

CITY COUNCIL
14 MAY 1992

Waste Management to Energy -
Evaluation of Potential Site

Following is the recommendation approved by the Finance and Executive Committee during its meeting on 6 May: "That City Council hold a special meeting to discuss its position with respect to the incinerator."

Alderman Fitzgerald addressed the matter, emphasizing that, in his opinion, Halifax City Council should take immediate action to reject the incineration option out-of hand and instead to go on record as publicly adopting the six recommendations put forward by the Sound Resource Management Group (all as originally proposed during a meeting of City Council held on 15 April 1992).

The following motion was therefore proposed by Alderman Fitzgerald:

- (a) that Halifax City Council reject the incineration option currently proposed by the Metropolitan Authority;
- (b) that Council adopt the six recommendations previously put forward by the Sound Resource Management Group Report; and
- (c) that a public information program on the City's waste management proposal be developed and implemented as quickly as possible.

There was no seconder to the motion.

Alderman Macdonald, one of the City's representatives on the Metropolitan Authority, pointed out that the City of Halifax has already indicated to the Authority that it will not agree to cost-share in any waste management program which involves the use of incineration. The Alderman went on to suggest that, in light of recent events and the attempts which appear to be underway by other members of the Authority to address the position taken by the City of Halifax, any action by City Council in this regard should be temporarily deferred.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Adams that a date be set for a special meeting of City Council to further consider the waste management issue and, in particular, the incineration option; and further, that this meeting be scheduled within the next two-week period.

The motion was put and passed with the understanding that Council would be advised of the date for the requested meeting at some future point in time.

**CITY COUNCIL
14 MAY 1992**

REPORT - COMMITTEE ON WORKS

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

Mainland North Traffic

An information report dated 12 May 1992 was submitted indicating that, due to time constraints, staff is unable to provide information on the six-point recommendation from Committee on Works but will be able to prior to the next Committee of the Whole Council meeting.

It is subsequently MOVED by Alderman Macdonald, seconded by Alderman Jeffrey that this matter be deferred to the next Committee of the Whole Council meeting scheduled for 20 May 1992.

After a short discussion the motion was put and passed.

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

**Proposed Ordinance 184 - the Reptiles Ordinance -
SECOND READING**

Consideration and report with respect to this item was given at the last meeting of the Committee of the Whole Council held on 6 May 1992.

MOVED by Alderman Hanson, seconded by Alderman Adams that City Council approve SECOND READING with respect to Ordinance 184, the Reptiles Ordinance, attached as Appendix "A" to the 27 March 1992 staff report.

Motion carried.

REPORT - PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 6 May 1992 as follows:

Mainland Common Master Plan

MOVED by Alderman O'Malley, seconded by Alderman Macdonald that, as recommended by the Planning Committee,

**CITY COUNCIL
14 MAY 1992**

the final draft of the Mainland Common Master Plan (April 1992) be TABLED and referred to staff for review and report.

Alderman Adams addressed the matter and noted that staff has worked quite closely with Sport Nova Scotia concerning certain aspects of the City's various playing fields. Alderman Adams went on to request that the consultants and staff work with Sport Nova Scotia and help to develop the Mainland Common fields so that they are put in the proper configuration.

Responding to a question from His Worship the Deputy Mayor, Mr. W.B. Campbell, Senior Planner, addressed Council and advised that the tabling of the report will be sufficient to complete the payment to the consultant.

Motion passed.

Case No. 6248: Multi-Purpose Field - Tamarack Drive, Stanley Park Subdivision (Phase 2B)

MOVED by Alderman Hanson, seconded by Alderman Macdonald that, as recommended by the Planning Committee, City Council approve the revised layout for the multi-purpose field on Tamarack Drive within Phase 2B of the Stanley Park Subdivision, as shown on Plan No. P200/18879, which includes a minimum of 250 feet of frontage along Tamarack Drive and the creation of three lots for semi-detached dwellings, and three lots for duplex dwellings, subject to the following conditions:-

- (a) that the developer provide written acknowledgements from the purchasers of the six lots abutting the multi-purpose field, indicating that these purchasers are aware of the proposed use of the park;
- (b) that a portion of the proposed commercial site to the north of the park be left open to provide visibility and access from this area; and
- (c) that the issue of the 0.4 acre parcel of parkland which remains to be conveyed in this area be addressed and resolved prior to final subdivision approval of the abutting parcel to the north.

Motion passed.

**CITY COUNCIL
14 MAY 1992**

Cedar Street Site

An information report dated 11 May 1992 was submitted.

Alderman Fitzgerald addressed the matter and advised that this situation concerns a development being proposed in Peninsula Centre which does not complement the community. He explained, as outlined in the information report of May 11th, that there is a loophole in the land use bylaw where there is no minimal lot frontage requirement. Alderman Fitzgerald advised that he intended to give notice to amend the land use bylaw that would overcome this loophole.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that staff prepare an amendment to the Land Use Bylaw that would overcome this loophole in the future.

Motion passed.

MOTIONS

Motion Alderman Adams Re: Proposed Amendment to City Ordinance 116, the Taxi and Limousine Bylaw - Re: "Smoke Free" and "Non-Smoking" Taxi Cabs - FIRST READING

Notice of Motion in respect of this matter was given at the last meeting of City Council held on 30 April 1992.

A report from Alderman Stephen Adams, Chairman of the Halifax Taxi Commission, dated 13 May 1992 was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that Halifax City Council approve FIRST READING to the amendment proposed for Ordinance 116, the Taxi and Limousine Ordinance, attached as Appendix "A" to the report from the Halifax Taxi Commission dated 13 May 1992, and refer it to the next regular meeting of the Committee of the Whole Council for consideration and report.

Noting that the report from the Halifax Taxi Commission states that "the situation is clearly unacceptable to many taxi users", Alderman Jeffrey suggested that, if this was the case, there must be documentation in this regard. Alderman Jeffrey indicated that he would like to receive information with respect to the documentation.

**CITY COUNCIL
14 MAY 1992**

The Chairman noted that a report would be provided to the Alderman on the matter.

Motion passed.

MISCELLANEOUS BUSINESS

Appointments

Referring to the proposed appointments to the Halifax Taxi Commission, Alderman Meagher questioned if both nominees reside in the City of Halifax.

The Chairman advised that it was his understanding that one person resides in Hubbards but operates a business in Halifax.

Responding to a further question from Alderman Meagher, the City Manager advised that the City's policy is normally to appoint residents of the City of Halifax. However, the City Manager indicated that there were special circumstances in this particular case to give representation to a particular segment of the taxi industry. Having regard to the circumstances, he suggested that this appointment would be a valid exception to the policy.

Following a lengthy discussion, it was MOVED by Alderman Adams, seconded by Alderman Hanson that the following appointments be approved:

HALIFAX TAXI COMMISSION

Lorne Baccardax
Carl Singh

Terms to expire 31 January 1995

NEPTUNE THEATRE

Alderman Mary Ann Crowley

Term to expire 5 November 1993

Motion passed.

**CITY COUNCIL
14 MAY 1992**

**Improvements to the Entrance to Bayers Lake Area
from the BiHi**

A report dated 6 May 1992 from Mr. R. Douglas Corkum, Executive Director of the Halifax Industrial Commission, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that Council grant approval to the Halifax Industrial Commission to proceed with the proposed improvements to the entrance to the Bayers Lake Area from the BiHi as part of the existing contract at an estimated cost of \$240,000.00, the source of funds to be determined by the City Manager in accordance with the approved procedures for raising capital funds for Park development.

Motion passed.

Voting Delegates - Annual Conference - UNSM

His Worship the Deputy Mayor noted that the following have indicated that they would be willing to be voting delegates at the UNSM Annual Conference: Alderman Fitzgerald, Alderman O'Malley, Alderman Hanson, Alderman Crowley, and Deputy Mayor Stone.

MOVED by Alderman Jeffrey, seconded by Alderman Meagher that the following be voting delegates to the UNSM Annual Conference: Alderman Fitzgerald, Alderman O'Malley, Alderman Hanson, Alderman Crowley, and His Worship Deputy Mayor Stone.

Motion passed.

QUESTIONS

**Question Alderman Jeffrey Re: Lack of Curb in the
Palmer Hill/Brook Street area**

Alderman Jeffrey noted that he had received a telephone call from a gentleman who is building a house at the corner of Palmer Hill and Brook Street. The Alderman explained that it was understanding there is no curb on the site and, as a result, water is running in and out of his property. Alderman Jeffrey asked that staff look into the possibility of putting a curb on this particular site.

Question Alderman Jeffrey Re: Burton Ettinger School

Alderman Jeffrey noted that there were a number of large boulders and rocks in the vicinity of the Burton

**CITY COUNCIL
14 MAY 1992**

Ettinger School playground area and asked that the City's Parks and Grounds Division look into the possibility of removing those rocks.

Question Alderman Jeffrey Re: School Avenue

Alderman Jeffrey noted that he had received a number of calls from residents on School Avenue pertaining to the condition of the street. He went on to request that staff get in touch with the Department of Highways and the Province of Nova Scotia to request that they try to do something with this particular street immediately.

Question Alderman Jeffrey Re: 36 Main Avenue

Alderman Jeffrey noted that a problem existed with respect to the property at 36 Main Avenue. He explained that there was a boulder in the back yard of 36 Main Avenue which he suggested weighs probably 10-15 tons. The Alderman added that the boulder was round and faces an apartment at 8 McFatridge Road. Alderman Jeffrey expressed the concern that this boulder could at any time tumble down into the backyard of 8 McFatridge Road.

Alderman Jeffrey advised that Building Inspection staff inspected this property and requested that the owner remove this boulder immediately. However, Alderman Jeffrey advised that the boulder was not removed and questioned if there was any policy or regulations that would address this item. The Alderman asked that staff address the matter immediately.

Question Alderman Jeffrey Re: Convoy Avenue

Alderman Jeffrey advised that he had received telephone calls from residents on Convoy Avenue pertaining to speeding in the area and asked that the Chief of Police set up a radar in the area and monitor the situation for a while.

Question Alderman Downey Re: Training Programs

Alderman Downey commented that the need for a training program was raised some time ago. Alderman Downey agreed that some type of training program was essential especially during these tough economic times. Noting that Mr. Harold D. Crowell, Director of Social Planning, has been trying to secure money for a training program, Alderman Downey asked that he be provided with a report at

**CITY COUNCIL
14 MAY 1992**

the next Committee of the Whole Council meeting on the matter if possible.

The City Manager suggested that a verbal report could be provided at that time.

Question Alderman Adams Re: Spryfield Minor Ball League

Alderman Adams noted that he had received a telephone call from a resident regarding the Spryfield Minor Ball League. The Alderman explained that there were 17 that use the Hartlen Field and which have received some gear from the City Recreation Department. Alderman Adams advised that these teams are in need of some bats and questioned whether the City's Recreation Department could possibly supply them with some.

**Question Alderman Adams Re: Civic Numbers
70 and 72 Thornhill Drive**

Alderman Adams advised that on Thornhill Drive, behind civic numbers 70 and 72, there have been some problems pertaining to drainage. He explained that, as a result, there was an inverted siphon installed to help alleviate the problem. Alderman Adams indicated that it was his understanding the amount of money set aside for this item was substantially more than what was actually required. To help further improve the inverted siphon mechanism, the Alderman questioned if it would be possible to use some of those funds to dredge either end of the pipe to allow for the drainage of the water that collects during storms and wet periods.

The Chairman indicated that a report would be provided on the matter.

Question Alderman Adams Re: Herring Cove Road

Alderman Adams noted that some areas of the Herring Cove Road consist of five lanes. He referred specifically to the area near Clovis Avenue and Spry Avenue where bus stops were located as well as a home for elderly people. Noting that a blind crest exists because of the grade of the hill, Alderman Adams asked that staff report on the feasibility of having an overhead crosswalk installed in this area with flashing amber lights. He asked that the Traffic Authority consider this request in light of the nature of the individuals who would use the crosswalk and the fact that there are bus stops nearby as well as a blind crest.

**CITY COUNCIL
14 MAY 1992**

Question Alderman O'Malley Re: BID Committee Pan Am Games

Alderman O'Malley noted that she has been approached by citizens indicating that there is a BID Committee for the Pan Am Games. She added that it was her understanding the Committee has been meeting and asked for a report with respect to the members of the Committee. Alderman O'Malley noted that she does not recall this Committee ever coming before Council.

**Question Alderman O'Malley Re: Halifax Harbour
Clean-up Sewage Treatment Plant**

Alderman O'Malley raised a number of questions with respect to the Harbour Clean-up Sewage Treatment Project.

Responding to her first question, the City Manager advised that the latest cost estimate on this project was estimated at \$425,000,000.

Alderman O'Malley also questioned what portion of the City's pollution control charge is committed to this project and the City Manager advised that there were expenditures each year from the Pollution Control Account for the Harbour Cleanup. He indicated that Mr. B.G. Smith, Director of Finance, could supply the report he has been developing showing the financial demands.

Alderman O'Malley added that she would like the report to include a cash flow projection for the next five years for the City of Halifax's share in the Harbour Clean Up project.

Alderman O'Malley also questioned whether there would be a change in the pollution control charge to accommodate the Harbour Clean-up project.

In response, the City Manager advised that staff would have to come back to Council on the item. He noted that a report would be provided addressing all of the above questions raised by Alderman O'Malley.

