76 Henry Street be overturned and the appeal be granted.

Motion passed.

Public Hearing: Case No. 6408: 9 Tremont Drive -
Development Agreement

A public hearing with respect to the above matter was held at this time.

A staff report dated 27 January 1992 was previously submitted.

Mr. Michael J. Hanusiak, Planner II, addressed the Committee and using diagrams outlined the application for a development agreement (lot modification) at 9 Tremont Drive, lands of H.D. Dekker, to enable subdivision into three lots (as described in the staff report of 27 January 1992).

Following his presentation, Mr. Hanusiak responded to various questions from members of Council.

Deputy Mayor Stone questioned if this application for lot modification would have any affect on the day care as it presently exists.

In response, Mr. Hanusiak advised that, other than to put it under control of the lot modification agreement, it would be his opinion that the owner could not increase the size of the day care or come forth for any additions to the building. He noted that he would investigate the situation prior to the next meeting of City Council to make sure all legal considerations are covered.

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Deputy Mayor Stone questioned whether there was any frontage requirements on a street for day cares.

Mr. Hanusiak advised that under the current bylaw requirement, day cares would require 60 feet of frontage. He noted that the day care referred to does not have 60 feet of frontage and that the property is presently a non-conforming use. Mr. Hanusiak added that the development opportunity is not enriched by the lot modification.

Deputy Mayor Stone questioned, with the change in the frontage, if there would be any affect on the non-conforming use of the day care.

Mr. Hanusiak advised that he did not believe there would be in terms of permitting any further expansions to the building or any increase in the number of people. However, he advised that he would report back to the Deputy Mayor on any legal ramifications that might develop in the future.

Responding to a further question from Deputy Mayor Stone, Mr. Hanusiak advised that the detail with respect to landscaping had not been explored under this contract.

Mr. Art MacDonald, 6 Torrington Drive, addressed Council and advised that his property directly abutted the back of the property in question. Mr. MacDonald raised various questions pertaining to statements in the staff report of 27 January 1992. He noted that paragraph 2 states that "it is possible that the portion of Lot E joining the main body of Tremont Drive be constructed as a City street terminating in a cul-de-sac (some additional land or modification of City standards may be necessary)." Mr. MacDonald questioned whether this was intended to happen.

Mr. MacDonald went on to note that the Appendix B of the agreement, page 2, states that "notwithstanding Section 2(a) of this agreement and 21(a) of the mainland portion of the Land Use Bylaw, the Development Officer may approve a resubdivision of the lands creating lots substantially as shown in Appendix "B". Mr. MacDonald questioned whether this meant that after the three lots are approved, the developer could come back to Council at a later date and ask for more lots.

Mr. Hanusiak addressed Council and using plans on the overhead monitor responded to the questions raised by Mr. MacDonald.

There was a further short questioning of Mr. Hanusiak.

Mr. H.D. Dekker, owner, 9 Tremont Drive, addressed Council and read and submitted a brief (a copy of which can be found in the official file for this meeting). In his remarks,

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Mr. Dekker assured Council that the proposed development for the two additional residences would be of the highest standard and would enhance the neighbourhood. He added that he could see no negative impact of the proposal on adjacent residences. Mr. Dekker also indicated that it was his future intent to construct a personal residence on one of the lots and, with respect to the concern regarding the total number of lots, indicated that he would be prepared to make a commitment that there would only be 3 lots if necessary.

There were no other persons wishing to address Council on this item.

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

Motion passed.

ADDED ITEMS

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

**Case No. 6078 - Modification to Stage II Agreement -
Block R-3, Kearney Lake Road and Castle Hill Drive**

MOVED by Deputy Mayor Stone, seconded by Alderman Jeffrey that, as recommended by the Planning Committee, Council set a date for a public hearing to consider an amendment to the development agreement governing Block R-3, Castle Hill Drive that would permit a replacement of 12 townhouses with 10 single family dwellings as identified in Plan No. P200/18828 of Case 6078.

Motion passed.

The City Clerk advised that the public hearing date would be set for Wednesday, 20 May 1992, at 7:30 p.m. in the Council Chamber.

**Case No. 6482 - Amendment to Height Precinct Map -
5222-30 Tobin Street**

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, Council set a date for a public hearing to consider an amendment to the Zoning Map ZM-17 for the purpose of increasing the height precinct on the property at 5222-30 Tobin Street.

Motion passed.

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The City Clerk advised that the public hearing date would be set for Wednesday, 20 May 1992, at 7:30 p.m. in the Council Chamber.

Case No. 6481 - 5206 Tobin Street - Amendment to Height Precinct Map and Rezoning from RC-2 and RC-3

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, Council set a date for a public hearing to consider:

1. the application to rezone the southern portion of 5206 Tobin Street from RC-2 (Residential/Minor Commercial) to RC-3 (High Density-Residential/Minor Commercial);
2. The application to amend the Height Precinct Map (ZM-17), by increasing the height limit applicable to 5206 Tobin Street, from 45 feet to 82 feet.

Motion passed.

The City Clerk advised that the public hearing date would be set for Wednesday, 20 May 1992, at 7:30 p.m. in the Council Chamber.

City Club and Khyber Building

MOVED by Alderman Holland, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee:

- (1) Council authorize the City Manager, on behalf of the City of Halifax and the Province of Nova Scotia, to appoint a consultant to review the proposals put forward by Centennial Realities Ltd. and Neptune Theatre, and to negotiate with the proponents in order to ensure that the public objectives for these developments are achieved to the greatest extent possible in an economical and fiscally prudent manner; and
- (2) a report be submitted within four weeks, at a fee not to exceed \$8,000, including expenses, the cost to be borne equally by the City of Halifax and the Province of Nova Scotia.

The motion was put and passed.

Award of Tender #92-55: One (1) 1992 Truck
Chassis with Aerial Lift and Utility Body

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place Tender #92-55 for one (1) 1992 Truck Chassis with aerial lift and utility body with John White Limited in the amount of \$120,807.00 (funds to be made available in Account Number 26104.X1710, titled "Motor Equipment - Fixed Assets").

The motion was put and passed.

Award of Tender #92-60: One (1) Model
Vacuum Type Street Sweeper with Truck Chassis

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place Tender #92-60 for one (1) 1992 model vacuum-type street sweeper with truck chassis with Standard Machinery in the amount of \$136,425.00 (funds to be made available from Account Number 26104.X1710, titled "Motor Equipment - Fixed Assets").

The motion was put and passed.

Award of Tender #92-69: One (1) 1992 Model
Truck Chassis with Pothole Patcher (32,000 GVW)

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place Tender #92-69 for one (1) 1992 model truck chassis with pothole patcher (32,000 GVW) with McDonald Chev Olds in the amount of \$104,451.26 (funds to be made available in Account Number 26104.X1710, titled "Motor Equipment - Fixed Assets").

The motion was put and passed.

Award of Tender #92-66: Four (4) 1992
Model Truck Chassis with Combination Salt and
Dump Bodies and Plow (33,000 GVW)

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place Tender #92-66 (for four (4) 1992 Model Truck Chassis with combination salt and dump bodies and plow) as follows:

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- (1) **Body Only:** with Parts for Trucks in the amount of \$115,337.44;
- (2) **Truck Chassis:** with McDonald Chev Olds in the amount of \$186,663.64,

funds to be made available from Account Number 26104.X1710, titled "Motor Equipment - Fixed Assets."

The motion was put and passed.

Award of Tender #92-78: Supply and Installation, Vault-Type Parking Meters

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #92-78 for the supply and installation of approximately 1,700 vault-type parking meters to J. J. MacKay Co. Ltd. at a total cost of \$169,130.00 (Goods and Services Tax extra at 7 percent and partially refundable).

The motion was put and passed.

Award of Tender: Repairs and Renovations to Waterslide (Centennial Pool)

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to award the contract for the repair and renovations to the waterslide (Centennial Pool) to Maritime Canvas Converters (funds to be made available in Account Number 22502.9160.97046, titled "Buildings/Recreation/Centennial Pool Slide").

The motion was put and passed.

Award of Tender: Ready Mix Concrete

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to award the price agreement for ready mix concrete to Dartmouth Ready Mix, the lowest bidder meeting specifications, for the prices outlined in the 7 April staff report.

The motion was put and passed.

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Award of Tender #912252: Closed Circuit
Television Inspection of Sewer Lines

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Tender #912252 for the closed circuit television inspection of sewer lines be awarded to Floyd Nicholson's Services Ltd. for a period of two (2) years (the agreement to expire on 30 April 1994).

The motion was put and passed.

Award of Tender #912207:
Recycled Asphalt Patching

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place Tender #912207 for recycled asphalt patching with Road Savers Maintenance Products Limited for the prices quoted in the 21 April 1992 staff report.

The motion was put and passed.

Award of Tender #92-83: Nine (9) Remote
Network Bridges and Two (2) Local Bridges
for Network Expansion

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to place Tender #92-83 for nine (9) remote network bridges and two (2) local bridges for network expansion with Develcon Electronics Ltd. at a price of \$48,403.82 (funds to be made available in Account Number 26114.8300.80435, titled "Computer Equipment - Equipment - Network Expansion").

The motion was put and passed.

Case No. 6508: Application for Development
Agreement - 1226 Hollis Street

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Planning Committee, Council set a date for a public hearing to review the application for a development agreement for 1226 Hollis Street (Case No. 6508).

The motion was put and passed.

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The City Clerk advised that the public hearing date would be set for Wednesday, 20 May 1992, at 7:30 p.m. in the Council Chamber.

Canadian Tire Atlantic Classic

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the City of Halifax give approval to the Halifax portion of the Canadian Tire Atlantic Classic on 11 June 1992 (as detailed in the 15 April staff report), and that staff be authorized to prepare a contract with the race organizers wherein the organizers agree to pay for all City services and City costs incurred; to provide suitable proof of liability insurance saving the City harmless for all causes during this event; and to provide and pay for all public notices pertaining to street closures in association with this event.

The motion was put and passed.

Electrical Services - Canada Games Diamond - Tender 92-06

This item was deferred to this meeting from the Committee of the Whole Council meeting held earlier on this date.

Alderman Adams addressed the matter and explained that the fences from home plate to centre and right field meet the guidelines set by Softball Canada. He noted that one of the reasons he was trying to get this done properly was so that the City could apply to host the 1995 Canadian Fast Ball Championships. At present, Alderman Adams advised that the field does not conform because of the distances behind home-plate, from first base to the stands, and from third base to the stands. He suggested that the situation can be rectified by moving home-plate out five feet and in turn moving the fence out five feet. Referring to a staff report, the Alderman noted that staff suggested that the new lights along with the existing poles can be used at the new locations if Council decided to extend the ball field at a later date.

