

City Council
28 May 1992

Question Alderman Fitzgerald Re: Billing for Street Lighting.....	433
Question Alderman Fitzgerald Re: Metro Authority Administration.....	434
Question Alderman Fitzgerald Re: NSPC Building - Water Street.....	434
Question Alderman Fitzgerald Re: Victoria General Hospital Incinerator.....	434
Question Alderman Fitzgerald Re: Painting of Crosswalks.....	434
Question Alderman Fitzgerald Re: Crosswalk - Camp Hill Hospital.....	434
Question Alderman Fitzgerald RE: V.G. Parking Lot.....	434
Question Alderman Fitzgerald Re: Tourist Areas.....	435
Question Alderman Fitzgerald Re: Provincial Cost Sharing.....	435
Question Alderman Fitzgerald Re: Environment Week.....	435
Question Alderman Meagher Re: Provincial Properties - Sackville Street and Hollis Street	435
Question Alderman Meagher Re: Funding for Program at Westmount School	435
Question Alderman Meagher Re: Central Commons.....	436

ADDED ITEMS:

Award of Tender 92-02: Sidewalk Renewals.....	436
Award of Tender 92-03: Sidewalk Renewals.....	436
Rainbow Haven (Alderman Downey).....	437
Tim Hortons - Quinpool Road & Beech Street (Alderman Meagher).....	437
Skateboard - Egg Pond (Alderman Meagher).....	437
Dartmouth Ferry - Metropolitan Authority (Alderman Meagher).....	438
Waste Management System (Alderman Fitzgerald).....	439

**SPECIAL COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
3 June 1992
5:10 P.M.

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

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

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

ADDED ITEMS

Award of Tender #92-42 - Cracksealing of Streets

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, Tender #92-42 for cracksealing of various City streets be awarded to Road Savers Maritime Ltd. for the unit prices quoted (\$0.85/meter) until the allocated funds of \$56,000.00 in Account Number 669 have been expended.

The motion was put and passed.

**Award of Tender #92-41:
Surface Sealing of Paved Streets**

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works:

- 1) City Council approve the streets program proposed by the Engineering and Works Department as shown in Appendices "A" and "B" of the 21 May staff report, and funded in the 1992 Capital Budget "Special Program Fund;"

**SPECIAL COUNCIL
PUBLIC HEARINGS
3 JUNE 1992**

- 2) authority be granted to award Tender #92-41 to **Atlantic Colas Ltd.** for the unit prices quoted; and
- 3) authority be granted to proceed with the surface sealing of the indicated streets until the allocated funds of \$125,000.00 in Account Number 91410 have been expended.

The motion was put and passed.

Coat of Arms - City of Halifax

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

MOVED by Alderman Holland, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Halifax City Council approve the inclusion of waves of the sea in the Coat of Arms, honouring Halifax's maritime heritage and its special character as one of Canada's most historic and important ports.

Alderman Pottie addressed the matter and, noting that he was not in attendance when this item was discussed earlier during the Committee of the Whole Council meeting, indicated that he was not sure whether the City should change its Coat of Arms. Alderman Pottie expressed the view that the present Coat of Arms was unique and indicated that he was hoping to have the opportunity to research the matter before the next Council meeting. Alderman Pottie advised that he felt uncomfortable dealing with this matter with such short notice and asked that the item be deferred to the next Council meeting.

The Chairman noted that Her Worship Mayor Ducharme had mentioned during the Committee of the Whole Council meeting that there was some urgency in approving this item this evening.

The City Manager added that the City was informed that Ottawa had to have a decision by tomorrow because of the time frame for the creation of the Coat of Arms on the flag to be presented to the City.

Following a short discussion, it was agreed that this matter be deferred to the next meeting of City Council.

**SPECIAL COUNCIL
PUBLIC HEARINGS
3 JUNE 1992**

The Chairman noted that staff should make sure that Council's decision to defer this item should be conveyed to Ottawa as soon as possible.

Alderman Fitzgerald suggested that a copy of the proposed Coat of Arms be provided to Council.

**Award of Tender 92-61 - Two (2) 4 Wheel Hydrostatic
Drive Articulated Municipal Tractors**

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

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, authority be granted to purchase two hydrostatically driven 4-wheel drive articulated tractors from Saunders Equipment Ltd. at a cost of \$154,080.00 and write off the stripped unit using any parts remaining for the balance of the gear driven units (funds to be made available in account #26104.1710 titled Motor Equipment - Fixed Assets).

Motion passed.

**Computer Hardware and Software Acquisition -
Development and Planning and Engineering**

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

MOVED by Alderman Crowley, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, City Council approve the award of tender for the Sun SPARCserver for a purchase price of \$86,920.00 from VERTEX Systems Ltd., the purchase of the UNIX based software for \$9,000.00, and the purchase of Oracle software for \$50,950.00, plus applicable taxes (funds to be made available from the Outstanding Commitment account #42611 and the Equipment Reserve - Waterloo Port account #26114 8300 80425).

Motion passed.

**SPECIAL COUNCIL
PUBLIC HEARINGS
3 JUNE 1992**

PUBLIC HEARINGS

Public Hearing Re: Case No. 6504: Rezoning R-2 to P-436
Herring Cove Road

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

Mr. Gary Porter, Planner, addressed Council and outlined the proposal to rezone 436 Herring Cove Road to permit a community facility operated by the Saint Vincent de Paul Society as described in the staff report of 15 April 1992. In conclusion, Mr. Porter advised that staff is recommending approval of the proposed rezoning.

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

MOVED by Alderman Adams, seconded by Alderman Jeffrey that City Council approve the rezoning of 436 Herring Cove Road (parcel H 190A) from R-4 multiple dwelling zone to P park and institutional zone as shown on plan TT-41-29921.

Motion passed.

Public Hearing Re: Case No. 6467: Proposed Development
Agreement - Cornwallis and Gottingen Streets

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

Mr. Michael J. Hanusiak, Planner II, addressed Council and outlined the application for a proposed development agreement to permit construction of a 60,000 square foot office building adjacent to the southeast corner of the intersection of Gottingen Street and Cornwallis Street (as described in the staff report of 1 May 1992). In conclusion, Mr. Hanusiak advised that staff were recommending approval of the application.

Ms. Heather Robertson, Solicitor representing the developer, Cornwallis Court Developments Limited, and Ellis-Don (Atlantic) Limited, addressed Council. Ms. Robertson advised that she was accompanied by Mr. Bob Smith, President of Cornwallis Court Developments Limited and Ellis-Don (Atlantic) Limited, as well as Mr. Richard Pearson, who is a member of Cornwallis Court Developments Limited. Noting that the staff report was a very complete and thorough description

**SPECIAL COUNCIL
PUBLIC HEARINGS
3 JUNE 1992**

of the project, she did not wish to go over the details but was willing to address any questions from Council.

Ms. Robertson thanked City staff for their assistance in respect of the proposal. She noted that they have filed their plans with the City of Halifax and have made application for a building permit. Ms. Robertson advised that it was their intention that if they are successful in receiving a development agreement from the City, then following the 21 day appeal period, they would wish to proceed immediately.