Question Alderman Fitzgerald Re: Future Tax Increase

Alderman Fitzgerald noted that there was a 3.9 percent increase in the City's tax rate this year without any salary increases. The Alderman indicated that he would like to know what impact salary increases will have on future tax rates. He questioned when the contracts and

**CITY COUNCIL
14 MAY 1992**

salary negotiations would be coming due and how much money they would involve.

The City Manager indicated there would be no impact on 1993. However, he noted that 1994 would be the problem year. The City Manager advised that there were a number of factors to be taken into consideration with respect to future tax rates and that staff could only speculate on their impacts at this time.

Question Alderman Fitzgerald Re: Miles of Street

Alderman Fitzgerald questioned if the City had a policy that would determine the number of miles of street to pave each year.

The City Manager advised that staff is presently beginning to work on a study with respect to a policy as suggested by the Alderman.

Alderman Fitzgerald further questioned when staff would begin painting street lines.

Question Alderman Fitzgerald Re: Tim Horton's Quinpool Road

Alderman Fitzgerald advised that he had received numerous calls from parents concerning a new Tim Horton's at the old McQuinn building on Quinpool Road. He noted that the parents are deeply concerned about safety factors in connection with the location of a Tim Horton's at this dangerous corner and he requested an update on the matter.

Question Alderman Fitzgerald Re: Amalgamation

Alderman Fitzgerald questioned when the City was to hold its meeting with respect to amalgamation.

**Question Alderman Fitzgerald Re:
Historic Building Incentives**

Alderman Fitzgerald requested a report on the status of the progress with respect to historic building incentives.

Question Alderman Fitzgerald Re: Halifax Harbour Clean-Up

Alderman Fitzgerald suggested that Council should receive an up date with respect to the Halifax Harbour Clean-Up perhaps at a future Committee of the Whole Council meeting.

**CITY COUNCIL
14 MAY 1992**

Question Alderman Fitzgerald Re: Motorcycle Policemen

Alderman Fitzgerald noted that there were a number of motorcycle policemen in the City. He went on to request a confidential report from the Chief of Police indicating how many there were, what they do during the off-season, and their prime function. Alderman Fitzgerald noted that he had received a couple of calls from citizens questioning whether the primary function of these motorcycle policemen was to issue tickets and whether a meter person could instead be assigned this task.

Question Alderman Hanson Re: Amalgamation

Alderman Hanson requested clarification with respect to the meeting on the amalgamation of municipalities.

The City Manager advised that May 27th was the date of the meeting with the UNSM. He suggested that there be a meeting of City Council prior to that date so that Council could develop its position. The City Manager noted that he expected to provide a report on the matter in the near future and noted that Alderman Macdonald had previously asked a question about the 2-tier system of government such as is used in Toronto.

Question Alderman Hanson Re: Improvements to the Entrance to Bayers Lake Area from the BiHi

Referring to the report of 6 May 1992 with respect to the improvements to the entrance of the Bayers Lake area, Alderman Hanson noted that the report indicates that the costs were estimated at \$210,000.00 plus G.S.T. and engineering costs for a total of \$214,000.00. The Alderman questioned whether there was any way for municipalities not to have to pay G.S.T. for projects such as this.

The City Manager advised that the City will recover about 58 percent of the G.S.T.

Question Alderman Crowley Re: St. Andrew's School

Alderman Crowley advised that she had received a number of calls regarding St. Andrew's School and the concern that there is some activity taking place regarding the purchase of the property. The Alderman pointed out that she had requested through Council that she be kept abreast of any activity with respect to this particular complex. She noted that she will be meeting with staff on

**CITY COUNCIL
14 MAY 1992**

May 19th on the matter, but asked that staff confirm, for the information of those concerned, whether there is any activity taking place with respect of the St. Andrew's School property.

The City Manager advised that, if there were to be changes, Alderman Crowley would be informed as he stated in a previous report to Council on the matter. The City Manager added that it was a logical conclusion that if the Alderman has not been advised of any activity, that nothing has changed in respect of the property.

Question Alderman Crowley Re: Youth Gangs

Alderman Crowley noted that some time ago she had raised the issue at Council with respect to youth gangs and the numbers of youth roaming throughout the City. She went on to note that she had received a number of calls from residents in the Westmount School Area concerning the matter. Alderman Crowley advised that she raised the issue with staff and with the City's Police Department who have shown great initiatives to try to resolve the problem. Alderman Crowley went on to note that she had attended only one meeting of the Safe Cities Committee and questioned if it was still active.

Alderman Crowley advised that the Halifax Police Department has suggested placing a sign in the school yard that would prohibit children from coming on the property between 10:00 p.m. and 5:00 a.m. She requested that staff do everything they could to expedite the establishment of that sign. Alderman Crowley also noted that there was an opening at Lloyd Fox Avenue between the Shopping Centre and the whole Westmount district where youth travel to and from the area. She asked that the Police Department continue to monitor this area.

With respect to Alderman Crowley's question about the Safe Cities Committee, His Worship the Deputy Mayor addressed the question as the Chairman of the Safe Cities Committee. He noted that the Committee consisted of staff of the School Board, Social Planning, Recreation, and Police Departments and, as Deputy Mayor, he was asked to Chair the Committee. His Worship advised that the Aldermen who had expressed an interest were invited to attend their first meeting and he noted that he thought it was made clear at that time that any Alderman could attend those meetings although it was a Committee of staff. His Worship advised that he would inform Alderman Crowley of future meetings.

**CITY COUNCIL
14 MAY 1992**

NOTICES OF MOTION

Notice of Motion Alderman Jeffrey Re: Amendment to
Ordinance 12A, the Fairview Cemetery Ordinance

Alderman Jeffrey gave notice of motion that at the next regular meeting of City Council to be held on Thursday, the 28th day of May 1992, he proposes to move FIRST READING of the amendments to Ordinance 12A, the Fairview Cemetery Ordinance. The purpose of said amendment is to provide for the implementation of a Cremation Garden at Fairview Cemetery.

Notice of Motion Alderman Fitzgerald Re:
Peninsula Centre Land Use Bylaw

Alderman Fitzgerald gave notice of motion that at the next regular meeting of City Council to be held on Thursday, the 28th day of May 1992, he proposes to introduce a motion that will close the loophole in the Peninsula Centre Land Use Bylaw which will protect the use of R-1 and R-2 land.

ADDED ITEMS

Preliminary Study by Horner and Associates

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

A staff report dated 12 May 1992 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that the preliminary report of Horner and Associates on the landfill site in the district of Argyle be forwarded to the Round Table on the Environment and Economy immediately for consideration and report .

Motion passed.

Proposed Development Agreement - Cornwallis and
Gottingen Street

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

A public hearing with respect to the above item was approved (3 June 1992) at the special meeting of City Council held on 6 May 1992.

**CITY COUNCIL
14 MAY 1992**

A supplementary staff report dated 12 May 1992 was submitted.

MOVED by Alderman Downey, seconded by Alderman Macdonald that the supplementary staff report of 12 May 1992 be deferred to the Public Hearing scheduled for 3 June 1992.

Motion passed.

City Support to Musicfest Canada

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

A staff report dated 14 May 1992 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Macdonald that Council approve a payment of \$20,000 perviously committed to Musicfest Canada, with funds to be provided as follows:

\$ 5,000 Tourism Account #22203.6511
\$ 5,000 City Manager's Contingency Account #27902.0120
\$10,000 The Cultural Reserve Account

Motion passed.

Draft Bill Metropolitan Authority (Alderman Fitzgerald)

This item was added at this time at the request of Alderman Fitzgerald.

Alderman Fitzgerald referred to an article in the Daily News on this date reporting that a draft bill was approved by the Metropolitan Authority earlier this week that prohibits any person from collecting and disposing of classes of garbage as described under the bylaws unless they are licensed, etc. The Alderman questioned the implications of this draft bill.

The City Manager advised that each municipality would have to pass a bylaw in order for the bill to be put into effect. Therefore, he noted that this could not be imposed on the City or any municipality.

Halifax Historic Forts - (Alderman Fitzgerald)

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

**CITY COUNCIL
14 MAY 1992**

Alderman Fitzgerald referred to an article in the Mail Star dated 21 February 1992 with respect to parks and historic forts in the City of Halifax. The Alderman noted that some of the City's more famous attractions were the Citadel, George's Island, Fort McNab, Prince of Tower, Chebucto Head, and other places of historic interest.

Alderman Fitzgerald went on to note that the article reported that citizen committee meetings were taking place with respect to the development of a fort tour. Alderman Fitzgerald agreed that this was a tremendous concept and asked that the City Manager request that someone on staff find out the status of the matter possibly through the Acting Manager of the Historic Defense Complex or through the Tourism Department.

There being no further business, the meeting was adjourned at approximately 11:15 p.m.

DEPUTY MAYOR STONE
CHAIRMAN

KS/MS

HEADLINES

PRESENTATION - 1992 City Manager's Awards of Excellence	355
PRESENTATION - Municipal Awareness Week: 1992 Citizens of the Year Awards	356
MINUTES	357
APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS	357
PRESENTATION - Corporate Research Associates Inc. Re: Public Opinion About Solid Waste	357
Racetrack - Ragged Lake	358
DEFERRED ITEMS	
Case No. 6471: 1455 Henry Street - Appeal of Minor Variance Refusal	358
Case No. 6370: Oakland Road - Plan and Bylaw Amendment Proposal	359

**CITY COUNCIL
14 MAY 1992**

HEADLINES (CONT'D)

DEFERRED ITEMS (CONT'D)

Case No. 4545: Request - Amendment to Stage I,
Schedule "K" Approval, Langbrae Gardens 360

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Taxi Stand - 2733 Agricola Street 361

Encroachment License - Civic No.
1521-25 Birmingham Street 362

Encroachment License - Civic No.
6128 Duncan Street 362

Resolutions - Annual Conference:
Union of Nova Scotia Municipalities 362

Family Housing Units - 28 Gebhardt Street 364

Encroachment - 5524 Spring Garden Road 365

Claim of Ivan Tomek 365

Amendments to Halifax City Charter 365

Annual Report on the Local Economy 366

Bill - Protection of Public Lands 367

Waste Management to Energy -
Evaluation of Potential Site 368

REPORT - COMMITTEE ON WORKS

Mainland North Traffic 369

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

Proposed Ordinance 184 - the Reptiles Ordinance -
SECOND READING 369

REPORT - CITY PLANNING COMMITTEE

Mainland Common Master Plan 369

Case No. 6248: Multi-Purpose Field -
Tamarack Drive, Stanley Park Subdivision
(Phase 2B) 370

Cedar Street Site 371

MOTIONS

Notice of Motion Alderman Adams Re: Proposed
Amendment City Ordinance 116, the Taxi and
Limousine Bylaw - "Smoke Free" and "Non-Smoking"
Taxi Cabs - FIRST READING 371

MISCELLANEOUS BUSINESS

Appointments 372

Improvements to the Entrance to Bayers Lake Area
from the BiHi 373

Voting Delegates - Annual Conference - UNSM 373

QUESTIONS

Question Alderman Jeffrey Re: Lack of Curb in the
Palmer Hill/Brook Street Area 373

**CITY COUNCIL
14 MAY 1992**

HEADLINES (CONT'D)

QUESTIONS (CONT'D)

Question Alderman Jeffrey Re: Burton Ettinger School	373
Question Alderman Jeffrey Re: School Avenue	374
Question Alderman Jeffrey Re: 36 Main Avenue	374
Question Alderman Jeffrey Re: Convoy Avenue	374
Question Alderman Downey Re: Training Programs	374
Question Alderman Adams Re: Spryfield Minor Ball League	375
Question Alderman Adams Re: Civic Numbers 70 and 72 Thornhill Drive	375
Question Alderman Adams Re: Herring Cove Road	375
Question Alderman O'Malley Re: BID Committee Pan Am Games	376
Question Alderman O'Malley Re: Halifax Harbour Clean-up Sewage Treatment Plant	376
Question Alderman Fitzgerald Re: Future Tax Increase	376
Question Alderman Fitzgerald Re: Miles of Street	377
Question Alderman Fitzgerald Re: Tim Horton's Quinpool Road	377
Question Alderman Fitzgerald Re: Amalgamation	377
Question Alderman Fitzgerald Re: Historic Building Incentives	377
Question Alderman Fitzgerald Re: Motorcycle Policemen	378
Question Alderman Hanson Re: Amalgamation	378
Question Alderman Hanson Re: Improvements to the Entrance to Bayers Lake Area from the BiHi	378
Question Alderman Crowley Re: St. Andrew's School	378
Question Alderman Crowley Re: Youth Gangs	379

NOTICES OF MOTION

Notice of Motion Alderman Jeffrey Re: Amendment to Ordinance 12A, the Fairview Cemetery Ordinance ...	380
Notice of Motion Alderman Fitzgerald Re: Peninsula Centre Land Use Bylaw	380

ADDED ITEMS

Preliminary Study by Horner and Associates	380
Proposed Development Agreement - Cornwallis and Gottingen Street	380
City Support to Musicfest Canada	381
Draft Bill - Metropolitan Authority (Alderman Fitzgerald)	381
Halifax Historic Forts (Alderman Fitzgerald)	381

**SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
20 May 1992
7:35 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: His Worship Deputy Mayor Stone, Chairman; and Aldermen Holland, Fitzgerald, Downey, Adams, Hanson, and Macdonald.