Alderman Adams requested information from staff as to how much it would cost to move the fence out five or ten feet. If the fence could not be moved because of budgetary restraints, Alderman Adams questioned if the light standards could be met so that, in a year's time, the fence could be moved without having to move any of the lights.

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MOVED by Alderman Adams, seconded by Alderman Hanson that this matter be deferred to the next meeting of City Council to be held on **Thursday, 30 April 1992**, pending receipt of a staff report.

Motion passed.

There being no further business to discuss, the meeting adjourned at approximately 8:30 p.m.

**HER WORSHIP MAYOR DUCHARME
CHAIRMAN**

**EDWARD A. KERR
CITY CLERK**

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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
30 April 1992
8:00 P. M.

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

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

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

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

MINUTES

Minutes of a Special Meeting of Halifax City Council, held on Wednesday, 8 April 1992, and of a regular meeting held on Wednesday, 15 April 1992, were approved as circulated on a motion by Alderman Downey, seconded by Alderman O'Malley.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

20.1 Encroachment License - Civic No. 6199
Coburg Road (O'Brien's Pharmacy)

20.2 Expression of Non-Objection - Lot 3A,
Ridgewood Drive

20.3 Halifax City Charter Amendments

20.4 Appointments

20.5 Setting of 92/93 Tax Rate and Budget

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30 APRIL 1992**

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

15.1 Application for Demolition of a Registered Heritage Property - 1546 Barrington Street

The agenda, as amended, was approved on a motion by Alderman Hanson, seconded by Alderman Adams.

Setting of 1992/93 Tax Rate & Budget

Council agreed to deal with this item at this time.

The 1992/93 Operating Expenditure Summary and 1992-1994 Proposed Capital Budget were submitted.

1. MOVED by Alderman Holland, seconded by Alderman Downey that City Council ratify the decisions of the Committee of the Whole Council with respect to the 1992/93 Operating Budget, as per the summary of Revenue and Expenditures for 1992/93 (attached to the report on the Setting of 1992/93 Tax Rate & Budget).

Motion passed.

2. MOVED by Alderman Downey, seconded by Alderman Adams that the Operating Budget for the period April 1, 1992 to March 31, 1993 be fixed at \$254,930,787.

Motion passed with Aldermen Meagher and O'Malley voting in opposition.

3. MOVED by Alderman Jeffrey, seconded by Alderman Adams that the gross expenditures for the Halifax District School Board for the 12 month period April 1, 1992 to March 31, 1993 be set at \$77,379,025 and that pre-retirement payments be held in a Reserve Fund by the City of Halifax on behalf of the Halifax District School Board. Funds budgeted for the Teachers' pre-retirement payments in the 12 month period 1992/93 in the amount of \$740,000 to be placed in the reserve and only be used in accordance with negotiated retirement allowances.

Motion passed.

4. MOVED by Alderman Macdonald, seconded by Alderman Holland that the interest rate on all reserves be fixed at 5% for the period April 1, 1992 to March 31, 1993.

Motion passed.

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5. MOVED by Alderman Hanson, seconded by Alderman Holland that Council call upon the Province to pass an amendment to the City Charter as follows:

1. (1) Section 191 of Chapter 52 of the Acts of 1963, the Halifax City Charter is amended by adding immediately following the Section number the symbols and figure "(1)".
- (2) Said Section 191 is further amended by adding immediately following subsection (1) thereof the following
- (2) Notwithstanding subsection (1) hereof, a minimum of five point five percent of all projected revenues shall be budgeted, appropriated and used for the retirement of any capital debt which shall become due and payable within the fiscal year and for such capital projects for which Council is authorized by any Act of the Legislature to expend funds.

A discussion ensued with respect to this item with Alderman Jeffrey expressing the view that this matter should be deferred to a Committee of the Whole Council meeting at which staff provide information pertaining to the item. He expressed the opinion that Council should become more informed with regard to this item.

The City Manager advised that a report had been submitted on this item at the beginning of capital budget deliberations. He noted that the whole matter was explained to Council at that time. The City Manager noted that he would recommend deferment of the supplementary portion of the Capital Budget if this item is to be deferred.

After a further short discussion, it was MOVED by Alderman Jeffrey, seconded by Alderman Adams that this matter be **deferred** to a Committee of the Whole Council meeting pending receipt of a staff report.

The motion to defer was put and passed.

The City Manager explained that when he submitted the Capital Budget, he provided an explanation and indicated that there was a package he was willing to recommend in the capital budget expenditures in the amount of approximately 45 million dollars. But as a part of the package, in order to assure that the City's pay-as-you-go policy would be retained, he advised that part of the package was the commitment to pay 5.5 percent of the City's revenues towards the capital budget each year. The City Manager advised therefore, if the package is not accepted, that, as City Manager, he is not recommending the capital

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program that was shown in the budget and is recommending gross capital expenditures in 1992/93 of only \$24,472,000 and net of \$8,663,000.

6. MOVED by Alderman Jeffrey, seconded by Alderman Macdonald that City Council ratify the motion of the Committee of the Whole Council with respect to the content and amount of the 1992/93 Capital Budget as per the attached summary and detail (attached to the report on the Setting of 1992/93 Tax Rate & Budget) with a gross of \$45,784,000 and a net of \$23,663,000.

Following a short discussion, it was MOVED by Alderman Macdonald, seconded by Alderman Holland that this item be deferred.

The motion to defer was put and defeated.

The main motion (item 6) was put and passed with Alderman Holland voting in opposition.

7. MOVED by Alderman Pottie, seconded by Alderman Downey that \$1,400,000 be appropriated from the Cumulative Net Operating Surplus of the 1991/92 Operating Budget.

Motion passed.

8. MOVED by Deputy Mayor Stone, seconded by Alderman Macdonald that Halifax City Council appropriate \$420,000 from Sinking Funds Surplus to be applied to the 1992/93 Operating Budget.

Motion passed.

9. MOVED by Alderman Holland, seconded by Alderman Meagher that Halifax City Council appropriate \$1,780,000 from the Tax Reserve Valuation Allowance Surplus for Capital purposes and apply it to the 1992/93 Budget.

Motion passed.

10. MOVED by Alderman Meagher, seconded by Alderman O'Malley that the provisions of Section 41(2) to (9) inclusive, of the Assessment Act, shall not apply to the City of Halifax, with the result that there shall be no residential occupancy tax in the City of Halifax for taxation year April 1, 1992 to March 31, 1993.

Motion passed.

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11. MOVED by Alderman Macdonald, seconded by Deputy Mayor Stone that the tax rate for the period April 1, 1992 to March 31, 1993 be set at \$3.7224. This rate shall be applied to:

- (a) The full assessed value of property of a business character and nature; and 0.379460 of a residential character and nature; and
- (b) Occupancy taxes as follows:
 - 1) The tax rate applied to 50% of the assessed value of the property of a business character or nature as determined by the Assessor under Section 7(1) of the Assessment Act.
 - 2) 25% of the assessed value of the properties as set out in Section 7(2)(a) of the Assessment Act, as determined by the Assessor.
 - 3) 75% of the assessed value of the properties as set out in Section 7(2)(b) of the Assessment Act, as determined by the Assessor.

Alderman Meagher noted that a number of people, who no longer have children attending school, have expressed to him the concern that they have to continue to pay school tax. The Alderman indicated that he would like to know if there was any provision or if there was any other place in the Country where people who no longer have children attending school are relieved from the education tax.

Mr. B.G. Smith, Director of Finance, advised that he was not aware of any place where this was done but noted that he would inquire.

Motion passed with Alderman Meagher and O'Malley voting in opposition.

12. MOVED by Alderman Adams, seconded by Alderman Hanson that the Fire Protection Rate be set at 0.047 dollars of assessment for the period April 1, 1992 to March 31, 1993.

Motion passed.

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ADOPTED RATES:	12 Month Comparative		%	\$ Increase Per \$100 of
	1991/92 Tax Rate Per \$100 of Assessment	1992/93 Tax Rate Per \$100 of Assessment		
Residential	\$1.4046	\$1.4595	3.9%	\$0.05
Business Occupancy	\$3.5815	\$3.7224	3.9%	\$0.14
Commercial Property	\$3.6271	\$3.7694	3.9%	\$0.14
Fire Protection	\$0.0456	\$0.0470	3.1%	\$0.00

DEFERRED ITEMS

Case No. 6408: 9 Tremont Drive - Development Agreement

A public hearing with respect to the above matter was held on 22 April 1992.

Deputy Mayor Stone addressed the matter and noted that the residents in the area are very pleased at what the developer is proposing. He noted that the developer is proposing to sub-divide the area in question into three single dwelling lots and that the residents had been afraid that, at some point in time, the lot might become a multi-dwelling lot. The Deputy Mayor advised that the developer has indicated that he intends to reside on one of the lots.

Deputy Mayor Stone noted that the only concern he received was to make certain that when the lots are developed, that the driveway between the two abutting properties be put back into its original condition, a paved driveway.

MOVED by Deputy Mayor Stone, seconded by Alderman Hanson that:

- 1) the application for a development agreement (lot modification) at 9 Tremont Drive, lands of H.D. Dekker, to enable subdivision into three lots, be approved.
- 2) Council require that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable

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appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Aldermen Meagher, Pottie, and Macdonald were not in attendance at the public hearing on this matter.

Motion passed with Aldermen Meagher, Pottie, and Macdonald abstaining.

Electrical Services - Canada Games Diamond - Tender 92-06

This item was deferred to this meeting from the Special Meeting of Halifax City Council held on 22 April 1992.

A supplementary staff report dated 29 April 1992 was submitted.

MOVED by Alderman Adams, seconded by Alderman Jeffrey that, as recommended by the Committee on Works:

- (1) Council award Tender No. 92-06, Electrical Services - Canada Games Diamond, to Bell Electrical at a tender price of \$30,379.75 and a total project cost of \$36,500.00;
- (2) approval of funds in the amount of \$36,500 from Capital Account No. 91646, "Canada Games Diamond (Replacement Lights and Wires)".

The motion was put and passed.

PETITIONS AND DELEGATIONS

Submission - Alderman Hanson Re: City Spraying

Alderman Hanson submitted a petition with approximately 140 signatures concerning the City's intention to spray 6,000-8,000 trees throughout the City.

He requested that the matter be forwarded to staff for report back to Council as quickly as possible.

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REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Monday, 15 April 1992, as follows:

Junk Dealer's License - Pier 9A, Barrington Street

Alderman O'Malley addressed the matter and advised that she had received a copy of the permit pertaining to this matter (a copy of which was circulated to members of Council at this time).

Alderman O'Malley noted that Mr. Hugh MacEachern, Manager of Inspection Services, was recommending approval of this permit and therefore, MOVED, seconded by Alderman Downey that an occupancy permit be granted to Harbour Metals Recycling Limited to carry on the business of a junk dealer at Pier 9A Barrington Street to occupy a warehouse for office and metal recycling with the following conditions: (1) the operation be contained entirely within the building; (2) there will be no outside activity including storage of scrap metal; (3) loading/unloading to be contained within the building.