Alderman Downey questioned if the developer would be hiring workers from the area for the construction of the project.

Ms. Robertson indicated that she hoped this was the case advising that the building would be constructed by Ellis-Don Construction Company, but there should be an opportunity for members of the labour union to seek employment on the site.

Mr. Smith, President of Cornwallis Court Developments Limited and Ellis-Don (Atlantic) Limited, advised that they have been working very closely with the Gottingen Street Merchants' Association to make the project a maximum benefit to the neighbourhood.

MOVED by Alderman Downey, seconded by Alderman Jeffrey that:

- 1) City Council approve the entering into of a development agreement to permit construction of a 60,000 square foot office building adjacent to the southeast corner of the intersection of Gottingen Street and Cornwallis Street, provided the development is in substantial compliance with Plan No. P200/18746-8, 18925-6 of Case 6467.
- 2) Council require that the agreement be signed within 180 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.

**SPECIAL COUNCIL
PUBLIC HEARINGS
3 JUNE 1992**

In seconding the motion, Alderman Jeffrey complimented and congratulated the Alderman for the area, Alderman Downey, for his persistence in bringing this project to reality. Alderman Jeffrey also commented on the work by Mr. Richard Pearson in relation to this project.

Motion passed.

There being no further business to be discussed, the meeting was adjourned at approximately 5:40 p.m.

HIS WORSHIP DEPUTY MAYOR STONE
CHAIRMAN

E. A. KERR, CMC
CITY CLERK

*MS

**SPECIAL COUNCIL
PUBLIC HEARINGS
3 JUNE 1992**

HEADLINES

Award of Tender #92-42 - Cracksealing of Streets.....	443
Award of Tender #92-41:	
Surface Sealing of Paved Streets.....	443
Coat of Arms - City of Halifax.....	444
Award of Tender 92-61 - Two (2) 4 Wheel Hydrostatic Drive Articulated Municipal Tractors.....	445
Computer Hardware and Software Acquisition - Development and Planning and Engineering.....	445
Public Hearing Re: Case No. 6504: Rezoning R-2 to P-436 Herring Cove Road.....	446
Public Hearing Re: Case No. 6467: Proposed Development Agreement - Cornwallis and Gottingen Streets.....	446

HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
11 June 1992
8:00 P. M.

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

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

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

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

MINUTES

Minutes of a special meeting of Halifax City Council held on Wednesday, 20 May 1992 and of a regular meeting held on Thursday, 28 May, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Holland.

APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS

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

- 20.1 1992-93 Insurance Renewals
- 20.2 Report from Planning Advisory Committee Re: Case No. 6347 - Development Agreement (2037 Parker Street)
- 20.3 Leave of Council

Proclamation - Senior Citizens Week

The following proclamation was announced by Deputy Mayor Stone on behalf of Her Worship Mayor Moira Ducharme:-

**CITY COUNCIL
11 JUNE 1992**

WHEREAS seniors have a wealth of knowledge, experience, skill and know-how, which can be of great value to those of us who are not yet seniors; and

WHEREAS Seniors Week is an opportunity to share a moment with a senior citizen and to gain the wisdom of a lifetime; and

WHEREAS we can learn from the wealth of experience and knowledge that seniors have gained over the years,

THEREFORE the week of 14-20 June 1992 is proclaimed as "**SENIOR CITIZENS WEEK**" in the City of Halifax.

8:10 p.m. - Aldermen Meagher and Adams enter the meeting.

DEFERRED ITEMS

Coat of Arms - City of Halifax

This matter had been deferred from a special meeting of Halifax City Council held on Wednesday, 3 June 1992.

Correspondence, dated 9 June 1992, was received from Mr. Louis W. Collins, Honorary Halifax Civic Historian, together with an Information Report, dated 10 June.

Referring to the contents of the 10 June Information Report, Alderman Pottie indicated that he had been pleased to note that no change in the City's Coat of Arms can be made at this time.

In his remarks, the Alderman explained that he had previously asked to have this matter deferred, owing to what he believed to be the considerable cost implications of the proposed change to the Coat of Arms (in this context, Alderman Pottie made reference to the alterations which would be necessary to such items as the insignia on City vehicles and letterhead, heritage plaques, the medallions worn by the Mayor and Aldermen, long service awards, etc.).

In closing, Alderman Pottie emphasized the significance of the City's Coat of Arms, and strongly urged that before any changes to its design are contemplated in

**CITY COUNCIL
11 JUNE 1992**

future, input be received from both the Civic Historian and from the public at large.

The Chairman brought to Council's attention that the Governor General will be in Halifax on **Sunday, 5 July** to formally present the Letters Patent granting its Coat of Arms to the City.

PETITIONS AND DELEGATIONS

**Petition Alderman Adams Re: Restricted
Vehicular Traffic - Kidston Lake Park**

Alderman Adams submitted a letter dated 2 June 1992 from Mr. J. F. McAvoy of the Kidston Estate Homeowners Association, attaching a petition containing approximately 67 signatures.

In his remarks, the Alderman advised that area residents are seeking the provision of a locking gate at the entrance to the road leading to the Kidston Lake Park, and asked that the matter be referred to staff for review and recommendation (in this context, Alderman Adams noted that he had made a similar request during a Council meeting in late November 1991, but as yet had received no report).

Alderman Adams concluded his remarks by advising that he has discussed the residents' proposal with a staff member of Alpha Zone, who had indicated that the police would have no objection to the installation of such a gate, providing that the Department continues to have after-hours access to the site.

**Petition Aldermen Fitzgerald and Meagher Re:
Proposed Tim Horton's Shop (Quinpool/Beech Street)**

A petition, containing an estimated 150 signatures, was submitted from the residents of the Beech Street neighborhood with regard to the proposed establishment of a 24-hour Tim Horton's shop in the former McQuinn's Pharmacy location at the corner of Quinpool Road and Beech Street.

In bringing this matter forward, Aldermen Fitzgerald and Meagher requested that this petition be considered in conjunction with an item to be discussed later in the meeting's agenda.

**CITY COUNCIL
11 JUNE 1992**

**Petition Deputy Mayor Stone Re:
Concerns - Residents of Bridgeview Subdivision**

Deputy Mayor Stone submitted a letter, dated 9 June 1992, from Diane and Paul Chalmers of 4 Kingfisher Crescent and from Jane and Peter Arsenault of 8 Kingfisher Crescent with reference to a recent traffic accident in the Bridgeview Subdivision involving a small child and the concerns the incident has raised.

The Deputy Mayor asked that this letter be distributed to appropriate staff members (and, in particular, to the City Traffic Authority), and emphasized that he would appreciate having these concerns addressed as quickly as possible.

Alderman Jeffrey noted that similar concerns had been identified in Ward 9 and advised that, later on in the meeting's agenda, he would be requesting the matter to be discussed at a future meeting of Committee of the Whole Council.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report of the Finance and Executive Committee from its meeting held on Wednesday, 3 June 1992 as follows:

Annual Report - City Auditor General

MOVED by Alderman Holland, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the Annual Report of the City Auditor General for the fifteen months ended 31 March 1992 be accepted.