ALSO PRESENT: Mr. Gerry Goneau, representing the City Solicitor's Department; Ms. Margaret Soley, Acting City Clerk; and other members of City staff.

ADDED ITEMS

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:

Pan Am Games Committee: Introduction

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

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the City Safety Committee, City Council endorse the work of the Pan Am Games Committee and forward a letter of support to the Committee to be used in its preliminary bid, and request the Pan Am Games Committee to report back to Council once the preliminary bid has been completed.

Motion carried.

Public Hearings
20 May 1992

Municipal Development Plan Amendment: Bicentennial Drive at
Bayers Lake Interchange

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

MOVED by Alderman Macdonald, seconded by Alderman Downey that, as recommended by the City Planning Committee, this matter be forwarded to the Planning Advisory Committee to consider a plan amendment which would:

- . establish the lands on the east side of the Bicentennial Drive at the Bayers Lake Interchange as an office oriented business campus; and
- . require development be preceded by a development agreement.

Motion carried.

Case No. 6479: Development Agreement - 6196 Oakland Road

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

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Planning Committee, a date for a public hearing be set to consider the application to permit a rear addition at 6196 Oakland Road, lands of Nancy Vanstone, substantially in accordance with Plans P200/18765-70 be approved by City Council, provided that the addition be no closer than **two feet** to the east property line.

Motion carried.

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

Award of Tender #54748 - Application of Liquid
Asphaltic Materials for Chip Sealing

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

Public Hearings
20 May 1992

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Tender #54748 (the application of liquid asphaltic materials for chip sealing) be awarded to **Municipal Contracting Limited** for the terms and amounts outlined in the staff report of 28 April 1992 (funds to be made available in the following accounts:

25329.0650 titled Road Oils/Seal Coat - Stone and Oil;
25329.0651 titled Road Oils/Chip Seal - Shoulders;
25329.0652 titled Road Oils/Chip Seal - Unpaved Street;
25329.0671 titled Road Oils/Shoulders (cost-shared).

Motion carried.

Award of Tender #92-64: Two 1992 Model
Cargo Vans - 8,600 GVW

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

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Tender #92-64 for two 1992 Model Cargo Vans (8,600 GVW) be awarded to **McDonald Chev Olds** in the amount of \$37,828.78 (funds to be made available in Account Number 26104.X1710, titled Motor Equipment - Fixed Assets).

Motion carried.

Award of Tender #92-52:
One Tractor/Loader/Backhoe

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

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Tender #92-52 for one tractor/loader/backhoe be awarded to **Northeast Tractor** in the amount of \$51,307.11 (funds to be made available in Account Number 26104.X1710 titled Motor Equipment - Fixed Assets).

Motion carried.

Public Hearings
20 May 1992

Award of Tender #92-56:
Two Hi-Cube Vans (10,000 GVW)

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

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Tender #92-56 for two hi-cube vans (10,000 GVW) be awarded to McDonald Chev Olds in the amount of \$51,156.70 (funds to be made available in Account Number 26104.X1710 titled Motor Equipment - Fixed Assets).

Motion carried.

Award of Tender #92-63: Nine 1992 Pick-up Trucks

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

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Tender #92-63 for nine 1992 pick-up trucks be awarded to Collins Chrysler in the amount of \$117,967.50 (funds to be made available in Account Number 26104.X1710 titled Motor Equipment - Fixed Assets).

Motion carried.

Award of Tender #92-88: Fire Fighting Foam

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

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Tender #92-88 for fire fighting foam be awarded to MicMac Fire & Safety for the terms and conditions outlined in the staff report dated 11 May 1992 (funds to be made available in Account Number 25601.0255 titled Hose and Fire Fighting).

Motion carried.

Public Hearings
20 May 1992

**Award of Tender #55565: Three 60"-Cut
Front Mounted Diesel-Power Rotary Mowers**

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

MOVED by Alderman Fitzgerald, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Tender #55565 for three 60"-cut front mounted diesel-power rotary mowers be awarded to **Eastern Turf Products Ltd.**, the lowest bidder meeting specifications, for a tendered price of \$34,821.00 (spares included); funds to be made available in Account Number 26104.1804 titled Motor Equipment/Equipment Replacement.

Motion carried.

Special Council Meeting Dates

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

MOVED by Alderman Hanson, seconded by Alderman Macdonald that TUESDAY, 26 MAY 1992 beginning at 7:30 p.m. be set for a special meeting of Halifax City Council to discuss the following matters:

- (1) Waste Management to Energy -
Incineration Option; and
- (2) Task Force on Local Government -
Amalgamation

Motion carried.

Council then continued with its regular agenda as follows:

Public Hearing: Street Closure - Purcell's Cove Road

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

Mr. Claude Isaacs, Development Assistant, addressed Council and, using diagrams, outlined the application by the property owner of Lot 1A, Civic Number

Public Hearings
20 May 1992

47 Purcell's Cove Road, to close a portion of Purcell's Cove Road to be added to Lot 1A to make it suitable for development as contained in the staff report of 1 April 1992.

At 7:45 p.m. Alderman Meagher entered the meeting.

Mr. Charles Baker addressed Council and advised that he was a resident of Fall River, Halifax County and the owner of the property in question.

In his presentation, Mr. Baker provided a brief history of how he acquired the property and advised that the current situation arose when the City contacted him with respect to giving up some of his property for the Herring Cove Road widening project. He added that he gave up some of his land with no compensation and, after this, he had the lot surveyed and found out that it was no longer viable because of the section he gave up. He pointed out that he went back to the City and discussed the matter with staff and was advised that City staff would try to work out some kind of arrangement which would make the lot viable. Mr. Baker indicated that this action has led to tonight's public hearing.

In concluding his remarks, Mr. Baker noted that the proposed street closure would not have a negative impact on anyone and he requested Council's approval of his application.

Mr. Kevin Rosborough addressed Council and advised that he was a resident of 55 Purcell's Cove Road. Mr. Rosborough indicated that he did not have any objections to the proposal, however, he found that he was in a similar situation and would also like it addressed by the City.

In response to Mr. Rosborough, the Chairman suggested that he contact Mr. Isaacs of the Development and Planning Department to discuss the matter.

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

Alderman Hanson addressed the matter and questioned if there were any letters submitted on this matter.

Public Hearings
20 May 1992

The Acting City Clerk advised that there was no correspondence submitted on this matter.

In light of the fact that there were no objections raised on this matter, either verbally or in written form, Alderman Hanson advised that he was prepared to move a motion of approval.

MOVED by Alderman Hanson, seconded by Alderman Adams that City Council approve the closure of a portion of Purcell's Cove Road as shown on Plan TT-45-31041 and that, subject to the approval of the Minister of Municipal Affairs, Parcel -CB be sold to the abutting owner of Lot 1A for \$4 a square foot.

Motion carried.

Public Hearing: Case No. 6461: 1956-58 Rosebank Avenue - Proposed Development Agreement

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the application for development agreement to permit construction of a sun room at the rear of the two unit dwelling at 1956-58 Rosebank Avenue, as contained in the 2 April 1992 staff report.

Mrs. Rexanne Lugar, the applicant, addressed Council and advised that she has been a resident on Rosebank Avenue since 1939. She added that she and her husband have lived in their present house approximately 27 years and because they agree with the parameters of the neighbourhood, they have tried to make their house more conforming than what it was before they moved in. In this regard, Ms. Lugar noted that the property originally had two driveways and they eliminated the second one. On another point she advised that they enclosed the front porch so, rather than having two doors showing, there is only one and, thus, it conforms to the other homes on the street.

Mrs. Lugar advised that she and her husband were approaching retirement and would very much like to have the enjoyment of a sun room attached to their home. She added that the neighbours have indicated that the addition would actually add to the appeal of the building and not be a deterrent. Noting that it has taken over two years to get

Public Hearings
20 May 1992

to the point of a public hearing, Ms. Lugar requested Council's favourable approval of her application.

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

The following correspondence was submitted in support of the application:

A letter dated 14 May 1992 from John S. Marshall and Annette L. Marshall, 1951 Connaught Avenue, Halifax, N.S., B3H 4E2.

A letter dated 13 May 1992 from Dr. and Mrs. James L. Warner, 1972 Rosebank Avenue, Halifax, N.S., B3H 4C7.

A letter received in the City Clerk's Office 15 May 1992 from Audrey Blunden, 6561 Norwood Street, Halifax, N. S., B3H 2L7.

A letter dated 14 May 1992 from Edward L. and Edith F. Thorne, 1943 Connaught Avenue, Halifax, N.S.

A letter dated 8 May 1992 from Michael and Sheila Banks, 1942 Rosebank Avenue, Halifax, N.S.

A letter dated 12 May 1992 from Kai H. Boggild, 1950 Rosebank Avenue, Halifax, N. S., B3H 4C7.

A letter dated 11 May 1992 from Jans and Scott Henderson, 1937 Connaught Avenue, Halifax, N. S.

A letter dated 8 May 1992 from Hobson Love, 1965 Rosebank Avenue, Halifax, N.S.

A letter dated 7 May 1992 from Shirley Irving, 1945 Rosebank Avenue, Halifax, N.S. B3H 4C6.

A letter dated 6 May 1992 from Heather Rea, 1971 Rosebank Avenue, Halifax, N.S.

The following letter in opposition was submitted:

A letter dated 14 May 1992 from Peter J. Gagne, 1964 Rosebank Avenue, Halifax, N. S., B3H 4C7.

Public Hearings
20 May 1992

Alderman Fitzgerald addressed the matter and, noting that the proposal was in keeping with the City requirements and, in light of the number of letters in support of the application and the length of time this matter has taken, he advised that he supported the applicant's request and was prepared to move a motion of approval.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that City Council enter into a development agreement to permit construction of a sun room at the rear of the two unit dwelling at 1956-58 Rosebank Avenue, provided the addition is substantially in accordance with Plan Nos. P200/18727-8 of Case 6461.

Motion carried.

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

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

A staff report dated 5 May 1992 was submitted.

A letter dated 19 May 1992 from Ronald A. Pink, Pink Breen Larkin, Barristers and Solicitors, Suite 400, 1583 Hollis Street, Halifax, NS, B3J 2M4, was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and, using diagrams, outlined the application for a development agreement to allow commercial uses throughout all three floors of a proposed addition of the registered heritage property of Civic No. 1226 Hollis Street as contained in the 5 May 1992 staff report.

Mr. Douglas Hynes addressed Council and advised that he was speaking on behalf of the applicant, the Hardman Group.

Mr. Hynes noted that the Hardman Group purchased the building in question approximately 20 years ago and has now found that it has outgrown it. He added that the company likes the area in which it is located and would prefer to stay there, however, if it cannot make the necessary changes to the building, the Company will have to relocate elsewhere.

Public Hearings
20 May 1992

Mr. Hynes added that the Hardman Group has worked together with City staff and the Heritage Committee to make the changes as outlined in staff's presentation to be sympathetic to the historic attributes of the building.

Mr. Hynes then displayed an architectural rendering of the proposal and he requested that Council look favourably on their application, a speedy decision be made in order to allow them to proceed with the construction during the good weather.

Mr. Blair Beed, a resident of 5510 Spring Garden Road, addressed Council and indicated that he supported the recommendation as presented by staff on this matter. He indicated that the City should commend the property owner for taking such sensitive care of a heritage building.

Mrs. Elizabeth Pacey addressed Council and advised that she was speaking on behalf of Heritage Trust. Mrs. Pacey indicated that it was not her intention to make a presentation on the development at this time, and that her concern with this matter was with the procedure of obtaining staff report.

Mrs. Pacey indicated that she had difficulty in obtaining the full staff report on the proposal, and noted that a letter in this regard had been submitted.

The Chairman pointed out that, as indicated in the newspaper advertisement, the reports can be obtained at the City library or the City's information office.

Further to this, Mr. Norris advised that the difficulty appears to have arisen when Mrs. Pacey contacted the City Clerk's Office for the report. He added that through mis-communication she was unable to obtain the report at this location.

The Chairman advised that, since Mrs. Pacey did not have the opportunity to fully review the report, it may be appropriate to move the matter to Council without recommendation and permit her to make a presentation at the next meeting of City Council, if Council should agree.

It was generally agreed that, should Mrs. Pacey want make a presentation to City Council at its next regular meeting, that she be permitted to do so.

Public Hearings
20 May 1992

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

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

Motion carried.

Public Hearing: Case No. 6482: 5222-30 Tobin Street -
Amendment to Height Precinct Map.

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

A letter dated 20 May 1992 from George and Carol Rogers, 5295 Tobin Street, Halifax, NS, B3J 1S3, in opposition to the proposal was submitted.

A letter received in the City Clerk's Office on 20 May 1992 from Anne West, a resident of South Park Street, Halifax, NS, in opposition to the proposal was submitted.

A letter dated 19 May 1992 from Steve Rajendram, 2344 Hunter Street, Suite #310, Halifax, NS, B3K 4V6, in opposition to the proposal was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the application to amend Zoning Map ZM-17 for the purpose of increasing the height precinct (limit) over the property at 5222-30 Tobin Street as outlined in the 15 April 1992 staff report.

Dr. Petra J. Mudi, a resident of 5228-30 South Street, addressed Council and read and submitted her presentation in opposition to the proposal (a copy of her presentation may be found in the official file of this meeting).