Motion passed.

Question Period, Rules of Order, and Meeting Times

The following motion was defeated at the Finance and Executive Committee meeting:

"That the Finance and Executive Committee recommend a change in the commencement time of Council meetings from 8:00 p.m. to 7:00 p.m."

Alderman Macdonald addressed the matter and MOVED, seconded by Alderman Hanson that no changes be made in respect of question period, rules of order, and meeting time for City Council meetings.

Motion passed.

File No. TCF - City Crested Sweaters

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted for the small expenditure (outlined in the 13 April staff report) and the use of the City crest on sweaters to be sold to members of City staff.

Motion passed.

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**Expropriation Settlement -
466 Herring Cove Road (Parcel H-177)**

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the expropriation of Parcel H-177, as shown on Plan TT-41-29910, be settled for \$15,702.60 plus interest according to the Expropriation Act (funds to be made available from Account No. 91504, the Herring Cove Road Improvements Account).

Motion passed.

Lawn Bowling Facilities

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, this matter be deferred until such time as staff have met with representatives of the St. Mary's Lawn Bowling Club and the latter have had an opportunity to submit their comments.

Motion passed.

**Acquisition of Easement
at 475 Herring Cove Road**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the easement over 475 Herring Cove Road, as shown on Plan No. TT-45-30991, be acquired from John, George and Thomas Sfalagakos for \$2,954 as settlement in full (funds to be made available in Account No. 94021, the Thornhill Drive Sewer Realignment Account).

Motion passed.

Administrative Order #10

MOVED by Alderman O'Malley, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Administrative Order #10, Section 8(1), be amended to quote the date of the **first day of April and September** in each year for the serving of notices of taxes payable, replacing the dates of February and May respectively.

Motion passed.

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Social Assistance Policies

MOVED by Alderman Downey, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, Council approve Policies 1.1.8, "Chargeable Income," and 1.4.3, "Drugs," as attached to the staff report dated 15 April 1992.

Motion passed.

Permit - 741 Bedford Highway

This matter was forwarded without recommendation to Council pending receipt of a report from the staff of Inspection Services.

An information report dated 28 April 1992 was submitted.

The City Manager addressed the matter and reported that, as indicated in the information report of April 28th, the building inspector is willing to issue the permit in this instance to the operator at its present location for a further extension of six months should Council have no objections.

Deputy Mayor Stone noted that the property in question was located in his Ward and that he has not had the opportunity to review the matter. The Alderman therefore MOVED, seconded by Alderman Jeffrey that this matter be deferred to the next Committee of the Whole Council meeting to be held on **Wednesday, 6 May 1992**.

Alderman Macdonald noted that the owner's permit expires tomorrow and that he had been working on the item in consultation with the Aldermen's Executive Assistant. The Alderman indicated that they did not see any problems with the matter.

Motion of deferral was put and passed.

NOTE: This item was discussed again later in the meeting under Added Items.

User Fees

An information report dated 28 April 1992 was submitted.

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MOVED by Alderman Adams, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, user fees not be implemented in 1992; and further, that a public meeting be scheduled for November 1992 to which all local sports organizations would be invited to express their views on user fees or appropriate alternatives.

Motion passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 22 April 1992 as follows:

Monastery Lane Street Closure

This matter had been forwarded without recommendation to this meeting from a meeting of the Committee on Works held on Wednesday, 22 April 1992.

A staff report dated 30 January 1992 on this matter, had been **recirculated**.

A letter dated 27 April 1992 from Mr. Peter Coll, a resident of 6253 Allan Street and Mr. Peter Coutts, 6220 Allan Street was submitted.

Alderman Meagher addressed the matter and briefly reviewed the history of this item and the proposals for easing the traffic situation on Allen Street as put forth by the residents of the area.

Referring to the 30 January 1992 staff report, Alderman Meagher indicated that, after a lengthy review and discussions with staff, the residents have reluctantly agreed with the proposal in the 30 January 1992 report and would appreciate it if Council would approve and implement it this summer.

MOVED by Alderman Meagher, seconded by Alderman Hanson that the traffic on Monastery Lane be prohibited from proceeding northbound past Quinpool Centre, as outlined in the 30 January 1992 staff report, and that staff proceed with design and cost estimates on this matter and that it be implemented in the summer of 1992.

A brief discussion ensued with staff responding to questions from Council.

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Alderman Downey advised that he thought the businesses in Quinpool Centre were opposed to the recommendation in the staff report and he questioned if they were consulted and, if so, have they given their approval.

Mr. P. Connell, Director of Engineering and Works, emphasized that the recommendation contained in the report was not a staff recommendation but, rather, it was a reaction to the residents question of whether it was physically possible to carry out their proposal. Referring to Appendix A of the report, Mr. Connell advised that this was the layout staff developed.

In response to Alderman Downey's question, Mr. Connell added that he was not aware if the residents met with the businesses in the Quingate Centre.

Alderman Pottie addressed the matter and indicated that he believed that the business owners in Quinpool Centre did not approve of the proposal. He added that he thought the proposal would not alleviate the traffic problems and, in fact, it would create more problems for the people on Allen Street.

Alderman Pottie suggested that the matter should be deferred until owners of Quingate/Quinpool Centre meet with City staff and the residents and review the situation in an attempt to come up with a solution which would be acceptable to all involved.

It was therefore MOVED by Alderman Pottie, seconded by Alderman Holland that this matter be deferred to a meeting of the Committee of the Whole Council after staff have met with the business owners of Quinpool Centre/Quingate Place and the residents of the area.

The question was put and resulted in a tie vote and the Chairman voted in favour of the motion to defer, declaring that it may be discussed at a future meeting of the Committee of the Whole Council.

Motion carried.

At 9:15 a.m. Her Worship Mayor Ducharme retired from the meeting and Deputy Mayor Stone assumed the Chair.

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Flooding - Civic No. 2 Keystone Court

This matter had been forwarded to this meeting from a meeting of the Works Committee held on 22 April 1992.

An information report dated 22 April 1992 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Macdonald that City staff contact the owner of #2 Keystone Court in an attempt to develop a workable solution for both the City and the resident involved.

Motion carried.

1992 Refuse and Recyclables Collection Schedule

This matter had been forwarded to this meeting from a meeting of the Committee on Works held on 22 April 1992.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that, as recommended by the Committee on Works, the proposed 1992 Refuse and Recyclables Collection Schedule (attached to the staff report dated 1 April 1992) be approved.

Motion carried.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee from its meeting held on 22 April 1992 as follows:

Blasting - Industrial Park (Alderman Jeffrey)

At the 22 April 1992 meeting of the Safety Committee, the City's Building Inspection Division was requested to investigate and take the necessary action to resolve the problem of blasting in the Industrial Park.

An information report dated 30 April 1992 was submitted.

Alderman Jeffrey addressed the matter and advised that the blasting being carried out in the Industrial Park is being monitored by the firm of Jacques Whitford. He pointed out that the firm will be monitoring the situation more closely and there will be a reduction in the amount of explosives previously used.

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The Alderman advised that he has been assured by Mr. Doug Corkum of the Halifax Industrial Commission that the situation was now under control and the residents have no reason to fear future blasting.

Alderman Macdonald advised that, as a result of the citizens concerns and complaints about the blasting, a meeting was held last Friday at the Halifax Industrial Commission to review the situation. Alderman Macdonald added that the outcome of the meeting was a well defined course of action as well as a public information campaign. Alderman Macdonald pointed out that public information notices will be published in the newspapers and will contain a phone number which residents can call if they have concerns.

Alderman Macdonald noted that, at the meeting, he learned that the blasting ordinance adopted by the City in November 1991 was 50 percent better than Provincial regulations in terms of the level of charges and atmospheric conditions. He went on to add that the authorities were considering further improvements to that ordinance to ensure the least possible inconvenience to householders exists while maintaining the City's commitment to business expansion.

REPORT - CITY PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 22 April 1992 as follows:

**Application for Demolition of a Registered Heritage
Property - 1546 Barrington Street**

This item was deleted from the agenda by the City Clerk earlier in the meeting.

**Case No. 6266 - Modification to Existing Development
Agreement - 2535 Creighton Street and 5511 Charles Street**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the City Planning Committee, the request for a twofold amendment to the development agreement governing 2535 Creighton Street and 5511 Charles Street be approved without public hearing.

Motion passed.

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**Case No. 6431 - Plan Amendment Request -
3763-71 Dutch Village Road**

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Pottie that a date for a public hearing be set to consider an amendment to the Fairview Secondary Planning Strategy and land use bylaw for the property located at 3763-71 Dutch Village Road.

Motion passed.

The City Clerk advised that the date was set for Wednesday, 17 June 1992 at 7:30 in the Council Chamber, Halifax City Hall.

Case No. 6432 - Plan Amendment Request - 9 Rosedale Avenue

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that a date for a public hearing be set to consider an amendment to the Fairview Secondary Planning Strategy and land use bylaw for 9 Rosedale Avenue.

Motion passed.

The City Clerk advised that the date was set for Wednesday, 17 June 1992 at 7:30 in the Council Chamber, Halifax City Hall.

MOTIONS

Motion Deputy Mayor Stone Re: Proposed Ordinance 184, the Reptiles Ordinance - FIRST READING

A report dated 27 March 1992 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Adams that City Council approve First Reading of Ordinance 184, the Reptiles Ordinance, attached as Appendix "A" of the 27 March 1992 staff report and refer the ordinance to the Committee of the Whole meeting scheduled for 6 May 1992 for consideration and report.

Motion carried.

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**Case No. 6431 - Plan Amendment Request -
3763-71 Dutch Village Road**

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Pottie that a date for a public hearing be set to consider an amendment to the Fairview Secondary Planning Strategy and land use bylaw for the property located at 3763-71 Dutch Village Road. *The two lots are to be re-designated from Medium-Density Residential to Minor Commercial, and rezoned from R-2 (General Residential) to C-2A (Minor Commercial).*

Motion passed.

The City Clerk advised that the date was set for Wednesday, 17 June 1992 at 7:30 in the Council Chamber, Halifax City Hall.

Case No. 6432 - Plan Amendment Request - 9 Rosedale Avenue

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that a date for a public hearing be set to consider an amendment to the Fairview Secondary Planning Strategy and land use bylaw for 9 Rosedale Avenue *(including adjacent lot to the east). The two lots are to be re-designated from Low-Density Residential to Medium-Density Residential, and rezoned from R-2 (Two Family Dwelling) to R-2P (General Residential).*

Motion passed.

The City Clerk advised that the date was set for Wednesday, 17 June 1992 at 7:30 in the Council Chamber, Halifax City Hall.