The motion was put and passed.

Current Borrowing Resolution

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign the current borrowing resolution as attached to the staff report of 21 May 1992, in the sum of \$7,000,000 for the period 1 July 1992 to 31 December 1992, in accordance with Section 213 of the Halifax City Charter.

The motion was put and passed.

**CITY COUNCIL
11 JUNE 1992**

**Gottingen Street Area Merchants Association:
Application for 1992 Mainstreet Funding (Budget)**

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

1. allocate a sum of \$37,500 to the Gottingen Street Area Merchants Association for the year 1992-93, on the understanding that the Province will allocate an equal amount; and
2. authorize the transfer of the final amount allocated by the City from the Mainstreet Capital Account No. CK051 to a special operating account.

The motion was put and passed.

Proposal 92-89: Travel Service

An Information Report, dated 9 June 1992, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted to appoint Burgess/Brooks Travel, the only proposal meeting all criteria, as the City of Halifax Travel Planner to provide travel service for a two year period.

Alderman O'Malley noted that, under this proposal, individuals may, with a payment of \$25.00 to the Aeroplan, accumulate travel points. She added, however, that while the City cannot accumulate travel points, one free ticket is obtained for every 20 purchased.

Speaking on the motion, Alderman Fitzgerald expressed the view that individuals (whether elected officials or staff members) travelling on City business should **not** be entitled to collect personal travel points as a consequence. The Alderman went on to emphasize that, in his opinion, all points accumulated in this manner should be turned over to the City and used as appropriate and, in this context, suggested that staff be asked to look into a method of accomplishing this.

The motion was put and passed.

Challenge '92 Program

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and

**CITY COUNCIL
11 JUNE 1992**

Executive Committee, the City provide temporary funding for the Challenge '92 Program project, should it become necessary, while the monthly claims for funds are processed.

The motion was put and passed.

Dalhousie Pump Station - Life Sciences Building

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the City grant an amendment to the license granted under Ordinance Number 112 for an additional area of 204 square feet to permit the underground installation of an emergency generator at the Dalhousie University pump station site at the foot of South Street, as shown on the site plan attached to the staff report of 13 May 1992; and further, that annual license fees be \$1,105.92 based on 1024 square feet at \$1.08 per square foot.

The motion was put and passed.

Encroachment License - Civic No. 5562 Sackville Street

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of encroaching cladding on the Annandale Street face of the building known as Civic No. 5562 Sackville Street.

The motion was put and passed.

Encroachment License - Civic No. 879 Greenwood Avenue

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of an encroaching retaining wall and steps at Civic No. 879 Greenwood Avenue.

The motion was put and passed.

**CITY COUNCIL
11 JUNE 1992**

**Encroachment License -
Civic Nos. 5472-76 Spring Garden Road**

MOVED by Alderman Downey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of an encroaching bay window on the front face of the building known as Civic Nos. 5472-76 Spring Garden Road.

The motion was put and passed.

Acquisition of Parcel R - Dutch Village Road

This matter had been forwarded without recommendation, pending receipt of a further staff report.

An Information Report, dated 5 June 1992, was submitted.

While acknowledging receipt of the 5 June Information Report, Alderman Jeffrey advised that he continues to be unclear about staff's rationale vis a vis the acquisition of this parcel of land. In this context, the Alderman noted that, only recently, permits for additions to two single-family homes in this immediate area had been issued by the City's Development Department. He therefore expressed concern that, if the City hopes to acquire these same properties at some point in the future, it had intentionally allowed their values to increase through the approval of these applications.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Adams that the matter be deferred to the next regular meeting of the Finance and Executive Committee **scheduled for Wednesday, 17 June 1992**, and that staff at that time be asked to make a presentation (complete with maps of the area) explaining what is being proposed for this portion of Dutch Village Road.

The motion to defer was put and passed.

Payment of Account - Municipality of Argyle

A supplementary staff report, dated 8 June 1992, and containing an itemized breakdown of activities pertinent to the Argyle Mine Study, was submitted.

Referring to the information contained in the supplementary staff report of 8 June, Alderman O'Malley indicated that it had been her understanding that the City

**CITY COUNCIL
11 JUNE 1992**

of Halifax's share of this study would be considerably less than the total amount of \$101,581.52 shown on the invoice received from Horner Associates Limited of Truro. The Alderman therefore asked for clarification as to whether this invoice was intended only for the City of Halifax or whether, in fact, its payment was intended to be shared with the Municipality of Argyle.

Alderman O'Malley went on to make reference to the stated hourly rates for "Clerical/Steno," emphasizing that, in her view (particularly given the length of the submitted report from Horner), the amount appears to be rather exorbitant. The Alderman also queried the 287.5 hours allegedly expended by the Senior Engineer on this project, and, on another but related point, asked for information as to what, if any, portion of the G.S.T. charge (\$6,645.52) will be recoverable by the City.

Under the circumstances, therefore, it was moved by Alderman O'Malley, seconded by Alderman Fitzgerald that the matter be deferred to the next regular meeting of the Finance and Executive Committee scheduled for Wednesday, 17 June 1992, pending receipt of additional information from staff.

The motion to defer was put and passed.

Guarantee of Borrowing - Metropolitan Authority

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council authorize the Mayor and City Clerk to enter into a guarantee of borrowings, as described in the staff report of 29 May 1992, on behalf of the City of Halifax.

The motion was put and passed.

REPORT - COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on Wednesday, 3 June 1992 as follows:

Solid Waste Disposal

Following is the recommendation approved during the 3 June meeting of the Committee on Works:

**CITY COUNCIL
11 JUNE 1992**

THAT:

- 1) the City of Halifax encourage its municipal counterparts to rethink their options and to work with Halifax City Council in a cooperative effort to develop a more appropriate approach to waste management;
- 2) staff be requested to finalize its information with regard to the waste management alternatives currently available to the City; and further, that this information be available for discussion purposes, possibly in time for the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 17 June;**
- 3) the Provincial Government be requested to develop a comprehensive waste management system for Nova Scotia as a whole;
- 4) staff be authorized to develop a comprehensive public education program with regard to waste management.

In his remarks, Alderman Fitzgerald made reference to Item (4) of the above-noted recommendation, emphasizing that, in his view, Council should work with representatives of local environmental groups to develop a public education program, rather than relying on staff for this initiative. He went on to suggest that the Peer Review Group, previously established to evaluate the report submitted by Sound Resource Management, might be reactivated for this purpose.

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

- 1) the City of Halifax encourage its municipal counterparts to rethink their options and to work with Halifax City Council in a cooperative effort to develop a more appropriate approach to waste management;
- 2) staff be requested to finalize its information with regard to the waste management alternatives currently available to the City; and further, that this information be available for discussion purposes, possibly in time for the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 17 June;**

**CITY COUNCIL
11 JUNE 1992**

- 3) the Provincial Government be requested to develop a comprehensive waste management system for Nova Scotia as a whole; and that
- 4) the task force, a citizens committee and the Peer Review group work with staff to develop a comprehensive education program (for Council's consideration) with regard to the City's waste management system.