Dr. Mudi indicated that she objected to the proposal because it was not in keeping with the Georgian and early Victorian character of the area. On another point, she advised that although taller buildings have been approved on Barrington Street and North Tobin Street, this was not a reason to approve further high rise buildings in the area.

Public Hearings
20 May 1992

Dr. Mudi added that in speaking with planners on the matter, she was informed that developments such as this one would accommodate the students at the local universities and hospitals. She noted that, as a teacher at the universities in the area, she was aware that enrolment at the universities and at the hospital training schools has declined dramatically so, therefore, the need for such accommodations is no longer present. Dr. Mudi added that she is further opposed the proposal because it relates to the next public hearing on the agenda, which is another proposal for a high rise apartment building to be constructed immediately in front of this proposal. She indicated that, should these proposals be approved, it will result in a barricade on the south side of Tobin Street that will extend to Barrington Street and up to this existing eight story apartment building.

In concluding her remarks, Dr. Mudi noted that the staff report indicates that the view plan from Citadel Hill will not be obstructed. She pointed out, however, the skyline view will be a rooftop as opposed to the existing situation, which is a view of the water, ships in the harbour, and surrounding trees. On a final point, Dr. Mudi expressed concern about the parking problems which would result, noting that it would only exacerbate an already severe parking problem, particularly in the winter.

Mr. Blair Beed, a resident of 5510 Spring Garden Road, addressed Council and spoke in opposition to the proposal.

In his remarks, Mr. Beed expressed concern that the plan for the area, which has already established as a 45 ft. height limit, will not be carried out because the proposal is to change it to 75 ft. height limit and he advised that he was opposed to this sort of change. He pointed out that when the notices are sent out advising the property owners in the area of the proposal, many renters in the area do not receive these notices and are unaware of the proposed change. In this regard, he advised that this proposal may impact on their scale of rent because another developer may want to proceed with a development similar to this proposal and, therefore, the renters would end up paying more rent.

Mr. Beed indicated that, in his view, staff appears to be encouraging developers to ask for things they may not have realized they could do when they bought the property. Mr. Beed suggested that additional floors to an

Public Hearings
20 May 1992

apartment building would unduly impact on the people on the area and he advised that studies have proven that people are adversely affected by larger buildings that go above six stories in height. With respect to the view plane, Mr. Beed advised that the proposed building was too close to the view plane.

On a final note, Mr. Beed pointed out that the site in question was currently occupied by a building that may be 135 years old. He added that he hoped if the building is to be demolished that the City will examine the site for archaeological evidence of items which may not have been disturbed over the past 135 years.

Mr. Mark Stillwell, a resident of 120 A Rocky Lake, Bedford, NS, addressed Council and advised that, in his opinion, the building presently situated on the site in question was a heritage building and he would like to see it remain intact. Mr. Stillwell indicated that he felt it would be more appropriate to use the building to assist homeless people and others less fortunate, rather than develop it in to a high rise apartment.

Mr. Peter McInroy of the firm Boyne Clarke, Barristers & Solicitors, addressed Council and indicated that he was speaking on behalf of the applicant.

Mr. McInroy advised that it was important to note that the height precinct for this area can be changed according to the Plan policies. He pointed out that there were some height precincts in the Plan policies specified not to be changed, however, this particular area was left with the flexibility to be changed.

With respect to the proposed development, Mr. McInroy advised that the zoning of the area permits only residential use and he noted that the market and the City's plan policies will dictate the type of units that can be established. He added that buffering, landscaping, and fencing has been addressed and everything possible has been done to buffer the impact on surrounding properties.

Referring to other concerns raised, Mr. McInroy pointed out that the view planes will not be violated and that the building presently on the site was not a heritage building. He added that the site is currently designated as multiple-residential, therefore, an apartment building can be constructed regardless. Mr. McInroy advised that to

Public Hearings
20 May 1992

make the development economically viable, the applicant was asking for the height precinct to be raised slightly.

In conclusion, Mr. McInroy requested Council's favourable consideration of this application, noting that the proposal met all the Plan policies and, as well, it would help to revitalize this area of downtown Halifax.

Mr. Paul Skerry, the architect for the project, addressed Council and briefly elaborated on the architectural design of the proposed building. He noted that, excepting the 45 ft. height precinct, all other aspects of the proposal have been satisfied. Mr. Skerry suggested that, from a planning perspective it would be good for the City to have more residential units in close proximity to the central business district.

Mr. Peter Ryan, the applicant, addressed Council and advised that, when he originally purchased the building, it was his intention to hold on to the building for a long period of time. He added that he had a tenant sign for a 10 year lease, however, the tenant went into bankruptcy. Mr. Ryan added that, after this he was unsuccessful in obtaining another tenant and, in accordance with City regulations, the building, because it was vacant for more than six months, lost the commercial nonconforming status. Mr. Ryan advised that he has been left with a building which cannot be utilized.

Mr. Ryan noted that, as a developer, some of the City's rules and regulations make it difficult to develop in the City, and he noted that, with this application, he has two height restrictions which prevent him from achieving the maximum density permitted on the site.

Mrs. Elizabeth Pacey addressed Council advising that she was speaking on behalf of Heritage Trust. She indicated that Heritage Trust was opposed to the amendment to the height precinct on this property and added that she would be making a further presentation during the next public hearing because the two hearings were related.

Mr. Graham Duffus, a resident of 1110 Barrington Street, addressed Council and advised that he owned 1106 Barrington Street and his sister owned 1114 Barrington Street.

Mr. Duffus advised that when he and his sister purchased their properties at the end of 1990 they were

Public Hearings
20 May 1992

aware of the kinds of developments they could establish if the height precinct was different. Mr. Duffus added that, however, he and his sister have redeveloped them for RC-2 zoning as per the bylaw requirements.

Mr. Duffus referred to the zoning map and noted that it shows the height restrictions in the entire area are no more than 45 ft. in height with the exception of a small strip on Barrington Street to the north. In reference to an earlier speaker's comments that the area in question was flexible as far as height restriction, Mr. Duffus advised that he has not seen anything to verify this view. He added that in his view the 45 ft. height limit is a normal and reasonable planning methodology and is very appropriate for this area.

On another point, Mr. Duffus advised that just because the height restrictions would not permit the maximum density allowed, this was not reason enough to change the height precinct.

Mr. Duffus also expressed concern about the orientation of the proposal, advising that every building on Tobin Street was oriented in a north/south lengthwise direction, and the proposed building is oriented in the other direction. Mr. Duffus indicated that he was also concerned about light and vistas to adjoining properties, noting that Skyline Towers appears to be right to the property line and he pointed out that the building will cast shadows on some of the surrounding buildings, thereby, lessening their value. As well, he advised that the proposed extra height on the building will increase wind and will pose a hazard to people walking down the street, particularly in the winter time. In conclusion, Mr. Duffus suggested that the amendment was a dangerous precedent and inappropriate for the neighbourhood and he requested Council to refuse the amendment to the height precinct to 75 ft.

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

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

Motion carried.

Public Hearings
20 May 1992

Public Hearing: Case No. 6481: 5206 Tobin Street -
Amendment to Height Precinct Map & Rezoning from RC-2 to
RC-3

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

Mr. Paul Dunphy, Planner, addressed Council and, using diagrams, outlined the application to amend the height limit for construction on 5206 Tobin Street from 45 feet to 82 feet and to rezone a portion of the property from RC-2 (Residential/Minor Commercial) to RC-3 (High Density-Residential/Minor Commercial), as contained in the 15 April 1992 staff report.

Mr. Dunphy responded to questions from Council.

Mr. Paul Skerry, the architect of the proposal, addressed Council and suggested that this application provided a unique opportunity to have two projects of this type in the downtown area with the possibility of coordinating the planning and construction time.

Mr. Blair Beed, a resident of 5510 Spring Garden Road, addressed Council and spoke in opposition to the proposal. He pointed out that there were many four and five storey apartment buildings being built on the Peninsula and he noted that the developers would not be constructing them unless they were viable. He added that there were also four storey buildings in the south end that were being maintained and he suggested that this activity may be threatened due to the push for population growth on the Peninsula.

Mr. Beed advised that it has been mentioned that along Barrington Street there are some 70 ft. height precincts. Noting that the proposal is 82 ft., he questioned why it was not 70 ft. like the others.

Mr. Beed suggested that the proposed high rise will not be beneficial for the neighbourhood and that it will have a negative impact because there will be fewer lower priced accommodations for those who cannot afford to move into high rises.

Mr. Beed then displayed a picture of an old home being relocated and, referring to the house currently on the site, he advised that consideration should be given to moving the house off the lot during construction and

Public Hearings
20 May 1992

placing it back on the lot once the construction was completed.

Mrs. Elizabeth Pacey addressed Council and advised that she was representing Heritage Trust.

Mrs. Pacey advised that Heritage Trust had an opportunity to review the staff report on this development and it had two major concerns. She advised that a first concern was that the area in question is in the old south end and this is a historic area. She referred to Policies 2.4 and 2.7 of the Municipal Development Plan, and indicated that the policies encourage the retention of the existing residential character of predominately stable neighbourhoods. Mrs. Pacey added that redevelopment of a portion of the existing neighbourhoods should occur only at a scale compatible with those neighbourhoods by encouraging infill housing and rehabilitation.

Mrs. Pacey pointed out that, in order to help keep the neighbourhood stable, it has height controls of 35 ft. and 45 ft. She added that the rationale for this is in the south end plan which states that, for Kent Street and Tobin Street, the predominate development pattern for this area is three and four story apartment buildings. Mrs. Pacey advised that the two height precincts generally reflect the slope of the land. She added that this has been discussed and formulated in the South End Detailed Area Plan and, at that time, it was felt that the slope of the land would be taken into account by the three and four story limits put on the area.

With respect to rehabilitation, Mrs. Pacey displayed a drawing of the house currently on the site and noting that, although it was not a registered heritage building, it does not mean that was is not worth registering. She indicated that she felt the house should be a registered heritage property and provided a brief history on the property.

In conclusion, Mrs. Pacey advised that Heritage Trust was very concerned about the house and it believes that a development could be built on the property in such a way to maintain the house and not interfere with development on the site.

Dr. Petra J. Mudie, a resident of 5228-30 South Street, addressed Council and gave a presentation in opposition to the proposal. Dr. Mudie read and submitted

Public Hearings
20 May 1992

her presentation (a copy of which may be found in the official file of this meeting).

In her remarks, Dr. Mudie advised that her concerns with this item were similar to those of the last public hearing and therefore she would not review these once again. However, she advised that she had some concerns and would note these at this time.

In reference to the staff report, Dr. Mudie advised that the Hilton Hotel, 1231 Hollis Street, and 5252 Tobin Street were irrelevant to this application because they were located an area which has a unique residential style. On another point, Dr. Mudie noted that staff indicated that if there is a steep hill, the buildings at the bottom can be much higher than a hill which is not so steep. She added that she sees this in a different perspective, in that, a steep hill is a natural asset and if the height is the same, the view plane is preserved better. On a third point, Dr. Mudie questioned the "permitted persons per acre," advising that, according to her calculations, if the lot in question is about 1/2 acre, and the proposal is for 192 residents, then it would work out to approximately 400 people per acre. She added that this would be contrary to the City's requirement of 250 persons per acre.

Mr. Graham Duffus, a resident of 1110 Barrington Street, addressed Council and spoke in opposition to the proposal.

Mr. Duffus advised that he was not against the developer or development, however, he would like to see development comply with the existing bylaws and the Municipal Development Plan. He referred to the staff report, advised that he also took exception with the relationship between this application and the Halifax Hilton, the Hollis Street property, and the Skyline Towers, and he pointed out that the three were all in nonconforming height precincts and, therefore, they were not relevant to this application. He indicated that he felt that the proposal to increase the height limit to 82ft. going south, was increasing the height in the wrong direction.

On another point, Mr. Duffus indicated that he rented apartments and, at the end of April when there was an enormous amount of apartments available, he did not have difficulty in renting his apartments on Barrington Street. He added that he believed the reason for this was because

Public Hearings
20 May 1992

he offered quality apartments with character and this was what the public was looking for. Mr. Duffus suggested that the developer should take note of this with respect to the building currently on the proposed site. He added that this would be an opportunity for the developer to renovate an interesting building which would be compatible with the neighbourhood.

Mr. Duffus pointed out that there was a stone wall on the property and, noting that there were few stone walls in the City of Halifax, he encouraged City Council and the developer to maintain that wall.

On a final point, Mr. Duffus advised that a playground was located across the street from the development and he indicated that consideration should be given to the affect that shadows from the proposed development will have on the playground. In conclusion, Mr. Duffus noted that he was not opposed to the change from RC-2 to RC-3, but that he was opposed to increasing the height precinct for this particular property and he requested that Council refuse the application.

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

Mr. Paul Dunphy, Planner, addressed Council and responded to a question raised by Dr. Mudi regarding the "permitted persons per acre."

Mr. Dunphy advised that the area within the property lines is called net area and that the Land Use Bylaw indicates that, when calculating "permitted population" on a site based on the 250 per acre per density, it is calculated on the gross area of the lot and not the net are. He went on to explain that the gross area goes beyond the property lines in the case where a property abuts a street and in this case it goes out to the centre line of the street. Mr. Dunphy added that this application was a corner lot and therefore it allows the population density to be calculated based on the centre line of Barrington Street and the centre line of Tobin Street. He pointed out that, while the net lot area is .44 acres, the gross is .66. Mr. Dunphy added that, therefore, the calculation would be $.66 \times 250$ persons per acre equals the permitted population of the site.