MOTIONS

Motion Deputy Mayor Stone Re: Proposed Ordinance 184, the Reptiles Ordinance - FIRST READING

A report dated 27 March 1992 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Adams that City Council approve First Reading of Ordinance 184, the Reptiles Ordinance, attached as Appendix "A" of the 27 March 1992 staff report and refer the ordinance to the Committee of the Whole meeting scheduled for 6 May 1992 for consideration and report. Motion carried.

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MISCELLANEOUS BUSINESS

Debenture Issue

A staff report dated 28 April 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman Jeffrey that City Council authorize the Mayor and City Clerk to formally sign the debenture, as outlined in the 28 April 1992 staff report, 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 above.

Motion carried.

QUESTIONS

Question Alderman Jeffrey Re: Natal Day Parade

Aldermen Jeffrey advised that he has heard that some people were being charged a fee to appear in the Natal Day Parade and he requested a report from the Natal Day Committee on this matter. Alderman Jeffrey indicated that, if this was the case, he would like to see some changes made.

Question Alderman Jeffrey Re: 87 School Avenue

Alderman Jeffrey advised that, during a snow storm this past winter, a car went through the fence (which joins the highway) at 87 School Avenue and the fence has not yet been repaired. Noting that children walk along this route, the Alderman indicated that it was a safety concern and he requested that staff investigate this matter and see that the fence is repaired.

Question Alderman Jeffrey Re: Springvale Fairmount - Minor Hockey Program

Alderman Jeffrey advised that he received a number of calls from parents in the Springvale Fairmount area concerning their children not being allowed to participate in Halifax's minor hockey program. He added that the parents have been told that their children are not permitted to use the rink in Ward 9 and must play

elsewhere. Alderman Jeffrey requested a report on this matter.

Question Alderman Jeffrey Re: Registration at City Schools

In reference to the report he received on his question concerning the number of students living outside Halifax who were registered in City Schools, Alderman Jeffrey asked if there were children living in the City who were prevented from participating in some sports activities due to full capacity programs which included children from outside the City.

In response, the City Manager advised that he understood that no citizens of the City of Halifax were being excluded from classes or programs because of outside participants.

Question Alderman Jeffrey Re: 5 Dawn Street - Bars on Windows

Alderman Jeffrey advised that the gentleman living at 5 Dawn Street was having a court date scheduled this week concerning violation of Section 466-3 of the Halifax City Charter. Alderman Jeffrey noted that violation concerned the installation of bars on his windows.

Alderman Jeffrey added that he was informed this would not have happened if the individual had come to Council with a request of a variance of some kind. He pointed out that he visited the site and spoke with the Fire Chief on the matter, and it has been determined that the openings in the bars are wide enough for a person to crawl through. Noting that this is permitted in other parts of the Metro Area, Alderman Jeffrey requested a report from staff on the matter.

Her Worship returned to the meeting, and the Deputy Mayor assumed his usual seat in Council.

Question Alderman Adams Re: Graves-Oakley Ballfield

Referring to the Graves-Oakley Ballfield, Alderman Adams advised that he understood there use to be two ballfields in this area, but now there was only one.

Alderman Adams requested a report on what were the determining factors for removing one backstop as opposed to another.

Question Alderman Adams Re: Snow Fence, Graves-Oakley Ballfield

Alderman Adams requested that staff report on the feasibility of erecting temporary snow fence around the Graves-Oakley Ballfield with the dimensions of 275 ft. down each line and 300 ft. from centre field to home plate.

Question Alderman Adams Re: Civic No. 438 and 440 Herring Cove Road

Alderman Adams questioned how Civic No.'s 438 and 440 Herring Cove Road could be rezoned from R-4 to R-2 and requested a report on the matter.

Question Alderman Adams Re: Community Service

Noting that some individuals who go through the court system are sentenced to carry out community service and that some funding is available to organizations that host these individuals, Alderman Adams requested a report on whether the City of Halifax could utilize these individuals to shovel snow from the sidewalks. He suggested that if this could be accomplished, then it would assist those persons who were unable to maintain their sidewalks themselves, such as senior citizens and disabled individuals. He suggested this would not cause union problems as the City forces are not involved in sidewalk shovelling.

Question Alderman O'Malley Re: Halifax Housing Authority Budget

Noting that the City of Halifax contributes 12% of the Halifax Housing Authority budget, Alderman O'Malley requested that, if possible, the Authority's budget be circulated to City Council or a presentation be provided to Council.

The Alderman noted it was not available until earlier this week.

Question Alderman O'Malley Re: Merv Sullivan Park

Alderman O'Malley advised that she visited the Merv Sullivan Park on April 21st and saw two loads of crusher dust on the centre of the infield. Noting that, to date, it was still there, she asked if staff could spread the crusher dust around prior to this weekend because the people responsible in organizing the sports teams this year wanted to begin their practices this weekend.

The City Manager indicated that staff would investigate the matter.

Question Deputy Mayor Stone Re: Blue Mountain Quarry

Deputy Mayor Stone made reference to the issue of the Blue Mountain Quarry and the fact that the Quarry has been denied by the Minister of the Environment. He advised that it was important that City Council be congratulated on its support of the citizens of Halifax in their efforts to prevent this quarry from affecting the Kearney Lake area.

Deputy Mayor Stone also expressed his appreciation to staff member, Mr. Bernard Moe, for his work on this matter and to those who made presentations at the public hearings in support of the citizens.

Noting that a new Pits and Quarries Act was being circulated, Deputy Mayor Stone requested that staff be cognizant of this and to keep Council apprised.

Question Deputy Mayor Stone Re: Halifax International Airport - Ground Control Radar System

Referring to the report he received concerning the removal of the ground control radar system at Halifax International Airport, Deputy Mayor Stone advised that the report indicates the ground control radar system will be removed and that there will be no impact on the Halifax Control Tower Operations nor any affect on Halifax as an international airport.

Noting that the report also indicated that 17 employees in the Halifax International Airport Radar Control System would be lost, the Deputy Mayor expressed concern about this and he requested that staff continue to monitor the whole situation.

Question Deputy Mayor Stone Re: Mainland Commons Proposal

Deputy Mayor Stone questioned when the Mainland Commons Proposal would be coming back to Council.

In response, the Chairman advised that it was scheduled for the Committee of the Whole Council meeting on Wednesday, 6 May 1992.

Question Alderman Downey Re: Closure of Gerrish Street

Alderman Downey requested an update on the matter of the closure of Gerrish Street.

Question Alderman Downey Re: Street Cleaning - Curb and Gutters

Alderman Downey expressed concern about the condition of the City's streets and gutters with respect to garbage and he questioned when the street cleaning program would commence.

In response to Alderman Downey, Mr. Peter Connell, Director of Engineering and Works, advised that the majority of individuals involved in this program would be hired during the middle of May and the remainder would be hired the last week in May. Mr. Connell pointed out that there were sweepers out every day and there were assigned routes at night, but that hand sweeping had not yet begun.

Question Alderman Meagher Re: New Provincial Liquor Laws

Alderman Meagher referred to recent changes in the Provincial liquor laws and indicated that, in his view, this was a step backward and would create problems.

In this regard, Alderman Meagher requested a report from Mr. Todd Leader, the City's Drug Awareness Co-ordinator, on the impact this new legislation will have on the City's present drug problem.

Question Alderman Meagher Re: Building on Corner of Sackville and Hollis Streets

Alderman Meagher pointed out that the two buildings on the Corner of Sackville and Hollis Streets, i.e the old General Electric building and the Eastern Drug building, were scheduled for demolition. He suggested that to demolish these buildings in an area of the City which is already deteriorated would only exacerbate the situation. The Alderman stressed that, rather than tear down the buildings, the Province should take action to rehabilitate the buildings.

Alderman Meagher suggested that either Her Worship or the City Manager forward a letter to the Province expressing the City's concern about this matter.

The Chairman indicated that the matter would be examined.

NOTICES OF MOTION

Notice of Motion Alderman Adams Re: Proposed Amendment to
City Ordinance 116, the Taxi and Limousine Bylaw

Alderman Adams gave Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, 14 May 1992, he proposes to introduce a motion to amend City of Halifax Ordinance 116, the Taxi and Limousine Bylaw.

Alderman Adams advised that the purpose of this proposed amendment is to specify the meaning of the terms "smoke-free" and "non-smoking" taxi cabs.

ADDED ITEMS

Encroachment License - Civic # 6199 Coburg Road (O'Brien's
Pharmacy)

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

A staff report dated 27 April 1992 was submitted.

MOVED by Alderman Meagher, seconded by Alderman
Hanson that an encroachment license be approved for the
reconstruction of the front of the existing building known
as Civic #6199 Coburg Road.

Motion carried.

Expression of Non-Objection - Lot 3A, Ridgewood Drive

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

A supplementary staff report dated 27 April 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman
Downey that City Council approve a resolution of non-
objection to the development of Lot 3A, Ridgewood Drive in
the manner generally indicated on Plan No. P200/18894 of
Case 6219.

Halifax City Charter Amendments

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

A staff report dated 30 April 1992 was submitted.

CITY COUNCIL
30 APRIL 1992

NOTICES OF MOTION

Notice of Motion Alderman Adams Re: Proposed Amendment to City Ordinance 116, the Taxi and Limousine Bylaw

Alderman Adams gave Notice of Motion that, at the next regular meeting of Halifax City Council scheduled for Thursday, 14 May 1992, he proposes to introduce a motion to amend City of Halifax Ordinance 116, the Taxi and Limousine Bylaw.

Alderman Adams advised that the purpose of this proposed amendment is to specify the meaning of the terms "smoke-free" and "non-smoking" taxi cabs.

ADDED ITEMS

Encroachment License - Civic # 6199 Coburg Road (O'Brien's Pharmacy)

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

A staff report dated 27 April 1992 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Hanson that an encroachment license be approved for the reconstruction of the front of the existing building known as Civic #6199 Coburg Road.

Motion carried.

Expression of Non-Objection - Lot 3A, Ridgewood Drive

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

A supplementary staff report dated 27 April 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman Downey that City Council approve a resolution of non-objection to the development of Lot 3A, Ridgewood Drive in the manner generally indicated on Plan No. P200/18894 of Case 6219.

* Motion carried.

Halifax City Charter Amendments

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

A staff report dated 30 April 1992 was submitted.

CITY COUNCIL
30 APRIL 1992

The City Solicitor addressed the matter and, referring to the report, advised that the amendments were primarily of a "housekeeping" nature. However, he pointed out that one of the amendments--Clause 6--deals with the 5.5% capital budget matter which had been deferred by Council earlier in the meeting. The Solicitor suggested that, if Council wished, it could defer this aspect of the Bill and approve the other items.

A discussion ensued with Alderman Pottie indicating that, having just received the report today, he would like an opportunity to further review it.