A discussion ensued with the Acting City Manager suggesting that, given the complicated nature of the proposed composting operation, staff should also be authorized to confer with highly technical firms, who have practical and operational experience in this field, during the development of a public education program.

The motion was subsequently put and passed.

Award of Tender #92-43, Streets Upgrading - Resurfacing

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

An Information Report, dated 5 June 1992, was submitted, together with a supplementary staff report dated 4 June.

In response to a variety of questions from Alderman Jeffrey, the City Manager advised that he would submit a subsequent report as to whether the tender for Joseph Howe Drive/Dutch Village Road has yet to be received.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that:

- 1) City Council approve the resurfacing program proposed by the Engineering and Works Department, shown in Appendix "A" and "B" of the staff report dated 28 May 1992, and funded in the 1992 Capital Budget Special Programs;
- 2) authority be granted to award Tender #92-43 to **Dexter Construction Co. Ltd.** for the unit prices quoted at a bid price of \$390,700.00 and a total project cost of \$430,000;
- 3) authority be granted to proceed with the resurfacing of the indicated streets until the

**CITY COUNCIL
11 JUNE 1992**

total project cost of \$430,000 in Account No. 91410 has been expended; and

- 4) authority be granted under Section 201(1) of the City Charter to make additional expenditures for the Halifax Water Commission work, such as the lifting of valves, which will be recovered from the Commission,

excepting that the resurfacing of Melrose Avenue resurfacing will be deferred, pending finalization of the curb and gutter project.

The motion was put and passed.

Sidewalks (Roberts Street)

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

An Information Report, dated 8 June 1992, was submitted.

MOVED by Alderman Downey, seconded by O'Malley
that Council:

- (1) replace the paving renewal project for Hollis Street (Sackville-Morris) with a paving renewal project for Gottingen Street (Bilby - Bloomfield), including sidewalk renewal on the east side;
- (2) as part of the Gottingen Street paving renewal project in (1) above, replace the sidewalks and curb and gutter between Bloomfield and Russell Streets on the east side of Gottingen; and
- (3) replace the sidewalk and curb and gutter on the north side of Roberts Street between Agricola and Maynard.

In putting forward this motion, Alderman Downey emphasized that funds previously allocated to the Hollis Street project will now be transferred to the above projects.

After some discussion and questioning of staff, the motion was put and passed.

**CITY COUNCIL
11 JUNE 1992**

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

**Proposed Amendment to Ordinance 12A - the Fairview Cemetery
Ordinance - SECOND READING**

Consideration and report with respect to this item was given at the last Committee of the Whole Council meeting held on 3 June 1992.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that City Council approve SECOND READING to the amendments attached as Appendix "A" to the 28 May 1992 staff report, the purpose of the said amendments to provide for the implementation of a Cremation Gardens at the Fairview Cemetery.

Motion passed.

**Report - Retirement Committee: Co-Mingling of Pension Plan
Assets, Halifax Water Commission**

A report from Mr. Edward A. Kerr, Secretary to the Retirement Committee, dated 8 June 1992, with attachments was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that City Council approve the form of the Co-Mingling Agreement attached as Appendix "A" to the report of 2 June 1992 and the Indemnity Agreement attached as Appendix "B" to the report of 20 May 1992, and that the agreements be executed by the Mayor and City Clerk on behalf of the City.

Motion passed.

REPORT - PLANNING COMMITTEE

Council considered the report of the City Planning Committee from its meeting held on Wednesday, 3 June 1992 as follows:

**Proposed Development Agreement -
2344 and 2350 Hunter Street**

This matter was forwarded to Council without recommendation.

Alderman Meagher noted that the area in question is being considered by the PAC as part of the Peninsula North review.

CITY COUNCIL
11 JUNE 1992

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be forwarded to the Planning Advisory Committee for a report.

Motion passed.

Tim Horton's - Quinpool Road and Beech Street

This matter was forwarded to Council with the recommendation that staff review the situation and provide a report with particular regard to the feasibility of prohibiting vehicular traffic from exiting onto Beech Street from the Tim Horton's site.

An information report dated 10 June 1992 was submitted.

Letters dated 3 June 1992 from the Reverend David A. LeBlanc, Oxford St. United Church; and 11 June 1992 from Mr. Wayne Smith, 2037 Beech Street, were also submitted.

Alderman Meagher addressed the matter and expressed concern with respect to the information report of June 10th. He noted that the report indicates that there is no power to refuse vehicular traffic exiting onto Beech Street from the proposed Tim Horton's site. Alderman Meagher commented on the number of children travelling on Beech Street to the Sir Charles Tupper School and to Cornwallis School. He added that the traffic intersection at Beech Street and Quinpool Road is such a heavy burden that two crossing guards are needed at this location.

Alderman Meagher noted that Council has, in the past, closed off properties to restrict the movement of traffic onto streets. He referred to MacDonald's on Quinpool Road where Council restricted the movement of traffic onto Pepperell Street. Alderman Meagher also noted that on Agricolla Street, where there had been a Dominion Store, Council restricted the movement of traffic onto Maynard Street.

Alderman Meagher indicated that he, along with Alderman Fitzgerald, have received a tremendous number of calls concerning the proposal for a Tim Horton's on Quinpool at Beech. The Alderman noted that the residents are becoming very concerned about the number of businesses operating for 24 hours a day. He added that the proposed business will not only be operating for 24 hours a day, but will be operating 7 days a week 365 days of the year.

Alderman Meagher asked that this matter be referred back to staff with the request that they provide a

**CITY COUNCIL
11 JUNE 1992**

further report on what Council **can** do to address the traffic concerns rather than on what cannot be done. He went on to request that this matter be placed on the agenda for the next Committee of the Whole Council meeting to be held on 17 June 1992 and suggested that some of the neighbours could make a presentation at that time.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that this matter be forwarded to the next Committee of the Whole Council meeting to be held on 17 June 1992 and that staff provide a report on development and planning limitations on this property as well as limitations pertaining to traffic; and, further, that staff comment on ways to restrict certain businesses to close at 11:00 p.m or 12:00 midnight.

Concurring with the comments made by Alderman Meagher, Alderman Fitzgerald indicated his support for the motion. Alderman Fitzgerald expressed concern about the proposed development going in a residential neighbourhood. Noting that he has had great difficulty with the 24 hour operation of service stations, Alderman Fitzgerald added that he also had a concern that the proposed establishment would remain open 24 hours a day. The Alderman went on to suggest that the owners of the proposed Tim Horton's come before Council to explain their position.

Alderman Hanson addressed the matter and indicated that he had concerns about vehicles exiting from the parking lot of the proposed establishment onto Quinpool Road. He expressed the view that this scenario would be more hazardous than the scenario involving Beech Street.

Alderman Meagher addressed the matter again and asked that staff respond to the letter submitted by Mr. Wayne Smith, dated 11 June 1992, 2037 Beech Street. The Alderman indicated that Mr. Smith should be thanked and complimented for submitting such a well written letter and asked that staff respond to the points raised in the letter.

The motion was put and passed.