The following correspondence in opposition to the proposal was submitted:

Public Hearings
20 May 1992

A letter dated 18 May 1992 from Beverly W. Miller, 6182 South Street, Halifax, NS, B3H 1T5.

A letter dated 20 May 1992 from George and Carol Rogers, 5295 Tobin Street, Halifax, NS, B3J 1S3.

A letter dated 20 May 1992 from Anne West, a resident of South Park Street, Halifax, NS.

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

Motion carried.

Public Hearing: Case No. 6078: Kearney Lake Road and Castle Hill Road - Modification to Stage II Agreement Block

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the application for 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 as contained in the 7 April 1992 staff report.

In his remarks, Mr. Hanusiak noted that the draft development agreement identifies that there would be 12 single family dwellings constructed, whereas, in fact, it should read 10 single family dwellings will be constructed.

Mr. Paul Boehner, the applicant, addressed Council and advised that he recently acquired the property in question and he added that, as a lifetime resident of the area, he recognizes the need for more single family lots. He indicated that his proposal would be more compatible with the neighbourhood.

Mr. Boehner pointed out that he discussed his proposal with the neighbours and, referring to a petition he submitted, he advised that he found them to be very supportive. In conclusion, Mr. Boehner noted that his proposal was noncontroversial and he requested that Council look favourably on his application.

Public Hearings
20 May 1992

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

A petition in support of the application, received in the City Clerk's Office, dated 22 April 1992 with approximately 14 signatures, was submitted.

Alderman Hanson addressed the matter and noting that there were no objections to the proposal, advised that he was prepared to move a motion of approval at this time.

The Chairman pointed out that the fee for advertising costs for this hearing had not yet been received and he suggested that the motion approve the application pending receipt of a cheque to cover advertising costs.

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that City Council approve 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, pending receipt of a cheque for advertising costs.

Motion carried.

There being no further business to discuss, the meeting adjourned at 10:25 p.m.

HIS WORSHIP DEPUTY MAYOR BILL STONE
CHAIRMAN

/sm

HEADLINES

ADDED ITEMS:

Pan Am Games Committee: Introduction	385
Municipal Development Plan Amendment: Bicentennial Drive at Bayers Lake Interchange	386
Case No. 6497: Development Agreement - 6196 Oakland Road	386
Award of Tender #54748 - Application of Liquid Asphaltic Materials for Chip Sealing	386
Award of Tender #92-64: Two 1992 Model Cargo Vans - 8,600 GVW	387
Award of Tender #92-52: One Tractor/Loader/Backhoe ..	387
Award of Tender #92-56: Two Hi-Cube Vans (10,000 GVW)	388
Award of Tender #92-63: Nine 1992 Pick-up Trucks	388
Award of Tender #92-88: Fire Fighting Foam	388
Award of Tender #55565: Three 60"-Cut Front Mounted Diesel-Power Rotary Mowers	389
Special Council Meeting Dates	389

PUBLIC HEARINGS:

Public Hearing: Street Closure - Purcell's Cove Road	389
Public Hearing: Case No. 6461: 1956-58 Rosebank Avenue - Proposed Development Agreement	391
Public Hearing: Case No. 6508: 1226 Hollis Street - Application for Development Agreement	393
Public Hearing: Case No. 6482: 5222-30 Tobin Street - Amendment to Height Precinct Map	395
Public Hearing: ; Case No. 6481: 5206 Tobin Street - Amendment to height Precinct Map & Rezoning from RC-2 to RC-3	400
Public Hearing: Case No. 6078: Kearney Lake Road and Castle Hill Road - Modification to Stage II Agreement Block	404

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

Council Chamber
Halifax City Hall
26 May 1992
7:30 p.m.

A Special Meeting of Halifax City Council was held on the above date for the purpose of discussing Waste Management to Energy - Incineration Option, and the Task Force on Local Government.

PRESENT: Her Worship Mayor Ducharme, Chairman; and Aldermen Holland, Fitzgerald, Downey, Pottie, Adams, Hanson, Macdonald, and Crowley.

ALSO PRESENT: Mr. Donald F. Murphy, City Manager; Mr. Edward A. Kerr, City Clerk; and other members of City staff.

Her Worship advised that the meeting was called because it was felt that the two items on the agenda were very important and should be addressed during a time when it would be possible for all members of Council to discuss them in full detail.

The Chairman then requested the City Manager to provide Council with an update on the matter of Waste Management and the possible options to incineration.

Waste Management to Energy - Incineration Option

A letter dated 26 May 1992 from Howard Epstein, Director, Ecology Centre, 3115 Veith Street, Halifax, NS, B3K 3G9 was submitted.

A report dated 26 May 1992 from the Citizen Members of the City of Halifax Task Force on Waste Management was submitted.

The City Manager opened his remarks with a brief history of the matter, noting that Council originally did not approve of the Metropolitan Authority's position to incinerate because Council did not feel it had enough information at that time to deal with the matter. He added that, in February 1991, Council supported option 3 of the

Special City Council
26 May 1992

recommendations of the Citizens Task Force on Waste Management. The City Manager advised that this option, which did not include incineration, was presented to the Metropolitan Authority, however, the Metropolitan Authority went on to adopt an option which included incineration.

The City Manager advised that Council then requested the Metropolitan Authority to consider the Sound Resource Management Group Report, and the Horner Associates Report concerning the landfill option in the municipality of Argyle. He added that these were refused by Metropolitan Authority and it was also at this time that the City was asked to approve borrowing resolutions which would enable the Metropolitan Authority to proceed with its normal business, which included proceeding with the incineration option. The City Manager pointed out that Dartmouth is the only municipality to date which has approved all the borrowing resolutions and he added that it appears that the County is willing to do so.

The City Manager indicated that, at this point Council was at an impasse on the issue and, consequently, a meeting was held a week ago Friday with some members of the Metropolitan Authority and some senior staff members of the municipal units to discuss the problem and attempt to resolve it in a spirit of cooperation and within the framework of the Metropolitan Authority. He added that, arising out of that meeting, was a suggested course of action which might solve the problem. The City Manager noted that, it was suggested, if the municipalities would approve of the borrowing resolutions, then the Metropolitan Authority would study the landfill option in the Municipality of Argyle and the conclusion of the matter would be that, whichever option proved to be less expensive, then all parties would commit themselves to that option.

The City Manager pointed out that the Metropolitan Authority questioned some of the assumptions in the Horner Report with respect to the landfill option at Argyle.

At 7:45 p.m. Deputy Mayor Stone entered the meeting.

The City Manager indicated that, in the discussions which ensued, it appeared that there would have to be further analysis with respect to a more precise costing of Council's proposal. He advised that, if this

Special City Council
26 May 1992

was to be used as a technique to resolve the problems, then the municipal Councils involved would have to make a decision on the matter. He pointed out that it was suggested, if this route were to be taken, then the Provincial Department of Municipal Affairs would act as a facilitator in the process to ensure fairness and that a proper costing of both proposals would be put forth.

The City Manager added that, it was not possible to resolve all the problems at the meeting, so it was decided that the City Manager and the chief administrative officers of the other municipalities would meet with the Metropolitan Authority to try and work out an accord which could be presented to the four councils. He advised that progress has been made on this matter, such that a general format of an accord has been formulated, should Council wish to proceed with this matter.

The City Manager pointed that there was one area in which there was not agreement, however, there was a commitment to find a solution to this by the end of this week.

The City Manager went on to note that one of the reasons Council was against incineration was the lack of flexibility that the solution involved. He advised that it has occurred to him that it might not be prudent to come forward with the Argyle option as the only solution. The City Manager indicated that, should Council decide against the incineration option in Dartmouth and if, for whatever reason, the Argyle option did not work out, Council would be left in a terrible situation.

In this regard, the City Manager advised that the City was approached by another proponent with a backup plan around the same time the Argyle solution was developing. He advised that this proposal has now developed to the point whereby there is a proposed contract on his desk for an alternative solution to the options Council is presently considering. He added that, he did not have the report available for this meeting, however, he would be bringing this option to City Council for its consideration before any agreement is finalized with the Metropolitan Authority. In concluding his remarks, he suggested that this option could even be included as a possible option for the Metropolitan Authority to consider because there is the prospect that they could participate in this option.

Special City Council
26 May 1992

At 7:55 p.m. Alderman Meagher entered the meeting.

The Chairman indicated that Council now had the opportunity to provide its input into the matter.

Alderman Fitzgerald addressed the matter advising that he strongly believed the incineration route was the wrong option for a number of reasons. He pointed out that groups from various sectors of society as well as consultants have advised that this should be an option of last resort.

Alderman Fitzgerald pointed that he has never said that he would never support incineration, however, there were concerns about the cost involved, environmental damage, and the health of the general population had to be considered. He advised that his main concern was the commitment the City would be involved in if it agreed to the incineration option. The Alderman noted that it would be, at least, a 25 to 40 year commitment and involve millions of dollars and he expressed concern that the costs have never been firmly established.

Alderman Fitzgerald indicated that he was in favour of an alternative to incineration primarily because of the changes that are taking place in the waste management industry. He noted that it has been demonstrated internationally that alternatives are the appropriate solutions. In concluding his comments, Alderman Fitzgerald referred to the report of Sound Resource Management Group and pointed out that it has recommended against incineration and has advised that there are alternative ways to get rid of garbage.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that the Council of the City of Halifax encourage the Metropolitan Authority to work together to bring forward the proposal suggested in the Sound Resource Management Group, Inc. report and state the City of Halifax is not in favour of the Waste Management proposal put forward by the Metropolitan Authority which includes the Burnside incinerator.

A discussion ensued with City Manager responding to questions of Council.

Alderman Adams, in speaking on the matter, submitted information for distribution concerning the way

Special City Council
26 May 1992

in which the Province of Ontario was dealing with incineration.

The City Manager, referring to his earlier comments regarding a backup proposal, noted that, unfortunately, this solution would involve incineration, however, it would be at about one half the cost of the incineration option in the Burnside Park.

Following a further discussion the motion was put and passed unanimously.

At 8:45 p.m. Her Worship retired from the meeting and Deputy Mayor Stone assumed the Chair.

Task Force on Local Government

A report entitled, Task Force on Local Government, a Summation of the Report of April 1992 to the Government of Nova Scotia, was submitted.

Two financial statements with respect to the above matter were submitted by the Director of Finance.

The Chairman advised that the Report on the Task Force on Local Government would be discussed at the UNSM Regional Conference on 27 May 1992. He indicated that the purpose of this meeting was for the City Council representatives to the conference to obtain direction from Council which they could bring forward at the Conference.

The City Manager pointed out that one element of concern with this matter was the financial aspects and, in this regard, he advised that the Director of Finance was prepared to give a presentation.

Prior to the Director of Finance making his presentation, the City Manager emphasized that he felt that, even if City Council rejects the report outright, it was important for Council to stay in the process and it should have an alternative to present to the Provincial Government.

Mr. Bernard G. Smith, Director of Finance, addressed Council and reviewed the financial statements submitted on this matter, noting that the statements were an understanding of what the City's position would be in

Special City Council
26 May 1992

the event that the recommendations of The Task Force Report were put into place.

Mr. Smith advised that staff have concluded that the City of Halifax would have a 13.7 percent improvement, i.e the City could introduce a 13.7 percent tax reduction, should the recommendations of the task force report be implemented and should no amalgamation take place.

The City Manager pointed out that it was important for Council to be aware that the proposed amalgamation would result in some municipalities being "winners" and some being "losers." He added that, since the City of Halifax has always paid for its policing and streets, if it was to lose the responsibility for social services, then the City would be one of the winners. The City Manager noted that a couple of years ago when the City was thinking about exchanging police and social services, there was the suggestion to phase it in over a period of time. He indicated that, with the amalgamation proposal the rural municipalities whose taxes would increase will want to operate on the same sort of principal, that is, that the winners leave enough money so the losers can phase in their increased costs.

Mr. Smith advised that, if the four municipalities were combined, Halifax would still have a favourable variance of 10 percent, however, this would be with a couple of provisos. He indicated that the report assumes that the policing requirements of the County would be able to be met by the combined revenue source and the road maintenance requirements of the County would be met in the same way. Mr. Smith advised that, offsetting this, would be that social services would be assumed by the Province and various other adjustments to minor grants and shared cost programs would be made. He cautioned that his report makes no assumptions about the capital costs of roads, pointing out that staff had no means of assessing this aspect at this time.

In summary, Mr. Smith advised that staff foresee a 10 percent improvement with the four metro municipalities combined, and 13.7 improvement for Halifax on its own.

The City Manager advised that when this matter began, it appeared that a realignment of boundaries was all that was going to be considered. He added that the City's position at that time was that boundaries were not the main issue, and that the responsibilities of government

Special City Council
26 May 1992

had to be taken into account. The City Manager indicated that the Provincial Government has now moved in the direction the City has been urging with respect to the sharing of services. He advised that the direction is that the municipal governments derive income from revenue of property tax and municipal governments look after the property matters, and the Provincial Government look after "people services" because it has a different and better revenue base than the municipalities. The City Manager pointed out, however, the report tends to avoid the matter of education which is a tremendous cost to the City. He added that, as a matter of principle, it was his view that the Province should be addressing this issue somehow. He pointed out that another matter Council should also consider is the cost sharing of programs with the Province. He noted that wherever the City has cost shared programs with the Province, regardless of how it starts out, the Province has the opportunity to download its costs on a municipality.