The City Solicitor advised that, with the House currently in session, he would suggest that the matter be forwarded as soon as possible in order that it could be dealt with during this sitting of the Legislature. He noted, however, a deferral to the 6 May 1992 meeting of the Committee of the Whole may or may not cause a problem.

Subsequently, it was MOVED by Alderman Meagher, seconded by Alderman O'Malley that this entire matter be deferred to the Wednesday, 6 May 1992 meeting of the Committee of the Whole Council.

Motion carried.

Appointments

A report dated 30 April 1992 from Her Worship Mayor Ducharme.

Deputy Mayor Stone indicated that he was prepared to move a motion approving the appointments.

Alderman Meagher pointed out that one of the appointments on the Taxi Commission was not a City resident. Noting that this was not in accordance with City policy he suggested that the Taxi Commission appointments be deferred.

In response to Alderman Meagher's concern, Alderman Adams advised that the only other eligible candidate was not interested in the position, therefore, the individual in question was nominated. Alderman Adams indicated, however, he would like to follow up on the other individual to determine if he was a resident of the City. He questioned if, it were determined that he was not a resident of the City, would only one owner/operator be permitted to be appointed.

The Chairman suggested that more information was required and it was MOVED by Alderman Meagher, seconded by Alderman O'Malley that the appointments to the Halifax Taxi Commission be deferred.

Motion carried.

MOVED by Alderman Meagher, seconded by Alderman Pottie that the appointment to the Point Pleasant Park Commission be deferred.

Motion carried.

MOVED by Deputy Mayor Stone, seconded by Alderman Hanson that the following appointments be approved:

HALIFAX-HAKODATE COMMITTEE

Antonio DiBacco
Alexandra Harwood

Terms to expire January 31, 1995

NATAL DAY COMMITTEE

Daniel Paturel
Linda Shaffner

Terms to expire January 31, 1995

HALIFAX-DARTMOUTH PORT COMMISSION

Alan J. Kerr

Term to expire April 30, 1994

Permit - 741 Bedford Highway

This matter had been addressed earlier in the meeting.

Deputy Mayor Stone advised that since the matter had been addressed earlier in the meeting, he had an opportunity to read the staff report which indicates that the permit has to be issued tomorrow. Deputy Mayor Stone added that he did not want to bring undo hardship to the individual involved and noting that, as the staff report addressed any concerns he had, Deputy Mayor Stone advised that he was prepared to approve the matter.

Deputy Mayor Stone proposed a motion that approval be granted for a six month extension of the occupancy permit at 741 Bedford Highway.

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Alderman Pottie addressed the matter noting that it had been discussed at a recent Board of Health meeting. He advised that the Board did not have any difficulty with the selling of raw fruits and vegetables, but it was concerned that there was no direct hookup for sewer and water facilities and other requirements of the regulations for the sale of perishables.

Alderman Pottie advised that he would support the motion providing that it was subject to the appropriate Board of Health permits, **to which Council agreed.**

MOVED by Deputy Mayor Stone, seconded by Alderman Macdonald that approval be granted for a six month extension of the occupancy permit at 741 Bedford Highway, subject to the appropriate Board of Health permit being approved.

Motion carried.

There being no further business to discuss, the meeting adjourned at 10:00 p.m.

HER WORSHIP MAYOR DUCHARME
DEPUTY MAYOR BILL STONE
CHAIRMEN

Edward A. Kerr, CMC
City Clerk

ms/sm

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**SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
06 May 1992
8:00 p.m.

A Special Meeting of Halifax City Council 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 Bill Stone, Chairman; and Aldermen Fitzgerald, Downey, O'Malley, Hanson, Jeffrey, and Crowley.

ALSO PRESENT: Ms. Mary Ellen Donovan, representing the City Solicitor's Office; Mr. Edward A. Kerr, City Clerk; and other member of City staff.

ADDED ITEMS

At the request of the City Clerk, the following items were added to the agenda being forwarded from a meeting of the Committee of the Whole Council held earlier on this date:

**Report from Heritage Advisory Committee -
Application for Substantial Alteration:
Entry Canopy (Barrington Place Shops)**

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, and as recommended by the Heritage Advisory Committee, City Council approve the application for substantial alteration to Barrington Place Shops as set out in the staff report dated 23 March with the following changes: (a) the addition of scalloped edges to match the existing canopy on Duke Street; and (b) that preference be given to a darker green colour and a matte texture on the underside of the canopy.

Motion carried.

Report from Heritage Advisory Committee: Date
for Hearing - Recommended Heritage Properties

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, in accordance with the requirements of Section 14(2) of the Heritage Property Act, a hearing date be scheduled to consider the inclusion of the following buildings in the Halifax Registry of Heritage Property:

5945 Spring Garden Road
5567 Morris Street
2140 Brunswick Street
1029 Tower Road

Motion carried.

The City Clerk advised that the date for the heritage hearing was scheduled for **Wednesday, 17 June 1992 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

Case No. 6504: Rezoning From R-4 to P,
436 Herring Cove Road

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

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that, as recommended by the Planning Committee, a public hearing date be scheduled to consider the proposed rezoning of 436 Herring Cove Road (Parcel H-190A) from R-4, Multiple Dwelling Zone, to P, Park and Institutional Zone, as shown on Plan TT-41-29921.

Motion carried.

The City Clerk advised that the scheduled date for the public hearing was **Wednesday, 3 June 1992 at 5:00 p.m.** in the Council Chamber, Halifax City Hall.

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**Case No. 6467: Proposed Development Agreement
- Gottingen Street and Cornwallis Street**

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, a public hearing date be scheduled to consider an application for a development agreement to permit construction of a 60,000 square foot office building adjacent to the southeast of the intersection of Gottingen Street and Cornwallis Street.

Motion carried.

The City Clerk advised that the scheduled date for the public hearing was **Wednesday, 3 June 1992 at 5:00 p.m.** in the Council Chamber, Halifax City Hall.

**Award of Tender 92-86 - Supply of Hot Dense Graded
Asphaltic Material**

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

MOVED by Alderman O'Malley, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted to issue a Price Agreement to Municipal Contracting Ltd., the lowest bidder meeting specifications, as attached to the staff report of 23 April 1992.

Motion carried.

**Award of Tender 92-53 - One Front End Loader
(Rubber-Tire Mounted)**

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

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted to award tender 92-53 for one front end loader to LaHave Equipment in the amount of

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\$108,642.45 (funds to be made available in account number 26104.X1710 titled Motor Equipment - Fixed Assets).

Motion carried.

Award of Tender 92-62 - One 1992 Model Truck Chassis
with Compressor - 14,000 GVW

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

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, authority be granted to award tender 92-62 for one 1992 model truck chassis with compressor to Taylor Lincoln/Mercury in the amount of \$39,320.00 (funds to be made available in account number 26104.X1710 titled Motor Equipment - Fixed Assets).

Motion carried.

Award of Tender 92-68 - Two 1992 Model Four Wheel Drive
Vehicles with Plows - 9,000 GVW

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

MOVED by Alderman Downey, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, authority be granted to award tender 92-68 for two 1992 model four wheel drive vehicles with plows to McDonald Chev Olds in the amount of \$53,076.28 (funds to be made available in account number 26104.X1710) titled Motor Equipment - Fixed Assets).

Motion carried.

Appointment of License Inspector

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

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive

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Committee, Sgt. Steve Wrin be appointed as License Inspector under Ordinance 149, the Petty Trades Ordinance, Ordinance 151, the Automatic Machines Ordinance and Ordinance 180, the Streets Ordinance, with such appointment to continue until Sgt. Boutilier returns to active duty.

Motion carried.

**Award of Tender No. 92-50 - Main Artery Patching
(2200 Tons of Asphalt)**

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

MOVED by Alderman Crowley, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, tender 92-50 be awarded to Dexter Construction Ltd., for main artery patching, based on the lowest total bid price of \$295,860.00 and that work be started immediately and at the estimated quantity of 2200 tonnes of asphalt and, further, that all work completed, be charged at the quoted unit prices not to exceed, in total, the funds approved in the current budget account #669 for street upgrading.

Motion carried.

Council then continued with its regular agenda as follows:

**Public Hearing: Case No. 6471: 1455 Henry Street - Appeal
of Minor Variance Refusal**

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

A staff report dated 2 April 1992 was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the reasons why the request for a minor variance of the mean rear yard setback requirement, to permit construction of a deck at the rear of the two unit dwelling at 1455 Henry Street, was refused as contained in the 2 April 1992 staff report.

Ms. Constance Robinson, addressed Council and advised that she was an articling clerk with McInnes Cooper & Robertson and was representing the appellants, Mr. and

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Mrs. Tadeusz Downarowicz. She indicated that the Downarowicz' had requested her to speak on their behalf because they had some difficulty in communicating in English.

Ms. Robinson noted that staff's primary objection to this application was their contention that the applicants intentionally disregarded the land use bylaw. Ms. Robinson indicated that this wasn't the case, and that the applicants simply were not familiar with all aspects of the Land Use Bylaw.

Ms. Robinson advised that in 1990, Mr. Downarowicz made application for a minor variance for the raising of the house and for renovations. She added that, last summer he obtained a permit for other renovations to the house and it was at this time he decided to add on a deck. Ms. Robinson advised that Mr. Downarowicz did not anticipate that he would require another permit or a minor variance since he felt that a deck did not affect the structural integrity of the house. Therefore, Ms. Robinson advised that Mr. Downarowicz did not disregard the land use bylaw intentionally. Ms. Robinson pointed out that a building inspector regularly checked on Mr. Downarowicz' work and she suggested, therefore, if an individual knew he was breaking the rules, he would not do so, if he knew an inspector was going to check on his work.

Ms. Robinson added that the applicant has talked with neighbours about the matter and he has heard no objections. In conclusion, Ms. Robinson advised that the applicants lack of familiarity with the land use bylaw and their difficulty in communicating with the Development and Planning Department were not reasons to deny their deck. Ms. Robinson added that, other than this matter, staff was satisfied that other guidelines were met and, thus, she was requesting Council's approval of this matter.

Ms. Robinson advised that she and Mr. Downarowicz would respond to any questions Council may have.

There were no questions by Council.

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

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

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Motion carried.

At 8:20 p.m. Ms. Mary Ellen Donovan, representing the City Solicitor's Office, retired from the meeting.

Public Hearing: Case No. 6370: Oakland Road - Plan and By-Law Amendment Proposal

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

Mr. Bill Campbell, Senior Planner, addressed Council and, using diagrams, outlined the application for amendments to the Municipal Development Plan and Land Use Bylaw for Oakland Road, between Robie Street and Beaufort Avenue, as contained in the 4 October 1991 staff report and the 19 March 1992 Planning Advisory Committee report.

Ms. Mary Jane O'Halloran, a resident of Oakland Road, addressed Council and indicated that she supported the recommendation of the Planning Advisory Committee to increase lot frontages to 50 ft. She advised that the west end of the street has large lots and it would be unfortunate to see them infilled, noting that this has occurred on other parts of the street.