MISCELLANEOUS BUSINESS

**Award of Tender #92-25 - Tremont Plateau
(Tennis & Basketball Courts, Walkway and Lighting)**

A staff report dated 8 June 1992 was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that Council award Tender #92-25 for the projects,

**CITY COUNCIL
11 JUNE 1992**

materials, and services listed for the unit prices quoted at a bid price of \$199,000.00 and a total project cost of \$239,000 to J.R. Eisener Contracting Limited (funding to be approved from account numbers 97007 and 91641).

Motion passed.

**Award of Tender #92-08 - Underground Wiring -
Granville Street (Prince Street to Sackville Street)**

A staff report dated 2 June 1992 was submitted.

MOVED by Alderman Downey, seconded by Alderman
Adams that:

1. Council award Tender No. 92-08, for project materials and services listed at the unit prices quoted, at a bid price of \$101,570.04 and a total project cost of \$122,000.00 to Armdale Construction Ltd.
2. Council approve estimated cost-sharing with Maritime Tel. & Tel. for their work as follows:

City's share..... = \$ 1,600.00
M.T. & T's share..... = \$ 400.00 (Recoverable)
3. Funding for this project be authorized from Capital Account No. 91613, Underground Wiring, CBD Area at a total project cost of \$122,000. (gross) and \$121,600. (net).

Alderman Adams requested that, in the future, staff provide information in the report similar to the format used for sidewalks where projects are listed, the costs of the tender is listed, and any surplus or deficiency is also listed. He added that he would also request that the report show the account where the funds will be taken from as well as an indication of the balance of the account(s).

The motion was put and passed.

QUESTIONS

Question Alderman Downey Re: Halifax Infirmary

Alderman Downey requested a report from Mr. Harold D. Crowell, Director of Social Planning, concerning the Halifax Infirmary. He indicated that he would like to know whether the hospital could possibly be turned into a

**CITY COUNCIL
11 JUNE 1992**

facility for a seniors' accommodation. Alderman Downey expressed the view that the Infirmary would be an excellent facility for seniors.

Question Alderman Jeffrey Re: Rosebushes - Dunbrack Street

Alderman Jeffrey noted that at the last Committee of the Whole Council meeting held on June 3rd he asked for a report pertaining to the rosebushes along Dunbrack Street and noted that he has not yet received this report. He went on to comment that some of the rosebushes going north on Dunbrack Street have been cut but noted that, on the opposite side of the street, none of them have been trimmed. Alderman Jeffrey requested that a report be submitted on the matter by the **next Committee of the Whole Council to be held on 17 June 1992.**

Question Alderman Jeffrey Re: School Avenue

Alderman Jeffrey expressed concern about the chain link fence on School Avenue abutting the Bicentennial Highway. He explained that there are holes in the fence and that there is concern that small children in the area will go through these holes and go onto the highway. The Alderman asked that staff investigate the situation and consider the possibility of having a new fence installed. He noted that the fence is an "eyesore" and requested that staff pursue with the Province the clean up of this property.

Question Alderman Jeffrey Re: Veronica Drive

Alderman Jeffrey noted that he has received numerous calls concerning the need for street lighting on Veronica Drive. He advised that it was his understanding that a petition was being circulated and would be submitted to Council on the matter. Alderman Jeffrey explained that there was a need for the installation of street lights in this area and asked that staff investigate this concern.

Question Alderman Jeffrey Re: Traffic

Alderman Jeffrey noted that His Worship Deputy Mayor Stone submitted a letter, in the form of a petition, earlier in the meeting concerning an accident involving a child who had been struck by a car in the Bridgeview Subdivision, Rockingham. Alderman Jeffrey went on to note

**CITY COUNCIL
11 JUNE 1992**

that there were traffic problems throughout all areas of the City especially around ball parks and sports fields.

Alderman Jeffrey advised that he has received a number of calls pertaining to the problem of vehicles exceeding the speed limit and asked that this matter be forwarded to the next Committee of the Whole Council meeting to be held on Wednesday, 17 June 1992. The Alderman requested that Mr. B.N. Kennedy, Traffic Authority, be in attendance at that time to explain to Council what can be done in order to decrease the speed limit in this area. Alderman Jeffrey expressed particular concern about the corner at Dunbrack and Main Avenue noting that a young girl was killed at this location. He emphasized the need to address the traffic problems at this location.

Question Alderman Jeffrey Re: Truck Routes

Alderman Jeffrey expressed concern about the problem he has been having in his Ward with trucks using residential streets and storing their trucks in the area. He noted that it was his understanding the Planning Department is preparing an amendment to address this situation and asked that a report be submitted by the next Committee of the Whole Council meeting to be held on **Wednesday, 17 June 1992**, commenting on the status of the amendment.

Question Alderman Fitzgerald Re: PAN AM Games

Alderman Fitzgerald advised that it was his understanding that the City's submission to the Pan Am Games was to be presented the last day of May. Alderman Fitzgerald requested that Council be provided with a report outlining the contents of the submission.

Question Alderman Fitzgerald Re: Bicycle Stands

Alderman Fitzgerald noted that, during the 1999 Conference, reference was made to the need for bicycle stands and bicycle storage in the downtown area. The Alderman asked for a report in this regard.

**CITY COUNCIL
11 JUNE 1992**

**Question Alderman Fitzgerald Re: Burnt
Building on Quinpool Road**

Alderman Fitzgerald noted that there was a burnt-out building on Quinpool Road and asked for a progress report indicating whether this building was safe and secure. The Alderman also questioned whether there were any plans with respect to development on this site.

Question Alderman Fitzgerald Re: Litter Boxes

Alderman Fitzgerald suggested that there be a program established to encourage more litter boxes throughout the City for pedestrian traffic. For example, he suggested a program such as "buy-a-basket" where a company or business would buy a litter basket and pay a sum to the City. Alderman Fitzgerald questioned whether this idea had ever been investigated.

Question Alderman Fitzgerald Re: Youth Summer Employment

Alderman Fitzgerald requested a report, if it could be prepared without too much effort, on the number of students hired by the City for the summer and how many of them were visible minorities.

Question Alderman O'Malley Re: Pollution Control

Alderman O'Malley noted that she had requested a report some time ago regarding the City's Pollution Control Account. The Alderman questioned when this report might be provided.

Question Alderman O'Malley Re: Waste Baskets

Alderman O'Malley questioned whether the "slam-dunk-your-junk" waste baskets, that had been removed during the winter months, would be put back where they were previously located.

Mr. P.S. Connell, Acting City Manager (Director of Engineering and Works), advised that he could see no reason why they would not be put back. He added that some times the baskets that had been badly abused are not replaced.

Alderman O'Malley advised that she noticed the absence of a basket at the bus stop at the corner of Young and Robie and Mr. Connell indicated that he would investigate the matter.

**CITY COUNCIL
11 JUNE 1992**

**Question Alderman O'Malley Re: Youth Congregating
at Sports Fields**

Alderman O'Malley noted that Alderman Crowley had raised concerns recently with respect to problems at sports fields. She noted that she was experiencing similar problems in her Ward as well, particularly at baseball fields, with young people congregating and disturbing the peace of the neighbourhood. Alderman O'Malley made reference to the Highland Park and Merv. Sullivan fields.