On another point, the City Manager added that one of the concerns of the smaller municipalities and the rural municipalities is their ability to pay for the roads. He advised that, at first, they supported the principle, but, when they became aware of the costs, it was then difficult to support the principle. He noted that policing would be somewhat of a problem for the rural municipalities as well. Referring to comments he made earlier, the City Manager pointed out that the "losers" will expect the "winners" to distribute some of the benefits to help alleviate the extra burden.

The City Manager went on to add that it is important for City Council to stay involved in the process. He pointed out that Council should keep in mind that a possible solution to this issue may be an expanded county government and the City governments could disappear. He noted that this has happened in other areas of the Country.

On a final point, the City Manager advised that the proposed legislation involves the appointments of an Implementation Commissionaire and Investigative Commissionaires. He added that the Implementation Commissionaire was for the five major areas which are being considered for combining immediately and the others, which are considered less critical areas, will have Investigative Commissionaires. He suggested that City Council should perhaps be advocating an investigative commissionaire for this area. The City Manager emphasized, again, the

Special City Council
26 May 1992

importance of staying involved in the process and the decisions which will affect the City.

A discussion ensued with the City Manager and the Director of Finance responding to questions from Council.

Alderman Fitzgerald addressed the matter and expressed concern about the possibility of amalgamation of municipalities. With respect to the City of Halifax, the Alderman indicated that the City has managed its finances in a competent manner, and he expressed concern about any possible intervention by the Province. He advised that combining four municipalities into one large municipality may, in fact, result in more problems and he suggested that the municipalities should concentrate on better cooperation instead.

Alderman Fitzgerald went on to add that he believed the Province was moving too quickly on this issue and he advised that the City Council should request the Province to slow down or, otherwise, reject the report on the Task Force on Local Government.

Subsequently a motion was MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that the City of Halifax request the Province to slow down the process on local government structure otherwise, the City give notice of its intention to reject the report as presented.

Following a discussion, the motion was put and passed.

There being no further business to discuss, the meeting adjourned at 10:05 p.m.

HER WORSHIP MAYOR DUCHARME
DEPUTY MAYOR STONE
CHAIRMEN

Edward A. Kerr, CMC, City Clerk
EAK/sm

Special City Council
26 May 1992

HEADLINES

Waste Management to Energy - Incineration Option	407
Task Force on Local Government	411

HALIFAX CITY COUNCIL MINUTES

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

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

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

PRESENT: His Worship Deputy Mayor Stone, Chairman; and Aldermen Holland, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Adams, Hanson, Macdonald, and Crowley.

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

Swearing In Ceremony - Halifax Police Department

Inspector Lowell Meisner addressed Council and introduced Cadet Delton McDonald, Cadet Donald Moser, and Cadet Robert Lowther. Cadet McDonald, Cadet Moser, and Cadet Lowther addressed City Council and were administered the Oath Office for the Halifax Police Department at this time.

His Worship congratulated Constable Delton McDonald, Constable Donald Moser, and Constable Robert Lowther, on behalf of members of Council, as Police Constables with the Halifax Police Department.

Police Chief Vincent MacDonald then presented Constables MacDonald, Moser, and Lowther, on behalf of the Halifax Police Department, with the Badge of Office.

Presentation to Public Gardens - George Power Memorial Fund and Halifax Westmoor Horticultural Society - J.C. Morrow

Mr. J.C. Morrow addressed City Council and advised that 22 years ago this month the George Power Memorial Fund was founded by members of the then Halifax Horticultural Society. He noted that the name has since been changed and is now the Halifax Westmoor Horticultural Society. Mr. Morrow informed Council that George Power was the long time superintendent of the Halifax Public Gardens

**CITY COUNCIL
28 MAY 1992**

until his death in 1970 and was the second, if not the third, generation of his family to hold the position.

At this time, Mr. Morrow advised that the Society feels it is appropriate to terminate the trust fund and to make a proper disposition of the balance of the account. Mr. Morrow presented a certified cheque to the City at this time in the amount of \$1,046.73 made in favour of the Halifax Foundation for the use of the Public Gardens. Mr. Morrow requested that this money be used directly for the Public Gardens for the purpose of purchasing and planting new trees. He also suggested that it might be appropriate to erect a small brass plaque somewhere on the premises indicating that some of the trees in the Gardens have been planted to honor the memory of the former superintendent, the late George Power. Mr. Morrow asked that this message be conveyed to the Superintendent of Parks and Grounds and his staff.

On behalf of the City of Halifax, His Worship Deputy Mayor Stone thanked Mr. Morrow for the contribution which he noted will be given to the Halifax Foundation for the Public Gardens.

Before starting the regular agenda, His Worship Deputy Mayor Stone welcomed the 2nd Halifax Scout Group and their leaders who were present in the audience.

MINUTES

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that the minutes of the special meeting of City Council meeting of 6 May 1992 and of the regular Council meeting of 14 May 1992 be approved.

Motion carried.

ADDITIONS/DELETIONS

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

- 20.1 Award of Tender 92-02: Sidewalk Renewals
- 20.2 Award of Tender 92-03: Sidewalk Renewals

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

- 20.3 Rainbow Haven (Alderman Downey)

**CITY COUNCIL
28 MAY 1992**

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

- 20.4 Tim Hortons - Quinpool Road & Beech Street (Alderman Meagher)
- 20.5 Skateboard - Egg Pond (Alderman Meagher)
- 20.6 Dartmouth Ferry - Metropolitan Authority (Alderman Meagher)

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

- 20.7 Waste Management System (Alderman Fitzgerald)

The agenda, as amended, was approved on a motion MOVED by Alderman Holland, seconded by Alderman O'Malley.

DEFERRED ITEMS

Case No. 6471: 1455 Henry Street - Appeal of Minor Variance Refusal (deferred from 14 May 1992 City Council)

This item was deferred to this meeting from the last meeting of City Council held on 14 May 1992.

Alderman Fitzgerald noted that he had requested the deferral of this matter at the last City Council meeting because he wanted to make sure that there were no objections to the deck in question.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that the appeal of minor variance for the mean rear yard setback requirement to permit construction of a deck at the rear of the two unit dwelling at 1455 Henry Street be approved and the decision of the Development Officer to refuse the application be overturned.

The City Clerk advised that the following members of Council were not eligible to participate in the vote: Aldermen Holland, Meagher, Pottie, Adams, and Macdonald.

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

**CITY COUNCIL
28 MAY 1992**

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

A public hearing into the above matter was held on 20 May 1992.

MOVED by Alderman Holland, seconded by Alderman Downey that:

- 1) City Council enter into a development agreement (as attached to the staff report of 5 May 1992) with the Hardman Group Limited to permit the use of offices throughout 1226 Hollis Street and a new three (3) storey addition at the rear of the existing building; and
- 2) The agreement 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 appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that the following members of Council were not eligible to participate in the vote: Aldermen O'Malley, Pottie, Jeffrey, and Crowley.

Motion passed with Aldermen O'Malley, Pottie, Jeffrey, and Crowley abstaining.

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

A public hearing into the above matter was held on 20 May 1992.

Correspondence from Mr. Peter F. Ryan, President, Ryco Atlantic Limited, dated 27 May 1992 was submitted.

Alderman Holland addressed the matter and advised that the comments he was about to make respecting this time also applied to the next item on Council's agenda relating to 5206 Tobin Street.

Alderman Holland noted that a number of residents spoke at the public hearing on this matter against the proposed amendment. The Alderman advised that he has reviewed the Land Use Bylaw and found that the height precinct for this area is very specific at 45 feet. He noted that the applicant is requesting a height precinct to

**CITY COUNCIL
28 MAY 1992**

75 feet. Alderman Holland expressed the view that this was a very major change.

Alderman Holland indicated that he was unable to support the proposed development nor could the neighbours in the area who have spent a lot of money upgrading the area and improving the residential nature of the area.

MOVED by Alderman Holland, seconded by Alderman Meagher that City Council refuse the application to amend Zoning Map ZM-17 for the purpose of increasing the height precinct on the property at 5222-30 Tobin Street to 75 feet.

Alderman Hanson addressed the matter and advised that after reviewing the situation he has come to the conclusion that the area in question, through the City's planning process, has been appropriately designed for a significant development opportunity.

After taking a close look at the area, the Alderman expressed the view that the applicant is conforming with the City's planning process. He added that staff have indicated that the developer could proceed as of right and that what was being requested was the addition of another two storeys. Alderman Hanson suggested that this, in turn, reflects upon the fact that the City is trying to get residential development in the south end of the City. He went on to express the view that the proposed development conforms in many ways with the overall planning strategy for the City of Halifax and indicated that he, therefore, found it difficult to support the motion.

In closing the debate, Alderman Holland advised that the property was allowed a 45 foot height precinct which he suggested was a very substantial development. Noting that the applicant is requesting a height precinct to 75 feet, the Alderman indicated that this was almost a 70 percent increase which is a very major increase and a very serious change in the character of the neighbourhood. Alderman Holland further noted that the proposed development would block the sun from the people who live on the north side of Tobin Street and who live on both sides of South Street.

The following members of Council were not eligible to participate in the vote: Aldermen O'Malley, Pottie, Jeffrey, and Crowley.

Motion passed with Aldermen O'Malley, Pottie, Jeffrey, and Crowley abstaining.

**CITY COUNCIL
28 MAY 1992**

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

A public hearing into the above matter was held on 20 May 1992.

Alderman Holland addressed the matter and noted that for the same reasons he presented with respect to the previous item, Case No. 6482 (5222-30 Tobin Street), he was requesting refusal of this application. It was, therefore, MOVED by Alderman Holland, seconded by Alderman Meagher seconded by that:

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) be **refused** by City Council.
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 be **refused** by City Council.

The following members of Council were not eligible to participate in the vote: Aldermen O'Malley, Pottie, Jeffrey, and Crowley.

Motion passed with Aldermen O'Malley, Pottie, Jeffrey, and Crowley abstaining.

PETITIONS AND DELEGATIONS

**Petition Alderman Adams Re:
Off-Ramp from St. Margaret's Bay Road**

Alderman Adams submitted a petition containing 347 signatures of residents in full support of the permanent structure connecting St. Margaret's Bay Road to the North West Arm Drive. The petition requested that all possible measures be taken to make this a permanent off-ramp to the North West Arm Drive.

In presenting this petition, Alderman Adams commended City staff, particularly the City Manager and the staff of the Engineering and Works Department, as well as Alderman Ron Hanson, for their diligent work in trying to make this a permanent structure.

**CITY COUNCIL
28 MAY 1992**

**Petition Alderman Fitzgerald Re:
Proposed Cedar Street Development**

Alderman Fitzgerald submitted a petition containing approximately 55 signatures of residents stating that they do not feel that the courtyard within Robie Street, Jubilee Road, Henry Street, and Cedar Street is an appropriate development site and do not consent or agree to the proposed development that is being proposed for this area.

This item was dealt with again later in the meeting under the following item "Motion Alderman Fitzgerald Re: Peninsula Centre Land Use Bylaw".

Petition Alderman Downey Re: Liquor Control Act

Alderman Downey submitted a petition in the form of a letter dated 10 May 1992 from the pastor, officers and members of the Cornwallis Street Baptist Church in opposition to the recent changes in the Liquor Control Act.

Alderman Downey asked that this letter be forwarded to the Nova Scotia Liquor Licensing Board for response and the Chairman noted that the City Clerk would do a follow up in respect of this request.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 20 May 1992, as follows:

Acquisition of Parcel R - Dutch Village Road

Due to the absence of the Alderman for the area, it was MOVED by Alderman Macdonald, seconded by Alderman Hanson that this matter be deferred to the next Committee of the Whole Council meeting to be held on Wednesday, 3 June 1992.

Motion passed.

Expropriation Settlement: 405 Herring Cove Road

An information report dated 26 May 1992 was submitted.

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

**CITY COUNCIL
28 MAY 1992**

Committee, an additional \$695.12, plus a further 26 cents a day from 11 May 1992 to the date of settlement, be approved for the expropriation settlement of 405 Herring Cove Road (funds to be made available in Account No. 91504, the Herring Cove Road Widening Account).

Motion passed.

1992 Purchase of Heritage Plaques

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, City Council authorize the expenditure of up to \$10,000 from the Heritage Fund for the purchase and installation of 40 heritage plaques in 1992.

Motion passed.

**Funding - Federal Challenge '92 Summer
Employment/Experience Development (SEED) Program**

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City Council approve an expenditure of seventeen thousand two hundred and ninety dollars (\$17,290) as interim financing for the Federal Challenge '92 Summer Employment/Experience Development (SEED) Program.

Motion passed.

Training Program Update (to be tabled)

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the Information Report, dated 20 May 1992, be tabled.

Motion passed.

Municipal Election Campaign Expenses (to be tabled)

MOVED by Alderman Macdonald, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, the Information Report dated 30 January 1992 and entitled "Election Campaign Expenses" be tabled.

In tabling this report, Alderman Macdonald asked that the Election Procedures Committee take the recommendations contained in the report into consideration.

Motion passed.

**CITY COUNCIL
28 MAY 1992**

**Spring Garden Road Business Improvement
District Commission - Budget**

A staff report dated 21 May 1992 was submitted.