Mr. Earnest Cadegan, a resident of 6265 Oakland Road addressed Council and indicated that he did not have a problem with the way the bylaw amendment was proposed as long as that was the extent of it. He questioned if the proposed amendments would give the ability to add items such as sideyards and the size of lots.

Mr. Cadegan indicated that he wanted to clarify a point which was made in a submission to the PAC. He added that this point totally misrepresents his position and how he came to acquire the property of 6265 Oakland Road.

Mr. Cadegan advised that Mr. O'Halloran suggested in a letter that, when he acquired 6265 Oakland Road, he did not pay the equivalent of a house plus two lots and, further, that he was opposed to the amendment in the original form because he would not be able to subdivide his property. Mr. Cadegan pointed out that he paid the equivalent of the house plus two lots for his property and he indicated that his objection to the amendment in the original form had nothing to do with selfish motives. He

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added that he was very surprised with Mr. O'Halloran's points, especially since they were neighbours and Mr. O'Halloran did not discuss the matter with him.

In response to Mr. Cadegen's question, Mr. Campbell addressed Council and advised that the only proposed change to the bylaw was to add 10 ft. to the existing 40 ft. requirement. He added that, any other change to the bylaw with respect to the new policy which would be inserted in the Plan would require another public hearing.

There were no further persons wishing to speak on this matter.

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

Motion carried.

At 8:30 p.m. Ms. Mary Ellen Donovan returned to the meeting.

Public Hearing: Case No. 4545: Langbrae Gardens, Request - Amendment to Stage I, Schedule K Approval

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

A submission dated 6 May 1992 from the Rockingham Ridge Community Association was circulated to Council.

A memorandum dated 1 May 1992 from S. K. Reddy and P. L. Reddy, 15 Montgomery Court, was submitted and circulated to Council.

A letter dated 5 May 1992 from C. Sean O'Connor, Vice President, Finance, Rockingham Development Corporation, 500 Windmill Road, Dartmouth, N. S., B2Y 3Z3 was submitted.

Mr. Phil Francis, a Subdivision Engineer with the City's Development and Planning Department, addressed Council and outlined the application by Ailsa Construction Limited to amend the Schedule "K" agreement for Rockingham Ridge Phase 2B to change the use of Parcel PK-1 from park to a 32-unit apartment building and that Parcel PK-1 be

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exchanged with the Langbrae Gardens developer in return for equivalent acreage with the Langbrae Gardens park, as outlined in the 9 March 1992 staff report.

Mr. George Russell, representing the developer, Ailsa Construction Limited, addressed Council and pointed out that, although Langbrae Gardens goes to Dunbrack Street, his activities have been limited to the single family home area beginning with Kilbournie Lane and Turnberry Lane.

Mr. Russell advised that, over the past five years, his efforts have been directed towards the development of affordable, energy efficient single-family homes. However, he added, the recession, combined with high interest rates and Provincial and Federal taxes on new homes, have stalled activities in this area of the market, and he indicated that it would be economically prudent to develop the land in question for multiple use.

Mr. Russell suggested that this area of the City was a good place for people to own and rent apartment units. He noted that the average number of annual apartment units built were between 500-600 and this year there have been 113 starts to the end of March.

Mr. Russell advised the proposal has taken about one year to develop and it involved dialogue with residents of the area and City staff. As well, he indicated that it involved the preparation of numerous schemes and revisions to devise a plan which incorporates an apartment building and improves the Parkland provision, but does not adversely affect the neighbouring land uses. Mr. Russell noted that, as indicated in the staff report, the detailed site layout would be an integral part of a Stage II agreement.

Mr. Russell responded to questions from Council.

In response to a question by Deputy Mayor Stone, Mr. Russell advised that the proposed tot lot could be constructed as part of the landscaping proposal for the apartment building. He added that, in fact, the development of the apartment could incorporate the provision of children's play facilities.

Mr. Bob Daley, a resident of 185 Farnham Gate Road, addressed Council and advised that he was representing the Rockingham Ridge Community Association.

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Mr. Daley referred to his submission, dated 6 May 1992, on behalf of the Rockingham Ridge Community Association and advised that the proposal has shocked the neighbourhood. Referring to the developer's comment that he discussed the proposal with the residents, Mr. Daley advised that he and the Association members were never contacted in this regard. Mr. Daley added that, essentially, the Association would like the park to remain as it is or, perhaps, have it enhanced. In this regard, he advised that the Association has worked out a proposal which would assist the developer and retain the park.

Mr. Daley advised that his Association mainly dealt with people living on Farnham Gate Road and the streets which empty into Farnham Gate Road. He added that due to time constraints, the Association has not been able to canvass the whole neighbourhood, but it has dealt with the people on the west side of Farnham Gate Road who would be most affected by the loss of the Park.

Mr. Daley indicated that his research illustrates that Farnham Gate Road was the highest density area of any of the collector roads coming off Dunbrack Street. With this in mind, Mr. Daley advised that the developer was proposing to remove the only park which services this area. Additionally, he noted that, of the 1000 people living on Farnham Gate Road, 700 lived at one end of the street and therefore, if there is going to be a Park, it should be in the higher density area.

Mr. Daley noted that a petition was circulated around the west end of the street and, to date, it has collected over 400 signatures.

Mr. Daley suggested that the developer wanted to develop the piece of land in question because it is already serviced and the work could begin immediately. He advised that it wasn't fair for the residents to lose the park for the benefit of the developer. Mr. Daley then emphasized the importance of the park to the residents of the area, noting that both younger and older children needed a play area and, as well, it would provide a suitable place within an acceptable distance for elderly people to walk.

On another point, Mr. Daley advised that the residents of Montgomery Court are concerned about the construction of another apartment building on a narrow street which ends with a cul-de-sac and he suggested that

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this will only exacerbate present parking and traffic difficulties.

Referring to his submission, Mr. Daley outlined the proposal the Association was putting forward as an alternative that would allow the developer to build the apartment on his own lands and allow the residents to keep and enhance their park. He added that the building could be built on the developer's own land and serviced from Chelton Woods Lane and with reconfiguration, an additional lot could be added to the developer's lots. Mr. Daley suggested that this would allow for the enhancement of park lands by using the wooded buffer to join park P-1 with another park of similar size proposed by the developer (P-2). He noted that the two parks and the buffer offer a park space approaching 3 acres.

Mr. Daley then referred to City staff's concerns with respect to the Montgomery Court Park and pointed out that there were certain advantages of having the park surrounded on two sides by watchful windows of two buildings. He noted that the third side of the park was accessible from the power line right-of-way and the fourth side would be opening out to Cardcross Lane.

In concluding his presentation, Mr. Daley read and submitted a petition containing approximately 400 signatures opposing the elimination of the 1.3 acre park at the end of Montgomery Court and supporting a park of the size proportionate to the density of the present population and that such a park should be set out and developed in the near future.

Mr. Daley responded to questions from Council.

Ms. Karen Matthew, a resident of Montgomery Court, addressed Council and noted that, for the past year while she has lived in this area, four buildings have been completed or were near completion.

In her remarks, Ms. Matthew pointed out the need for an appropriate play area for the children, noting that the children play in parking lots, in the streets, and in building corridors. She suggested that another apartment building would only add more people and traffic to a high density area. Further, she advised that the proposed park would not benefit the people on Farnham Gate Road and Montgomery Court because it was too far away.

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Ms. Matthew indicated that it would be beneficial for the residents to retain the Park, P-1, on Montgomery Court so that the children will have a safe place to play and the residents will have a place to walk within close proximity to their homes.

Ms. Matthew responded to questions from Council.

In response to a question by Alderman Fitzgerald, Ms. Matthew indicated that Mr. Daley's proposal would be acceptable to her.

In response to a question by Deputy Mayor Stone, Ms. Matthew advised that she felt the park land should be primarily designed as a play area for the children, however, walking paths and benches would accommodate the older residents.

Ms. Donna MacCarthy, a resident of Montgomery Court, addressed Council and advised that, as a mother of two children she was concerned about the lack of suitable play areas in the neighbourhood.

Ms. MacCarthy questioned the need for another apartment building in the area particularly with a high vacancy rate and due to the fact that there are six apartment buildings already proposed in the future for Montgomery Court. She indicated that it was more important to develop a safe, clean place for the children of the area to play. In conclusion, Ms. MacCarthy suggested that city planners and developers should direct their energies towards developing more affordable single-family homes so they wouldn't be taking away green space from single-family dwellers.

In response to a question by Alderman Fitzgerald, Ms. MacCarthy indicated that she agreed with Mr. Daley's proposal.

In response to a question by Deputy Mayor Stone, Ms. MacCarthy advised she would like the park to be developed as a green area with benches and perhaps swings and bicycle paths. She added that she was mainly concerned that it be designed as a place for the children to play.

Ms. MacCarthy responded to further questions.

Mr. Reddy, a resident of 4 Keystone Court, addressed Council and advised that, essentially, the

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proposal deprives 333 residential units of a 1.3 acre green space and potential park while the approximately 60 single-family dwellings on Langbrae Drive, Turnberry Lane, Kilbournie Lane, Turnmill Drive and Cardross Lane will benefit in having an improved 4.0 acre park.

Mr. Reddy suggested that additional units will make the current parking and traffic situation hazardous, particularly in the event of a fire. He also noted that there were no trees at street level on Farnham Gate Road and suggested that City staff keep this in mind in regards to future developments. On another point, Mr. Reddy advised that the property owners on Montgomery Court and the adjacent areas should have been consulted regarding the development of the site prior to the current proposal.

Mr. Reddy advised that he would appreciate knowing who initiated this particular rezoning of the land space.

Mr. Reddy suggested that as a possible solution, the City should refer to the formula it has set out with respect to the Mainland North Commons. He pointed out that the formula involves approaching developers as well as industry and business people to share in the cost of development.

In concluding his comments, Mr. Reddy advised that a fully developed park would result in a better quality of life for the people living of this area and it would prevent the erosion of land value, and reduce the likelihood of a safety hazard on Montgomery Court.

In reference to prior questions by Deputy Mayor Stone, Mr. Reddy suggested that one option for the park would be to develop it into a fitness park.

Mr. Randhawa addressed Council and advised that he owned properties at 240 Farnham Gate Road, 185 Farnham Gate Road, 25 Montgomery Court, and 35 Montgomery Court.

Mr. Randhawa advised that, as a developer, he approached this matter from a different perspective. He advised that, when he built his apartment buildings approximately four years ago, he did so with the assumption that a park would be developed. He suggested that it would be unfair to him if the City rezoned to prevent the park.

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On another matter, Mr. Randhawa pointed out that the acreage for the tot lot as proposed by the developer was insufficient for approximately 1000 people. He added that, if the proposal is approved, the quality of life of the residents will be negatively affected and land values will decrease.