Alderman O'Malley asked that a strategy report be prepared by the various departments of the City who would be involved in addressing the concerns: the Police Department; the Legal Department (regarding signage); Recreation; and Parks and Grounds. Alderman O'Malley noted that the problem was a City wide one.

Question Alderman Adams Re: Brook Ardwell Avenue

Alderman Adams referred to a small brook that runs behind or parallel to Ardwell Avenue. He explained that there has been some work done on behalf of the City a number of years ago to help to prop the sides of the bank by using granite slabs. The Alderman noted that these slabs have since started to fall in the brook and that rocks that are deteriorating have also fallen in the brook. As a result, Alderman Adams advised that the flow of water is hindered. Alderman Adams questioned what steps could be taken to help rectify the situation.

Question Alderman Adams Re: Park - Ardwell Avenue Area

Alderman Adams advised that there was a small park in the Ardwell Avenue area with walking trails that have become crowded with underbrush and trees that have been cut and not removed. Alderman Adams questioned whether the Parks and Grounds Division could clear the area and, if the funds were not available, that a program be undertaken similar to the one in Bedford or Sackville where volunteers went out and cleaned up the river.

**Question Alderman Adams Re: Lights at the
Canada Games Diamond**

Alderman Adams noted that the lights at the Canada Games Diamond have been installed for about three weeks now but are not working. The Alderman indicated that he would like to know why these lights are not operational.

**CITY COUNCIL
11 JUNE 1992**

Question Alderman Holland Re: Halifax Infirmary

Alderman Holland commented on the feasibility, as mentioned earlier by Alderman Downey, of the Halifax Infirmary becoming an accommodation for seniors. He noted that, while he was in Montreal, he learned of a hospital there being converted as a seniors facility. Alderman Holland expressed the view that the Halifax Infirmary was very sound and would be appropriate for the use of seniors. The Alderman indicated that he looked forward to a report in this regard.

Question Alderman Holland Re: Victory Gardens

Alderman Holland noted that, during his visit to Montreal, he saw where they have gone back to the Victory Garden concept. The Alderman asked that staff report on this concept and whether there was property in the City that could be used as garden lots for citizens.

Question Alderman Holland Re: McKeen Manor

Alderman Holland advised that there were two parking spaces in front of McKeen Manor on Queen at South. He explained that some people park at these spaces all day. Alderman Holland questioned whether staff could consider establishing two hour parking at this location so that parking could be more available for people who visit the Manor.

**Question Alderman Meagher Re: 24 Hour Operation
of Businesses**

Alderman Meagher referred to the allowance of some businesses operating for 24 hours in the City of Halifax. He went on to request that the Legal Department and the City's Planning Department review the matter and determine what regulations could be established that would restrict businesses to certain hours of operation that are situated adjacent to residential areas.

Question Alderman Meagher Re: Sackville Street area Paving

Alderman Meagher noted that along Sackville Street, around the Wanderer's Grounds, sidewalks were being replaced. However, Alderman Meagher expressed the concern that the street is in worse condition and questioned

**CITY COUNCIL
11 JUNE 1992**

whether any plans were in place to repair this street during the summer. The Alderman referred particularly to the area from South Park St. through to Summer St.

Mr. P. S. Connell, Acting City Manager (Director of Engineering and Works), advised that he would respond to Alderman Meagher's question in a report.

Question Alderman Meagher Re: Returnables

Alderman Meagher noted that, at a recent meeting of the Tax and Grants Committee, a presentation was heard by persons involved with the Clean Nova Scotia Campaign. The Alderman commented on the tremendous job these people were doing and he noted that, at the meeting, discussion arose about a program for returnable bottles. Noting that there were Provincial regulations in place to regulate returnable bottles, Alderman Meagher advised that the pop companies should be responsible for having returnable bottles and requested that the Mayor's Office forward a letter to the Provincial Government in this regard asking that they consider implementing regulations to make this law.

Question Alderman Meagher Re: Update on the Civic Hospital

Alderman Meagher requested an update on the status of the Halifax Civic Hospital which has been taken over by the Provincial Government for the Drug Dependency Program. The Alderman noted that it was his understanding that the Province will be moving from the Civic Hospital to the old Grace Maternity Hospital. He went on to request an update on the status with respect to the Civic Hospital and what is intended for its future. Alderman Meagher questioned whether the Hospital would be again used for patient care and whether the City had ever received any monthly rent cheque from the Province for the use of the facility.

Question Alderman Meagher Re: Central Commons

Alderman Meagher questioned the status of the painting of the facilities on the Central Commons.

Mr. Peter S. Connell, Acting City Manager (Director of Engineering and Works), addressed the matter and advised that staff have been working on the Central Commons since Monday and will have all works completed by the end of this School year.

**CITY COUNCIL
11 JUNE 1992**

**Question Deputy Mayor Stone Re: Vacant Space next to the
Irving Station on the Bedford Highway**

His Worship Deputy Mayor Stone noted that there was a parcel of vacant City owned land next to the Irving Service Station on the Bedford Highway near the intersection at the Kearney Lake Road. His Worship questioned if this property was of any use to the City noting that a problem existed in respect of the property. He explained that the property is being used by truck vendors and that those vendors affect the businesses along the Bedford Highway. His Worship asked City staff to investigate the situation and the possibility of planting trees and shrubbery on the property. If this was not feasible, His Worship Deputy Mayor Stone asked that staff consider blocking the property off to prevent the truck vendors from using the site.

**Question His Worship Deputy Mayor Stone Re: Speed Limit
Dunbrack Street Area**

His Worship Deputy Mayor advised that during the last three years, the speed limit on Dunbrack Street has been reduced from 70 to 60 kilometers. However, His Worship noted that there was an area on the Farnham Gate Road to the Kearney Lake Road that remained at 70 kilometers. After a great deal of work and discussion with the City Traffic Authority and the Provincial Traffic Authority, His Worship advised that they have agreed to reduce this speed from 70 to 60 kilometers. His Worship Deputy Mayor Stone questioned, since this has been approved by the City and Provincial Traffic Authorities, when publicity of the reduction will be given to the motorists and when the signs will be changed.

ADDED ITEMS

1992-93 Insurance Renewals

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

A staff report dated 9 June 1992 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that authority be granted to authorize Simpson Hurst Ltd. to renew the insurance portfolio at the premiums listed in the staff report of 9 June 1992 totalling \$290,182.00 which compares with last year's premium of \$278,630.00.

Motion passed.

**CITY COUNCIL
11 JUNE 1992**

**Report: Planning Advisory Committee Re: Case No. 6347 -
Development Agreement - 2037 Parker Street**

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

A report from Mr. P. Pacey, Chairman of the Planning Advisory Committee, dated 10 June 1992 was submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that City Council set a date for a public hearing to consider the application for a development agreement to permit a beauty parlour at 2037 Parker Street as contained in the 24 March 1992 staff report.

Motion passed.