MOVED by Alderman Downey, seconded by Alderman Holland that Council approve the budgets submitted by the Spring Garden Road Business Improvement District Commission on the assumption that a proposal call will be issued which could result in a different operator of the parking lots.

Motion passed.

**Installation of Bus Shelters and
Pads Within the City of Halifax**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Council authorize payment of \$92,899.32 to the Metropolitan Authority for reimbursement of costs to install bus shelters and pads in the City of Halifax (funds to be made available in Capital Account #9133, Project #91633).

Referring to a report he received on the costs due to damages to bus shelters, Alderman Fitzgerald commented that almost \$17,000 was spent on the replacement of bus shelters in the City. He went on to express concern about the vandalism to bus shelters and urged citizens to report any incident(s) of vandalism they see to the Halifax Police Department.

Motion passed.

COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 20 May 1992, as follows:

City Spraying

MOVED by Alderman Adams, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, staff be authorized to proceed with the 1992 Insect Control Program as outlined in the staff report dated 13 May 1992.

Motion passed.

**CITY COUNCIL
28 MAY 1992**

Mountain Road - Local Improvement Project

MOVED by Alderman Hanson, seconded by Alderman Macdonald that, as recommended by the Committee on Works, City Council:

- (1) confirm its intention to proceed with the improvements to Osborne Street during 1992, subject to its inclusion in the approved 1992-93 Capital Budget; and
- (2) accept the petition of the area residents as an indication that certain property owners support a local improvement project to install paving, curb and gutter on Mountain Road, and that this project be considered in the 1993-94 Capital Budget submission.

Motion passed.

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

**Proposed Amendment to Ordinance 116, the Taxi and Limousine
Bylaw, Re: "Smoke Free" and "Non-Smoking" Taxi Cabs -
SECOND READING**

This matter was considered at the last Committee of the Whole Council meeting held on 20 May 1992.

MOVED by Alderman Adams, seconded by Alderman Crowley that Halifax City Council give Second Reading to the amendment proposed for Ordinance 116, the Taxi and Limousine Ordinance (attached as Appendix "A" to the report from the Halifax Taxi Commission dated 13 May 1992).

Alderman Adams noted that the purpose of this amendment is to define the definition of "smoke-free" and "non-smoking" taxi cabs because of the knowledge that has been learned on the harmful affects of second hand smoke.

The motion was put and passed.

City Council
28 May 1992

REPORT - PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 20 May 1992 as follows:

Bill 93: Provincial Land Use Policy - Halifax Public Gardens Precinct

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Committee,

1. The City strongly oppose the actions of the government on the basis that:
 - i. a proper Provincial interest has not been established as required by the Planning Act;
 - ii. the proposed Provincial policy is less sensitive than current City policy and regulation, will not produce the results that are espoused by the policy, and removes previously agreed to development rights of private land achieved through detailed study and public consultation;
2. The City enlist the support of the Federation of Canadian Municipalities, along the lines of the resolution it has submitted to the Union of Nova Scotia Municipalities, opposing this Provincial and national precedent of eroding municipality's planning and development responsibilities.

Motion carried.

Case No. 6518: Peninsula and Mainland Land Use Bylaws - Amendments

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Planning Committee, Case No. 6518: Peninsula and Mainland Land Use Bylaw Amendments be forwarded to the Planning Advisory Committee for its consideration and advice.

Motion carried.

City Council
28 May 1992

**Case No. 6496: Schedule "D" Development Agreement - 6116
Almon Street**

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be forwarded to the Planning Advisory Committee consideration and report back to Council.

Motion carried.

100 Leiblin Drive

Alderman Adams addressed the matter and thanked staff for recirculating the information in relation to 100 Leiblin Drive.

MOVED by Alderman Adams, seconded by Alderman Hanson that this matter be forwarded to the 17 June 1992 meeting of the Committee of the Whole Council and, in the interim, City staff meet with the property owner of 100 Leiblin Drive to ensure that the owner is still interested in the property exchange and that this information be provided to Council by 12 June 1992.

Alderman Holland requested that, when preparing the report, staff review the value of the property to confirm that the value of the property is current.

Motion carried.

MOTIONS

Motion Alderman Jeffrey Re: Proposed Amendment to Ordinance 12A - the Fairview Cemetery Ordinance - FIRST READING

Notice of Motion in respect of this matter was given at the last meeting of city council held on 14 May 1992.

A report dated 28 May 1992 was submitted.

MOVED by Alderman Macdonald, seconded by Alderman Crowley that Halifax City Council approve FIRST READING of the amendments attached as Appendix "A" to the 28 May 1992

City Council
28 May 1992

staff report and refer the amendments to Committee of the Whole for consideration and report.

Motion carried.

Motion Alderman Fitzgerald Re: Peninsula Centre Land Use Bylaw

Alderman Fitzgerald gave notice of motion on this matter at the City Council meeting held on 14 May 1992.

Alderman Fitzgerald addressed the matter and noted that he had submitted a petition to Council earlier in the meeting with respect to a proposed Cedar Street development from 100 percent of the residents living in the area bounded by Robie, Jubilee, Henry, and Cedar Streets.

Alderman Fitzgerald went on to note that a loophole in the Peninsula Centre Land Use Bylaw allows development on the property with no road frontage. He pointed out that this creates problems for proper development in an R-2 district and, as a result, the residents of the area are having a major confrontation with a developer.

Alderman Fitzgerald indicated that he was prepared to move a motion which would, essentially, amend the Peninsula Centre Land Use Bylaw to close this loophole and require 30 ft. of street frontage.

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that Clause (a) of Section 40 of the Peninsula Centre Land Use Bylaw be amended by deleting the figures "N/A" as they appear in the first column for R-1 uses under the heading of Minimum Lot Frontage (Feet), and substituting 30, and that a date for a public hearing be set to consider the amendment.

Following a further short discussion, the motion was carried.

The City Clerk advised that the date for the public hearing would be Wednesday, 8 July 1992 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

CITY COUNCIL
28 MAY 1992

staff report and refer the amendments to Committee of the Whole for consideration and report.

Motion carried.

Motion Alderman Fitzgerald Re: Peninsula Centre Land Use Bylaw

Alderman Fitzgerald gave notice of motion on this matter at the City Council meeting held on 14 May 1992.

Alderman Fitzgerald addressed the matter and noted that he had submitted a petition to Council earlier in the meeting with respect to a proposed Cedar Street development from 100 percent of the residents living in the area bounded by Robie, Jubilee, Henry, and Cedar Streets.

Alderman Fitzgerald went on to note that a loophole in the Peninsula Centre Land Use Bylaw allows development on the property with no road frontage. He pointed out that this creates problems for proper development in an R-2 district and, as a result, the residents of the area are having a major confrontation with a developer.

Alderman Fitzgerald indicated that he was prepared to move a motion which would, essentially, amend the Peninsula Centre Land Use Bylaw to close this loophole and require 30 ft. of street frontage.

* MOVED by Alderman Fitzgerald, seconded by
* Alderman O'Malley that Clause (a) of Section 43E of the Peninsula Land Use Bylaw be amended by deleting the figures "N/A" as they appear in the first column for R-1 uses under the heading of Minimum Lot Frontage (Feet), and substituting 30, and that a date for a public hearing be set to consider the amendment.

Following a further short discussion, the motion was carried.

The City Clerk advised that the date for the public hearing would be Wednesday, 8 July 1992 at 7:30 p.m. in the Council Chamber, Halifax City Hall.

City Council
28 May 1992

MISCELLANEOUS BUSINESS

Annual Report - City Auditor General

The Annual Report of the City Auditor General dated 26 May 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman Crowley that the Annual Report of the City Auditor General be tabled and this matter be forwarded to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 3 June 1992 for discussion.

Motion carried.

Tender #92-17: Withrod Drive - New Paving Phase 2 (Herring Cove Road - Mayo Street)

A report dated 21 May 1992 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Adams that Tender #92-17, Withrod Drive - New Paving Phase 2 (Herring Cove Road - Mayo Street) be awarded to Dexter Construction Company Limited for the project, materials and services listed for the unit prices quoted at a total bid price of \$352,991.00 and a total project cost of \$424,000.00.

Motion carried.

Tender #92-01: Sidewalk Renewals

A report dated 19 May 1992 was submitted.

MOVED by Alderman Downey, seconded by Alderman Holland that Tender #92-01 - Sidewalk Renewals be awarded to G. & R. Kelly Ent. for the projects, materials and services listed for the unit prices quoted at a bid price of \$63,718.17 and a total combined project cost of \$77,000.00.

Motion carried.

QUESTIONS

Question Alderman Adams Re: Golden Age Centre

Alderman Adams advised that the Golden Age Centre which borders on Ward 7 and 8 has water draining into it

City Council
28 May 1992

from McMullan Road. He requested that staff examine this matter and see if there is a way that this can be prevented until a permanent modification, such as paving, can be implemented.

Question Alderman Adams Re: Motorcycles in Offroad Areas

Alderman Adams advised that he has received concerns about motorcycles being used in the offroad areas of Ward 7, particularly in the wooded areas. He questioned what type of enforcement the City has to control this activity.

Alderman Adams also requested that staff investigate the idea of establishing a track that motorcycles could utilize. In this regard, the Alderman added that he understood that one of the motorcycle manufacturers may be interested in sponsoring such an endeavour.

Question Alderman Holland Re: Property - South Bland Street

Alderman Holland advised that at the south end of South Bland Street, on the east side, beside the grain elevator, there is an unsightly vacant lot belonging to the Canadian National Railways. The Alderman added that the CNR has been trying to sell the property for some time but, due to its location, it has been unsuccessful.

Alderman Holland requested that staff contact CNR and investigate the possibility of the City leasing the property for 20 to 30 years at a nominal rate, and use the lot for a park for children and seniors.

Question Alderman Holland Re: "No Parking" Signs

Alderman Holland advised that he received many calls with respect to the "No Parking" signs on South Park Street around the Fenwick Area. He noted that there are very few houses in the area that have driveways in which to park cars and no parking is permitted on the streets. He pointed out that, at one time, parking was permitted on the street and he requested staff to report on whether the reasons for implementing the "No Parking" signs were valid and if they can be reversed.

City Council
28 May 1992

Question Alderman Holland Re: Uses of Halifax Commons

Alderman Holland noted that he recently was in London, England and, during his stay, he visited an agriculture and farming exhibition which was held on the Commons in London and attracted approximately 200,000 people. Alderman Holland indicated that the exhibition was somewhat unusual in that, along with the exhibits, there was also a ballet. He suggested that this was a creative use of the Commons and, noting that the City of Halifax was studying the policy and use for its Commons, requested that staff investigate the policy of the Commons in London England.

Question Alderman O'Malley Re: Condition of Sidewalk in the Vicinity of Stadacona

Alderman O'Malley advised that she received a number of calls concerning the removal of the stone wall to the left and right of the Stadacona Gates. She noted that it had been removed because it was in a hazardous condition and, due to the high cost to replace the stone wall, it was decided that chain link fence would be erected instead.

Alderman O'Malley added that in viewing the situation, it was brought to her attention that the sidewalk next to the playground of the School was in poor condition. Alderman O'Malley requested staff to carry out a deficiency assessment on the sidewalk on Gottingen Street in the vicinity of the previous Stadacona Wall and report back to Council.

Question Alderman O'Malley Re: Cultural Reserve Account

Alderman O'Malley indicated that she recently learned that the City had a Cultural Reserve Account. She requested further information on this account, i.e. what is it used for; who administers the account; and the amount of money in the account.

Question Alderman O'Malley Re: Canada Day - City Activities

Alderman O'Malley noted that the Federal Government has posters displayed around the City concerning Canada's 125th birthday celebration and she added that she understood there was Federal funding available for some aspects of the celebration.

City Council
28 May 1992

Alderman O'Malley requested that staff report as soon as possible on any special plans the City may have for the 125th anniversary. She indicated that if there are special celebrations, then the City should move quickly to publicize the events.

Question Alderman Downey Re: Crosswalk at South Park Street and Brenton Street

Alderman Downey noted that the crosswalk at the corner of South Park and Brenton Streets was on the list for the new overhead crosswalk signs. Noting that the crosswalk requires repainting, Alderman Downey asked that, in the meantime, staff consider establishing some kind of marking which would better identify the crosswalk.

Question Alderman Downey Re: Public Gardens - Fountain Taps

Alderman Downey noted that he received a complaint that the taps on the Fountains in the Public Gardens were not working and he requested that staff look into this and report back.

Question Alderman Downey Re: Social Assistance Office - West End Mall

Alderman Downey requested an update for the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday 3 June 1992, on the progress of the social assistance office located at the West End Mall.

Question Alderman Crowley Re: Funding for Program at St. Agnes School

Alderman Crowley noted that she recently received a number of concerns regarding the situation of mentally and physically disabled children based at Westmount School. She advised that, apparently, there were changes in the situation regarding funding to the St. Agnes School for facilitation of the program for the mentally handicapped children. Alderman Crowley added that there were concerns the children were going to be moved to B.C. Silver Jr. High School or other parts of the City. Alderman Crowley requested a report on the matter.

In response, the City Manager advised that he met with representatives of the School Board and discussed the problem. He noted that the difficulty is that the Board is short \$250,000 to complete the renovations to St. Agnes

City Council
28 May 1992

School. The City Manager went on to add that he suggested a plan which is being presented to the School Board next Tuesday. He advised that, if it is accepted by the Board, he may have a report available for the Committee of the Whole meeting on Wednesday.