Mr. Randhawa noted that he spoke with other developers in the area and they were also in opposition. In this regard, he submitted a letter dated 5 May 1992 from the Rockingham Development Corporation.

In conclusion, Mr. Randhawa advised that the people of the area wanted a large park for the younger children and the older children, as well as for the older residents. He pointed out that, from a developer's point of view, he was concerned about children playing in his parking lots because it affects his insurance premiums. On a final point, Mr. Randhawa advised that the developer never consulted him on the proposal.

Mr. Peter Haley, a resident of 3 Kilbournie Lane, addressed Council and noted that his house was built four years ago as part of an 85 single-family unit development belonging to Mr. Russell.

Mr. Haley indicated that he supported the proposal, advising that it was a good compromise. Mr. Haley expressed concern about the development in the City of Halifax, suggesting that it was a sad note on City development that an apartment building has to be built in order to build single-family homes. He pointed out that, in his four years on Kilbournie Lane, approximately 1000 apartment units have been built while approximately 100 single-family homes were constructed.

Mr. Haley suggested that the City does not have a good mix of development and, noting that the vacancy rate has increased, he advised that the City should look at why it is approving the development of apartment buildings. Mr. Haley suggested that the City should put a moratorium on high-density development in this area. He also noted that the one acre park proposed for the area will not be sufficient and he suggested that City Staff should elaborate on what could be done with a one acre park.

Ms. Meradith Burgar addressed Council and advised that she was a resident on Farnham Gate Road and was representing the senior citizens of the area.

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Pointing out that she moved to Halifax this past November, Mrs. Burger indicated that she was surprised to find out that there was no suitable area to walk. Ms. Burger advised that she would like the park to be developed as a walking area with trees.

Mr. Reddy approached Council once again and asked if City staff could respond to his earlier question regarding who initiated the proposal.

Mr. Phil Francis addressed Council and advised that the developer initiated the project. He pointed out, however, that the City's Recreation Department had approached them prior to this proposal expressing concern about the small irregular shape of Park PK-1.

Mr. Nick Murray, representing the City's Recreation Department, and Ms. Phil Francis responded to questions from members of City Council.

Mr. Peter Barrydue, a resident of 5 Kilbournie Lane, addressed Council and advised that the developer did contact the residents of Kilbournie Lane and Turnberry Lane with respect to their comments on the proposal.

Mr. Barrydue indicated that he supported the proposal because he felt it best represented the situation portrayed to himself when he purchased on Kilbournie Lane. Further, he advised that it will allow the developer to proceed with the continued use and development of the property during this economic downturn in single family dwellings.

Mr. Barrydue noted that he believes the park will become an attractive nuisance and for this reason he supported the consolidation of the parkland into one area in order that something meaningful could be developed on the park.

Ms. Lalitha Reddy addressed Council and advised that she was a member of the Rockingham Ridge Community Association. Ms. Reddy indicated that she could not see that a 32-unit apartment building would be a meaningful way to utilize the area over the development of a park. She added that, if the concern is older children hanging around, it could be resolved by reducing the wooded area and making the Park a green space.

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There were no further persons wishing to speak on this matter.

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

Motion carried.

There being no further business to discuss, the meeting adjourned at 9:50 p.m.

DEPUTY MAYOR BILL STONE
CHAIRMAN

Edward A. Kerr, CMC
City Clerk

/sm

HEADLINES

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- Public Hearing: Case No. 4545: Langbrae Gardens,
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HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
14 May 1992
8:00 P. M.

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

PRESENT: Deputy Mayor Bill Stone, Chairman; and Aldermen Fitzgerald, Downey, Meagher, O'Malley, Adams, Hanson, Jeffrey, Macdonald, and Crowley.

ALSO PRESENT: City Manager; City Clerk; and Mr. Barry Allen, Acting City Solicitor.

Prior to the recitation of the Lord's Prayer, a special moment of silence was observed in memory of those who had lost their lives in the recent tragedies at Sydney River and at the Westray Mine. The Deputy Mayor advised that messages of condolence had been sent on behalf of the City of Halifax to the Warden of the Municipality of the County of Cape Breton and to His Worship Mayor Clarence Porter of the Town of Stellarton.

Deputy Mayor Stone further reported that Her Worship Mayor Moira Ducharme is making an excellent recovery from her recent operation and is expected to be released from hospital within the next week. Her Worship was wished a speedy recovery by all members of City Council.

Presentation - 1992 City Manager's Awards of Excellence

Mr. D. F. Murphy introduced this year's recipients of the City Manager's Awards of Excellence, who had been officially recognized at a ceremony held on Thursday, 7 May:

SERGEANT HARVEY BOUTILIER
(Halifax Police Department)

MR. AL LEBLANC
(Finance Department)

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MR. ERNEST ZWICKER
(Engineering and Works Department)

MS. JACQUELINE DOYLE
(City Clerk's Office)

MS. THERESA WALKER
(Planning and Development Department)

MS. JANET FLEMING
(Social Planning Department)

**Municipal Awareness Week
Citizen of the Year Awards**

Deputy Mayor Stone introduced the following 1992 recipients of the "Citizen of the Year" Awards presented annually to students from local junior high schools in conjunction with Municipal Awareness Week:

MS. SUZY GANGOO
(St. Pats/Alexander School)

MS. ANGELA MACPHEE
(Cornwallis Junior High)

MR. JOSHUA TOUESNARD
(Elizabeth Sutherland School)

MR. PAUL CHADDOCK
(Cunard Junior High)

MS. LESLIE ANN POTTIE
(Oxford School)

MS. AMY DUNPHY
(St. Agnes School)

MR. DAVID ROBERTS
(Westmount School)

MS. KATHRYN HAMILTON
(Gorsebrook School)

MS. MELINDA HIDI
(Rockingham Junior High)

MS. SHARMI GNANAPANDITHAN
(Highland Park Junior High)

MS. ANH TRAN
(B. C. Silver Junior High)

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MS. PAMELA MANSFIELD
(Fairview Junior High)

MR. DAVID MESSENGER
(Clayton Park Junior High)

MINUTES

Minutes of a special meeting of City Council, held on Wednesday, 22 April, and of a regular meeting, held on Thursday, 30 April, were approved as circulated on a motion by Alderman Downey, seconded by Alderman Fitzgerald.

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

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

- 20.1 Preliminary Study by Horner and Associates
- 20.2 Proposed Development Agreement -- Cornwallis and Gottingen Streets
- 20.3 City Support to Musicfest Canada

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

- 20.4 Halifax Historic Forts

**Presentation by Corporate Research Associates
Inc. Re: Public Opinion About Solid Waste**

At the request of the City Manager, Council agreed to hear a brief presentation with regard to a public opinion poll recently undertaken (subsequent to the submission of the Horner report) for the City of Halifax by Corporate Research Associates Inc.

A document entitled Public Opinion About Solid Waste Management in Metro Halifax and dated April 1992 was submitted from Corporate Research Associates Inc.

Mr. Keith Neuman of Corporate Research Associates briefly outlined the format of the public opinion poll, and elaborated on the responses received.

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In his remarks, Mr. Neuman pointed out that of the 403 individuals polled, 67 percent responded in favor of a waste management option which combined landfilling, recycling and composting (as opposed to incineration). Furthermore, it was noted that 60 percent of those surveyed felt that the **manner** in which waste is disposed should be given greater priority than its location or its cost. In this context, Mr. Neuman commented that while most people seem to be aware of the negative impacts that inappropriate methods of waste management can have on both human health and the natural environment, the majority have little concept of how much waste management actually costs.

Mr. Neuman subsequently responded to questions from various members of Council.

The City Manager concluded the discussion by observing that the poll had been undertaken in an attempt to gauge public opinion with regard to the City's proposal of a solid waste facility at the Rio Algom mine site in Argyle versus the incineration option as put forward by the Metropolitan Authority.

Racetrack - Ragged Lake

Alderman Jeffrey announced that it was his understanding that a meeting would be held on 30 May 1992 to finalize plans and financial arrangements for the racetrack facility proposed for the Ragged Lake Industrial Park.

The Alderman emphasized that the racetrack is intended not only as a recreational facility, but also as a project which will provide much-needed employment to local residents. He therefore expressed his very sincere appreciation to Mr. R. D. Corkum, Executive Director of the Halifax Industrial Commission, and to all members of the Commission for their efforts in this regard.

DEFERRED ITEMS

**Case No. 6471: 1455 Henry Street -
Appeal of Minor Variance Refusal**

A public hearing into this matter had been held on Wednesday, 6 May 1992.

Alderman Fitzgerald briefly addressed the matter, and indicated that he would appreciate the opportunity of personally investigating the situation.

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It was therefore moved by Alderman Fitzgerald, seconded by Alderman Meagher that the matter be deferred to the next regular meeting of Halifax City Council scheduled for Thursday, 28 May 1992.

The motion to defer was put and passed.

**Case No. 6370: Oakland Road -
Plan and Bylaw Amendment Proposal**

A public hearing into this matter had been held on Wednesday, 6 May 1992.

The Chairman noted that this application pertains to an amendment to the Municipal Development Plan, which, according to the provisions of the Nova Scotia Planning Act, requires a majority vote by members of Council (restricted to those present at the public hearing) in order to proceed. Adding that he himself had been in attendance at the 6 May public hearing, the Deputy Mayor asked that Alderman Meagher temporarily assume the Chair in order that he [Deputy Mayor Stone] could vote on this issue.

Under the circumstances, therefore, Alderman Meagher assumed the Chair, with Deputy Mayor Stone taking his usual seat on Council.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that, as recommended by the Planning Advisory Committee, the following amendments be approved:

1. The District Policies of the South End Area Plan of the Municipal Development Plan be amended by adding the following:

7.1.2 On some areas of Oakland Road, between Robie Street and Beaufort Avenue, a distinctive streetscape is created by large open areas. The configuration of new lots shall be controlled so as to maintain this streetscape.

2. The Land Use Bylaw, R-1 (Single-Family Zone), Peninsula Section, be amended by adding the following:

34G Notwithstanding Section 28, lot frontages shall be 50 feet for all lots fronting on Oakland Road between Robie Street and Beaufort Street with the exception of those lots which were in

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existence on the date of adoption of this subsection.

The City Clerk advised that the following members of Council had been present at the 6 May public hearing and were therefore eligible to vote: Deputy Mayor Stone; and Aldermen Fitzgerald, Downey, O'Malley, Hanson, Jeffrey and Crowley.

The motion was put and passed with Aldermen Adams and Macdonald abstaining.

**Case No. 4545: Request - Amendment to Stage I,
Schedule "K" Approval, Langbrae Gardens**

Alderman Meagher assumed the Chair at the request of Deputy Mayor Stone, the Alderman for the ward in question.

A public hearing into this matter had been held on Wednesday, 6 May 1992.