The City Clerk proposed the scheduling of the public hearing for **Wednesday, 8 July 1992, at 7:30 p.m. in the Council Chamber.**

Responding to a question, the City Clerk advised that there was one other public hearing scheduled for July 8th at 7:30 p.m. pertaining to Case No. 6539 Amendment to Section 43E of the Land Use Bylaw (Peninsula). It was subsequently agreed that the City Clerk could schedule both of these matters for 5:00 p.m. on July 8th if appropriate.

Leave of Council

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

His Worship Deputy Mayor Stone addressed the matter and advised that this was an item he had added to the agenda at the request of the City Clerk. His Worship explained that according to a Section 18(6) of the Municipal Elections Act, there is certain provision with respect to members of Council missing three consecutive Council meetings. He therefore suggested that because of the requirement of the Municipal Elections Act, Council excuse Her Worship Mayor Moira Ducharme from attending Council meetings due to her operation.

MOVED by Alderman Meagher, seconded by Alderman Jeffrey that, due to the requirement of the Municipal Elections Act, City Council excuse Her Worship Mayor Moira Ducharme from attending meetings of City Council due to her operation.

Motion passed unanimously.

**CITY COUNCIL
11 JUNE 1992**

There being no further business, the meeting was adjourned at approximately 10:30 p.m.

HIS WORSHIP DEPUTY MAYOR STONE
CHAIRMAN

EDWARD A. KERR, C.M.C.
CITY CLERK

KS/MS

HEADLINES

MINUTES	450
APPROVAL OF THE ORDER OF BUSINESS, ADDITIONS AND DELETIONS	450
Proclamation - Senior Citizens Week	450
DEFERRED ITEMS	
Coat of Arms - City of Halifax	451
PETITIONS AND DELEGATIONS	
Petition Alderman Adams Re: Restricted Vehicular Traffic - Kidston Lake Park	452
Petition Aldermen Fitzgerald and Meagher Re: Proposed Tim Horton's Shop (Quinpool/Beech Street)	452
Petition Deputy Mayor Stone Re: Concerns - Residents of Bridgeview Subdivision	453
REPORT - FINANCE AND EXECUTIVE COMMITTEE	
Annual Report - City Auditor General	453
Current Borrowing Resolution	453
Gottingen Street Area Merchants Association: Application for 1992 Mainstreet Funding (Budget)	454
Proposal 92-89: Travel Service	454
Challenge '92 Program	454
Dalhousie Pump Station - Life Sciences Building	455
Encroachment License - Civic No. 5562 Sackville Street	455
Encroachment License - Civic No. 879 Greenwood Avenue	455
Encroachment License - Civic Nos.	

**CITY COUNCIL
11 JUNE 1992**

Acquisition of Parcel R - Dutch Village Road	456
Payment of Account - Municipality of Argyle	456
Guarantee of Borrowing - Metropolitan Authority	457
REPORT - COMMITTEE ON WORKS	
Solid Waste Disposal	457
Award of Tender #92-43, Streets Upgrading - Resurfacing	459
Sidewalks (Roberts Street)	460
REPORT - COMMITTEE OF THE WHOLE COUNCIL, BOARDS AND COMMISSIONS	
Proposed Amendment to Ordinance 12A - the Fairview Cemetery Ordinance - SECOND READING.....	461
Report - Retirement Committee: Co-Mingling of Pension Plan Assets, Halifax Water Commission.....	461
REPORT - CITY PLANNING COMMITTEE	
Proposed Development Agreement 2344 & 2350 Hunter St..	461
Tim Horton's - Quinpool Road and Beech Street.....	462
MISCELLANEOUS BUSINESS	
Award of Tender #92-25 - Tremont Plateau (Tennis & Basketball Courts, Walkway and Lighting)...	463
Award of Tender #92-08 - Underground Wiring - Granville Street (Prince Street to Sackville Street).	464
QUESTIONS	
Question Alderman Downey Re: Halifax Infirmary.....	464
Question Alderman Jeffrey Re: Rosebushes Dunbrack St..	465
Question Alderman Jeffrey Re: School Avenue.....	465
Question Alderman Jeffrey Re: Veronica Drive.....	465
Question Alderman Jeffrey Re: Traffic.....	465
Question Alderman Jeffrey Re: Truck Routes.....	465
Question Alderman Fitzgerald Re: PAN AM Games.....	466
Question Alderman Fitzgerald Re: Bicycle Stands.....	466
Question Alderman Fitzgerald Re: Burnt Building on Quinpool Road.....	467
Question Alderman Fitzgerald Re: Litter Boxes.....	467
Question Alderman Fitzgerald Re: Youth Summer Employment.....	467
Question Alderman O'Malley Re: Pollution Control.....	467
Question Alderman O'Malley Re: Waste Baskets.....	467
Question Alderman O'Malley Re: Youth Congregating at Sports Fields.....	468
Question Alderman Adams Re: Brook Ardwell Avenue.....	468
Question Alderman Adams Re: Park - Ardwell Ave Area...	468
Question Alderman Adams Re: Lights at the Canada Games Diamond.....	468
Question Alderman Holland Re: Halifax Infirmary.....	469
Question Alderman Holland Re: Victory Gardens.....	469
Question Alderman Holland Re: McKeen Manor.....	469

**CITY COUNCIL
11 JUNE 1992**

Question Alderman Meagher Re: 24 Hour Operation
of Businesses.....469
Question Alderman Meagher Re: Sackville Street
Area Paving.....469
Question Alderman Meagher Re: Returnables.....470
Question Alderman Meagher Re: Update on the
Civic Hospital.....470
Question Alderman Meagher Re: Central Commons.....470
Question Deputy Mayor Stone Re: Vacant Space next to
the Irving Station on the Bedford Highway.....471
Question His Worship Deputy Mayor Stone Re:
Speed Limit Dunbrack Street Area.....471

ADDED ITEMS

1992-93 Insurance Renewals.....471
Report: Planning Advisory Committee Re: Case No. 6347
Development Agreement - 2037 Parker Street.....472
Leave of Council.....472

**SPECIAL CITY COUNCIL
PUBLIC HEARINGS
MINUTES**

Council Chamber
Halifax City Hall
17 June 1992
7:40 p.m.

A Special Meeting of Halifax City Council, Public Hearings, was held on the above date.

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

PRESENT: Alderman Ron Hanson, Chairman; and Aldermen Holland, Fitzgerald, Downey, Pottie, Adams, Jeffrey, and Macdonald.

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

ADDED ITEMS

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

Encroachment License - Civic No. 126 Rosedale Avenue

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

MOVED by Alderman Jeffrey, seconded by Alderman Macdonald that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of an encroaching fence at Civic # 126 Rosedale Avenue.

Motion carried.

Solid Waste Disposal - Mediation

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

Public Hearings
17 June 1992

MOVED by Alderman Jeffrey, seconded by Alderman Holland that, as recommended by the Committee on Works, the Mayor and City Manager be authorized to participate in the mediation process initiated by the Minister of Municipal Affairs to seek a common solution to the solid waste disposal problem for the City of Halifax, Dartmouth, the County and Bedford.