Question Alderman Crowley Re: Skateboards and Bicycles on Sidewalks

Alderman Crowley advised that she has received concerns about skateboards on the sidewalks and she questioned what sort of regulations the City has with respect to skateboards.

The City Manager advised that the concern would be passed on to the Police Department.

Alderman Crowley advised that she also received concerns about bicycles on the sidewalks and asked if there were regulations on this matter.

In response, the Acting City Solicitor advised that a bicycle is permitted on the sidewalk if it is below a certain size. He added that the age of the individual was not taken into account in the regulations on this matter.

The Chairman advised that this concern could be forwarded along to the Police Department with her concern about skateboards.

Question Alderman Hanson Re: Dog Licenses

Alderman Hanson indicated that he has received complaints that some dog owners were not cleaning up after their dogs as is provided for by the City Ordinance. In this regard, he asked that staff consider and report back on the idea of issuing, with the dog licenses, some sort of tag reminding the owners that they are required to clean up after their dog and that if they do not do so, they are subject to a fine.

Question Alderman Fitzgerald Re: Billing for Street Lighting

Alderman Fitzgerald asked for a report on how the City is billed for the energy used in street lighting.

City Council
28 May 1992

Question Alderman Fitzgerald Re: Metro Authority
Administration

Alderman Fitzgerald requested that staff provide a report on the amount of the City's share of the cost of the Metropolitan Authority Administration.

Question Alderman Fitzgerald Re: NSPC Building - Water
Street

Alderman Fitzgerald asked staff to report on the proposed plans for the Nova Scotia Power Corporation Building on Water Street.

Question Alderman Fitzgerald Re: Victoria General Hospital
Incinerator

Alderman Fitzgerald requested staff to ask the Provincial Department of the Environment to examine the incinerator at the Victoria General hospital and determine what is being emitted from the stacks; if the incinerator meets all safety requirements; and if the hospital is using it as the Provincial incinerator for medical waste.

Question Alderman Fitzgerald Re: Painting of Crosswalks

Alderman Fitzgerald noted that staff were currently repainting crosswalks and he asked that they complete the heavily traffic areas and areas around the schools as quickly as possible.

Question Alderman Fitzgerald Re: Crosswalk - Camp Hill
Hospital

Alderman Fitzgerald requested that staff investigate the possibility of implementing a crosswalk near the Camp Hill Hospital at Robie Street and provide a report.

Question Alderman Fitzgerald Re: V.G. Parking Lot

Alderman Fitzgerald noted that when coming out of the parking lot at the Victoria General Hospital onto University Avenue, there is a cut across the median which creates a dangerous situation and he requested that staff examine this matter.

Question Alderman Fitzgerald Re: Tourist Areas

Alderman Fitzgerald referred to the recent Provincial legislation which permits liquor establishments to be open on Sundays and suggested that it was inappropriate that bars in the downtown were permitted to be open while the City did not have a designated tourist zone which could permit souvenir shops to be open on Sunday. He requested that staff provide a report on the current situation of the City's tourist zones.

Question Alderman Fitzgerald Re: Provincial Cost Sharing

Alderman Fitzgerald requested a report on the number of requests for City cost sharing that have never been approved by the Province.

Question Alderman Fitzgerald Re: Environmental Week

On a point of information, Alderman Fitzgerald advised that environmental week was scheduled for June 1 to June 7. He noted that, as a way of promoting the environmental benefits of buses, Metro Transit was selling Enviro-passes, at a cost of \$10, to be used during the week and he complemented Metro Transit for the program.

Question Alderman Meagher Re: Provincial Properties - Sackville Street and Hollis Street

Alderman Meagher noted that several weeks ago he requested the Mayor to write to the Provincial Government concerning the proposed demolition of two properties on Sackville Street and Hollis Street. Alderman Meagher added that, unfortunately, the demolition went ahead.

Alderman Meagher expressed concern about this action, pointing out that buildings were of significant heritage value having been designed by Andrew Cobb, and should not have been destroyed.

Alderman Meagher requested that the City Manager write to the Province expressing Council's concern about the demolition of these buildings.

Question Alderman Meagher Re: Funding for Program at Westmount School

Alderman Meagher referred to Alderman Crowley's question regarding the funding for the program for the

City Council
28 May 1992

handicapped children and he stressed the importance of ensuring that the project be completed under the proper conditions.

Question Alderman Meagher Re: Central Commons

Alderman Meagher referred to requests he made at previous meetings regarding painting improvements to the Central Commons wading pool, swimming pool, swings, and other facilities, and indicated that he hoped to receive a positive response by the time Council next meets.

ADDED ITEMS

Award of Tender 92-02: Sidewalk Renewals

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

A report dated 25 May 1992 was submitted.

MOVED by Alderman Downey, seconded by Alderman O'Malley that Tender #92-02, Sidewalk Renewals be awarded to Armdale Construction for the projects, materials, and services listed for the unit prices quoted at a bid price of \$108,503.75 and a total combined project cost of \$130,500.

Motion carried.

Award of Tender #92-03: Sidewalk Renewals

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

A report dated 25 May 1992 was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Holland that Tender #92-03, Sidewalk Renewals, be awarded to Ocean Contractors Ltd. for the projects, materials and services listed for the unit prices quoted at a total bid price of \$140,205.00 and a total combined project cost of \$171,000.00.

Motion carried.

City Council
28 May 1992

Rainbow Haven (Alderman Downey)

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

Alderman Downey advised that Rainbow Haven was requesting a donation from the City of Halifax. Noting that the cause was worthwhile, and that the City of Dartmouth has made a contribution, Alderman Downey asked that Council look favourably on this request.

A brief discussion ensued and it was agreed that this matter would be forwarded to the Tax Concessions and Grants Committee for consideration.

Tim Hortons - Quinpool Road and Beech Street (Alderman Meagher)

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

Alderman Meagher noted that Alderman Fitzgerald raised this matter at the 14 May 1992 City Council meeting. Alderman Meagher advised that the proposed Tim Hortons faces Beech Street and, noting that it was a residential area, he indicated that many people have expressed concern about the additional traffic which will end up on Beech Street due to the proposed Tim Hortons.

Alderman Meagher advised he was prepared to move a motion forwarding this matter to the next meeting of the Committee of the Whole Council. He requested that staff report on whether there is a way that the Beech Street side of the property could be protected from the traffic which would be generated by the Tim Hortons.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be forwarded to the next meeting of the Committee of the Whole Council, scheduled for Wednesday, 3 June 1992, pending a report from staff.

Motion carried.

Skateboard - Egg Pond (Alderman Meagher)

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

City Council
28 May 1992

Alderman Meagher noted that, in the past, City Council has discussed developing some kind of skateboard facility on the Egg Pond but, to date, nothing has been done. The Alderman advised that he would like to see if something could be implemented this year and, in this regard, he requested that the matter be forwarded to Recreation Department for report.

Dartmouth Ferry - Metropolitan Authority (Alderman Meagher)

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

Alderman Meagher referred to a recent newspaper article concerning a suggestion by the City of Dartmouth to include their ferry service under the control of the Metropolitan Authority. He pointed out that the ferry service was 1.2 million dollars in debt and he expressed concern about the possibility of the City of Halifax assuming some of the debt if it was brought under the control of the Metropolitan Authority.

In response to Alderman Meagher's concern, the City Manager advised that such a proposal would have to be approved by Halifax City Council.

The Chairman noted that this matter was brought to a recent meeting of the Metropolitan Authority by the Acting Mayor of the City of Dartmouth. He added that, in the spirit of cooperation he, as one of the Halifax representatives, was willing to let the Metropolitan Authority obtain some figures on cost and the implications of the proposal. The Chairman pointed out that this was the extent of the action taken on the matter. The Chairman added that the Bedford representative had raised a question about the operation of a ferry between Bedford and Halifax, and he indicated that this matter should also be part of the same consideration.

Alderman Holland noted that he also attended the meeting and advised those in attendance that he felt it was unfair to have the citizens of Halifax financially committed to the second ferry between Halifax and Woodside. He pointed out that Halifax did not ask to have this service implemented and that it was unfair to have the citizens of Halifax pay for this service

A brief discussion ensued and the City Manager emphasized that, if the matter came to a vote with the

City Council
28 May 1992

Metropolitan Authority, and the City of Halifax voted against the decision, then it would not be a party to the decision.

Waste Management System (Alderman Fitzgerald)

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

Alderman Fitzgerald addressed the matter and, noting that City Council agreed at a recent meeting to explore alternative methods of waste management, advised that he would like to have someone prepare information on all the alternatives and how Council could best proceed. In this regard, Alderman Fitzgerald suggested that City Council request the Task Force, the Citizens Committee, and the Peer Group which had been established on the matter, to provide this information.

The City Manager pointed out that staff will be coming to Council shortly for a full discussion on the matter. He added that the presentation will include an assessment of the problems and it will include a program of how to implement the decisions of City Council.

A discussion ensued and it was MOVED by Alderman Hanson, seconded by Alderman Meagher that the matter be forwarded to staff for report back in one month.

Alderman Fitzgerald advised that he could not support the motion, adding that there were areas of expertise outside of City staff that would be worthwhile of consideration.

The motion was put and resulted in a tie, five voting for and five voting against. The Chairman cast his vote in favour, and declared the motion passed.

There being no further business to discuss, the meeting adjourned at 10:40 p.m.

HIS WORSHIP DEPUTY MAYOR STONE
CHAIRMAN

Edward A. Kerr, CMC
City Clerk
MS/SM

HEADLINES

Swearing In Ceremony - Halifax Police Department.....	416
Presentation to Public Gardens - George Power Memorial Fund & Hfx Westmoor Horticultural Society - J.C. Morrow.	416
MINUTES.....	417
ADDITIONS/DELETIONS.....	417
DEFERRED ITEMS	
Case No. 6471: 1455 Henry Street - Appeal of Minor Variance Refusal	418
Case No. 6508: 1226 Hollis Street - Application for Development Agreement.....	419
Case No. 6482: 5222-30 Tobin Street - Amendment to Height Precinct Map.....	419
Case No. 6481: 5206 Tobin Street - Amendment to Height Precinct Map and Rezoning from RC-2 to RC-3.....	421
PETITIONS AND DELEGATIONS	
Petition Alderman Adams Re: Off-Ramp from St. Margaret's Bay Road.....	421
Petition Alderman Fitzgerald Re: Proposed Cedar Street Development.....	422
Petition Alderman Downey Re: Liquor Control Act.....	422
REPORT - FINANCE AND EXECUTIVE COMMITTEE	
Acquisition of Parcel R - Dutch Village Road.....	422
Expropriation Settlement: 405 Herring Cove Road.....	422
1992 Purchase of Heritage Plaques.....	423
Funding - Federal Challenge '92 Summer Employment/Experience Development (SEED) Program.....	423
Training Program Update (to be tabled).....	423
Municipal Election Campaign Expenses (to be tabled).....	423
Spring Garden Road Business Improvement District Commission - Budget (to be tabled).....	424
Installation of Bus Shelters and Pads Within the City of Halifax.....	424
REPORT - COMMITTEE ON WORKS	
City Spraying.....	424
Mountain Road - Local Improvement Project.....	425
REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS	
Proposed Amendment to Ordinance 116, the Taxi and Limousine Bylaw, Re: "Smoke Free" and "Non-Smoking"	

Taxi Cabs - SECOND READING.....	425
REPORT - CITY PLANNING COMMITTEE	
Bill 93: Provincial Land Use Policy - Halifax Public Gardens Precinct.....	426
Case No. 6518: Peninsula and Mainland Land Use Bylaws Amendments.....	426
Case No. 6496: Schedule "D" Development Agreement - 6116 Almon Street.....	427
100 Leiblin Drive.....	427
MOTIONS	
Motion Alderman Jeffrey Re: Proposed Amendment to Ordinance 12A - the Fairview Cemetery Ordinance - FIRST READING.....	427
Motion Alderman Fitzgerald Re: Peninsula Centre Land Use Bylaw.....	428
MISCELLANEOUS BUSINESS	
Annual Report - City Auditor General.....	429
Withrod Drive - New Paving Phase 2 (Herring Cove Road - Mayo Street).....	429
Tender #92-01: Sidewalk Renewals.....	429
QUESTIONS:	
Question Alderman Adams Re: Golden Age Centre.....	429
Question Alderman Adams Re: Motorcycles in Offroad Areas.....	430
Question Alderman Holland Re: Property - South Bland Street.....	430
Question Alderman Holland Re: "No Parking" Signs	430
Question Alderman Holland Re: Uses of Halifax Commons..	431
Question Alderman O'Malley Re: Condition of Sidewalk in the Vicinity of Stadacona	431
Question Alderman O'Malley Re: Cultural Reserve Account.....	431
Question Alderman O'Malley Re: Canada Day - City Activities	431
Question Alderman Downey Re: Crosswalk at South Park Street and Brenton Street	432
Question Alderman Downey Re: Public Gardens - Fountain Taps	432
Question Alderman Downey Re: Social Assistance Office West End Mall.....	432
Question Alderman Crowley Re: Funding for Program at St. Agnes School.....	432
Question Alderman Crowley Re: Skateboards and Bicycles on Sidewalks.....	433
Question Alderman Hanson Re: Dog Licenses	433