MOVED by Deputy Mayor Stone, seconded by Alderman Jeffrey that the amendment of the Stage I, Schedule "K" agreement for Langbrae Gardens (as described in the staff report dated 9 March 1992), **including the proposed trade of Parcel PK-1, be refused.**

In his remarks, the Deputy Mayor made reference to the fact that, as part of the proposed amendment, it had been suggested that a land trade be effected to provide additional acreage for the sports field at the southwestern corner of the Langbrae Gardens subdivision while at the same time creating a small (0.3 acre) tot lot in the Montgomery Court area. Deputy Mayor Stone emphasized that, as evidenced by the submissions received during the 6 May public hearing, this proposal had caused considerable consternation among residents of Rockingham Ridge since it would mean the virtual elimination of what they consider to be their "neighborhood" park.

The Deputy Mayor went on to advise that, in reality, the Mainland North area is comprised of three distinct neighborhoods (namely, Rockingham Ridge, Clayton Park West, and Langbrae Gardens). He made reference to various policies of the Municipal Development Plan, which encourage the creation of neighborhood parks, and added that the three Mainland North neighborhoods feel quite strongly that each deserve a neighborhood park of their own. Under the circumstances, therefore, the Deputy Mayor suggested that it was not surprising the residents of Rockingham Ridge were reluctant to sacrifice their park for

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one some distance away in another neighborhood, and indicated that he concurred with these sentiments.

The City Clerk advised that the following members of Council were eligible to vote on this matter: Deputy Mayor Stone; and Aldermen Fitzgerald, Downey, O'Malley, Hanson, Jeffrey, and Crowley.

The motion was put and passed with Aldermen Adams and Macdonald abstaining due to their absence from the 6 May public hearing.

In expressing his appreciation to Council for their support, Deputy Mayor Stone asked that staff be directed to develop the preliminary design for the Rockingham Ridge "neighborhood park" and that, if at all possible, these plans be ready for inspection within a two-month timeframe (Council is to be advised if this deadline cannot be met). The Deputy Mayor further noted that it was his understanding that residents are primarily interested in the creation of a **passive** recreation area, to include walking paths, benches, and a small amount of playground equipment.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 6 May 1992, as follows:

Taxi Stand - 2733 Agricola Street

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

Following is the recommendation from the 6 May meeting of the Finance and Executive Committee:

That Council request the Traffic Authority to consider relocating the taxi stand to the opposite side of the street for a six month trial basis and that a report in this regard be provided at the next meeting of City Council to be held on 14 May 1992.

An Information Report, dated 13 May 1992, was received from Mr. B. N. Kennedy, Traffic Authority.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that the matter be referred to the Halifax Taxi Commission for review and recommendation concerning the use of the taxi stand presently located on the east side of

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Agricola Street (in front of Civic No. 2733 Agricola Street) and its possible relocation to the west side of Agricola Street.

After some discussion, the motion was put and passed.

Alderman O'Malley returned to the meeting.

**Encroachment License - Civic No.
1521-25 Birmingham Street**

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of two (2) encroaching planters, an encroaching wheelchair ramp, and an encroaching awning on the building known as Civic #1521-25 Birmingham Street.

The motion was put and passed.

Encroachment License - Civic No. 6128 Duncan Street

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of a set of encroaching steps at the front of the building known as Civic No. 6128 Duncan Street.

The motion was put and passed.

**Resolutions - Annual Conference:
Union of Nova Scotia Municipalities**

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, City Council approve the following resolutions to be forwarded to the Union of Nova Scotia Municipalities:

RE: ENFORCEMENT OF PARKING TICKETS

WHEREAS many municipal units in the Province of Nova Scotia, particularly those in the larger urban areas, issue many hundreds of thousands of dollars worth of tickets each year relating to motor vehicle parking violations, many of which are never paid by the offenders;

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AND WHEREAS the current enforcement procedure whereby the tickets are required to be processed through the normal court system is inappropriate given the number of tickets issued annually, the nature of the violations and the size of the fines in each case;

AND WHEREAS the inability of the municipalities to effectively enforce these tickets results in the public disregard for the laws respecting parking and a break-down of the effective policing of parking in urban areas;

AND WHEREAS other Provinces of Canada, such as the Province of Ontario, recognized the difficulties of enforcing such tickets by the traditional court process and have adopted procedures whereby the vast majority of tickets are handled by an efficient out-of-court settlement or conviction, while still retaining the option for individual offenders to elect to be tried by the courts in the traditional manner;

THEREFORE BE IT RESOLVED that the Union of Nova Scotia Municipalities call upon the Province of Nova Scotia to amend the applicable legislation to

- (1) adopt an alternate procedure for the out-of-court enforcement of tickets relating to motor vehicle parking violations along the lines of that presently in place in the Province of Ontario; and
- (2) provide for the registration of convictions for motor vehicle parking violations against the drivers license and motor vehicle permits of offenders, and prohibit the renewal of such licenses and permits until the outstanding fines are settled.

RE: MUNICIPAL LAND USE POLICIES

WHEREAS it is widely agreed that municipalities should have authority to deal with all issues affecting the use of land within their jurisdictions; and,

WHEREAS the Planning Act of Nova Scotia 1983, states as one of its purposes, "The purpose of this Act is to ... enable municipalities to

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assume the primary authority for planning within their respective jurisdictions consistent with their urban or rural character through the adoption of municipal planning strategies, land use bylaws and subdivision bylaws consistent with the policies and regulations of the Province" (Section 2(b); emphasis added); and

WHEREAS the Province of Nova Scotia in the 1991 session of the Nova Scotia Legislature adopted into law Bill 93: The Halifax Public Gardens Protection Act which supersedes current municipal planning law against the express wishes of Halifax City Council and is now proposing draft provincial policy and regulation to control private land without adequately demonstrating, as required by Section 2(a) and 7 of the Planning Act of Nova Scotia, a clear and legitimate provincial interest.

AND WHEREAS it is feared that the legislation, policies and regulations establish a serious provincial and national precedent;

NOW THEREFORE BE IT RESOLVED that the Union of Nova Scotia Municipalities call upon the Province of Nova Scotia to refrain from adopting policies and regulations which encroach on the municipal authority governing land use except where a clear provincial interest exists.

The motion was put and passed.

Family Housing Units - 28 Gebhardt Street

MOVED by Alderman Macdonald, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, City Council authorize the Mayor and City Clerk to execute the Designation Letter (attached to the staff report of 22 April 1992 as Appendix "A") and the Resolution (attached to the same as Appendix "B") to confirm the City's financial sharing in the operation of four rent to income family housing units at 28 Gebhardt Street.

The motion was put and passed.

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Encroachment - Civic No. 5524 Spring Garden Road

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, an encroachment license be approved for encroaching steps at the proposed development at Civic Number 5524 Spring Garden Road.

The motion was put and passed.

Claim of Ivan Tomek

MOVED by Alderman Fitzgerald, seconded by Alderman Macdonald that, as recommended by the Finance and Executive Committee, settlement of an intended action between Ivan Tomek and the City of Halifax be settled for an inclusive sum of \$3,750.00.

The motion was put and passed.

Amendments to the Halifax City Charter

The following motion was approved during the 6 May meeting of the Finance and Executive Committee:

That Council call upon the Province to pass an amendment to the City Charter as follows:

1. (1) Section 191 of Chapter 52 of the Acts of 1963, the Halifax City Charter, is amended by adding immediately following the Section number the symbols and figure "(1)".
- (2) Said Section 191 is further amended by adding immediately following subsection (1) thereof the following:
 - (2) Notwithstanding subsection (1) hereof, a minimum of five point five percent of all projected revenues shall be budgeted, appropriated and used for the retirement of any capital debt which shall become due and payable within the fiscal year and for such capital projects for which Council is authorized by any Act of the Legislature to expend funds.

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2. City Council approve the remainder of the proposed amendments to the Halifax City Charter attached as Schedule "A" to the staff report of 30 April 1992, and direct staff to arrange for their introduction before the House of Assembly and to request the Legislature to adopt the said amendments.

An Information Report, dated 8 May 1992 and entitled "Pay-As-You-Go: Amendments to the Halifax City Charter," was submitted from the City Clerk.

The Chairman opened the discussion by noting that Her Worship the Mayor as well as two Aldermanic members of Council had been unable to attend tonight's meeting and, on that basis, suggested that Council might wish to have the matter deferred.

After some discussion, it was moved by Alderman Hanson, seconded by Alderman Downey that:

- (a) Council defer further discussion of the proposed amendments to the City Charter pertaining to "Pay-as-You-Go" until a full attendance by members of Council is possible; and that
- (b) Council approve the remainder of the proposed amendments to the Halifax City Charter attached as Schedule "A" to the staff report of 30 April 1992, and direct staff to arrange for their introduction before the House of Assembly and to request the Legislature to adopt the said amendments.

The motion was put and passed.

Annual Report on the Local Economy

MOVED by Alderman O'Malley, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council accept the annual report on the local economy as presented in the April 1992 report, and further, that a presentation concerning this report be made during the Finance and Executive Committee meeting scheduled for Wednesday, 20 May 1992.

The motion was put and passed.

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Bill - Protection of Public Lands

NOTE: During the 6 May meeting of the Finance and Executive Committee, Alderman Meagher had asked that the City Solicitor provide a report with respect to Bill 221, including an indication as to whether this proposed legislation would coincide with the City's plans for the protection of the Halifax Commons.

An Information Report, dated 7 May 1992, was submitted from the City Solicitor.

While acknowledging the information received from the City Solicitor, Alderman Meagher emphasized that he personally was extremely concerned about the lack of progress that is being made by City staff vis a vis the development of recommendations for the protection of the Central Commons. In his remarks, the Alderman advised that he did not wish to see this very valuable piece of land being allowed to deteriorate while staff instead concentrated their efforts on the design and development of a similar facility for Mainland North. He therefore requested that a report containing an outline of proposed preservation measures with regard to the Central Commons be prepared in time for the next regular meeting of Committee of the Whole **scheduled for Wednesday, 20 May.**

With reference to the concerns put forward by Alderman Meagher, the City Manager advised that, within the next six weeks, Council will be requested to formalize its position with regard to the Mainland North Commons. Mr. Murphy went on to emphasize that, once that process has been completed, staff will then be in a better position to complete their recommendations with regard to the protection and maintenance of the Central Commons area.

Alderman Downey made particular reference to Bill 221 and expressed concern that an attempt was being made to transfer responsibility for the Halifax Commons from the City to the Province of Nova Scotia.

It was therefore moved by Alderman Downey, seconded by Alderman Hanson that staff be directed to make presentation to the Province of Nova Scotia in opposition to Bill 221.

After considerable discussion and questioning of the Acting City Solicitor, the motion was put and passed with Aldermen Meagher and O'Malley voting in opposition.