A discussion ensued and Alderman Pottie, noting the importance of this issue, suggested it would be a good idea that, prior to the City Manager and Mayor meeting with the Provincial mediator, City Council be briefed on their presentation.

An amendment to the motion was moved by Alderman Pottie, seconded by Alderman Fitzgerald that the motion be amended by adding "and before discussions commence with the Provincial Mediator, the Mayor and City Manager brief Council on the subject."

The City Solicitor referred to an item on the agenda of a meeting of Council held previously on this date, and suggested that this would be the sort of matter for an in camera meeting.

The amendment was put and passed.

The original motion, as amended, was put and passed.

Award of Tender 92-05: Sidewalk Renewals

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

MOVED by Alderman Downey, seconded by Alderman Pottie that, as recommended by the Committee on Works, Tender #902-05 (Sidewalk Renewals) be awarded as indicated below, funding to be authorized from Account Nos. 92665, 92684, 92692, 92675 and 92682:-

(a) Mardo Const.

Robie Street (E): Leeds to NSIT Driveway
Bellevue Avenue (W): Inglis - Regina Terrace
Jubilee Road (S): Walnut - Vernon
Rector Street (S): Albert - Dartmouth Ave.
at a tender price of \$113,150.50 and a total
combined project cost of \$136,000;

Public Hearings
17 June 1992

(b) **G. & R. Kelly**

Bishop Street (N): Hollis - Lr. Water Street
at a tender price of \$13,755.85 and a total
project cost of \$17,000.00.

Motion carried.

**Report from Planning Advisory Committee Re: Case No. 6451
- Possible Plan and Bylaw Amendment - Titus Smith School**

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

MOVED by Alderman Jeffrey, seconded by Alderman
Macdonald that, as recommended by the Planning Committee, a
date be set for a public hearing to consider the Plan and
Bylaw amendments respecting the former Titus Smith School
site, as contained in the staff report dated 4 June 1992.

Motion carried.

The City Clerk advised that the date for the
public hearing was scheduled for **Wednesday, 22 July 1992** at
5:00 p.m. in the Council Chamber, Halifax City Hall.

**Case No. 6532: Development Agreement - 2858 Agricola
Street and 5809 Bilby Street**

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

MOVED by Alderman Fitzgerald, seconded by
Alderman Pottie that, as recommended by the Planning
Committee, a date be set for a public hearing to consider
an application for a development agreement to enable
subdivision of 5809 Bilby Street into a lot of 1220 sq. ft.
for single-family dwelling purposes (lands of M. Ann
Crosby), as shown on Plan P200/18923 of Case 6532.

Motion carried.

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

**Case No. 6489: Application Stages I and II Approvals
- Development Agreement for Lots K-17 and K-22,
Phase 2B, Rockingham Ridge**

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

MOVED by Alderman Jeffrey, seconded by Alderman Macdonald that, as recommended by the Planning Committee, a public hearing date be scheduled to consider:

- (1) an application for concurrent Stage I and Stage II development agreements for Lot K-17 to permit construction of a 19-unit townhouse, as shown on Plans P200/18817-18819 inclusive of Case No. 6489; and
- (2) an application for concurrent Stage I and Stage II development agreements for Lot K-22 to permit construction of a 32-unit apartment building, as shown on Plans No. P200/18813-16 inclusive, and Plan No. P200/189931 of Case No. 6489.

Motion carried.

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

Council then continued with its regular agenda items as follows:

**Public Hearing: Case No. 6335: Appeal of Minor Variance -
1669-71 Larch Street**

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

A staff report dated 19 May 1992 was submitted.

Mr. Boyd Algee, Development Officer, addressed Council and, using diagrams, outlined the reasons why the application for a minor variance of the lot frontage, lot area and side yard requirements to permit conversion of the existing duplex to a three unit apartment building at

Public Hearings
17 June 1992

1669-71 Larch Street was refused (as contained in the 19 May 1992 staff report).

Mr. Algee responded to questions of Council.

Mr. Sean Maddox, the applicant, addressed Council and, referring to the diagram on the overhead monitor, noted that the house to the left of his property had the third unit dormers which were built prior to the decrease in the requirements. As well, he noted that the house to the right also had third level dormers and in this regard, Mr. Maddox suggested that an addition of dormers on his property would in no way affect the surrounding houses.

Mr. Maddox pointed out that the area around Larch Street, Preston Street, and the whole university area contained many converted duplexes and triplexes. He added that, prior to purchasing the property, he was informed by City staff that he would not have any difficulty in turning the attic of his property into a third unit containing two to three bedrooms. Mr. Maddox pointed out that, since this time, there has been some debate as to whether he specified that his proposal included dormers.

In concluding his remarks, Mr. Maddox questioned staff's comment that only eight of 30 properties in the immediate area were of sufficient size to permit an addition and conversion to three units, noting that the properties in his area were all basically three unit dwellings.

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

A letter in opposition was submitted by Mr. Winston Alexander and Ms. Jill Elinor Alexander, residents of 1674 Preston Street, Halifax, NS, B3N 3V3.

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

Motion carried.

Public Hearing: Case No. 6497: Appeal of Minor Variance Approval - 6180 Oakland Road

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

Public Hearings
17 June 1992

A staff report dated 11 May 1992 was submitted.

Mr. Boyd Algee, Development Officer, addressed Council and, using diagrams, outlined the application for a minor variance to permit construction of an 11 ft. by 22 ft. two storey addition on the east side of the existing single family dwelling at 6180 Oakland Road (as contained in the 11 May 1992 staff report).

Mr. Algee noted that staff approved the application on 16 April 1992, however, the decision has been appealed by the abutting property owner at 6174 Oakland Road.

Mr. Harry Paton, property owner of 6174 Oakland Road, addressed Council and noted that he was in opposition to the granting of this minor variance.

In his presentation, Mr. Paton noted that, if approved, the sideyard requirement would be reduced by one third and in his view he did not believe that this was minor. He pointed out that the property in question has 57 ft. on the opposite side which is available for building.

Mr. Paton advised that when he built his home 27 years ago, he did so by leaving a sideyard of one half foot more than was required. He pointed out that he was very concerned that the proposed addition would affect his property by diminishing the amount of light in his den.

Mr. Paton advised that the neighbourhood consisted of large, stately homes and he added that if Council permitted this variance it would allow properties to be squeezed together. He suggested that this, in turn, would devalue the properties. Mr. Paton added that his property was built in compliance of the City's bylaws and with the assumption that all property owners would be observing the bylaws. He indicated that a couple of inches would not bother him but a one third reduction was too much. Mr. Paton also pointed out that if the property was subdivided, it would be required to be 5 ft. from the sideline and he suggested that this would be better than 4 ft. from the sideline.

In conclusion, Mr. Paton advised that he did not have a problem with the proposed extension to the back of the home but he was very concerned that the amount of light in his den would be reduced. As well, he advised that he

Public Hearings
17 June 1992

was concerned his property value would decrease. He added that it was beholding of City Council to protect the neighbourhood and he requested that the application be refused.

Mr. Gordon Hebb addressed Council and advised that he and his wife, Ms. Mary Ellen Donovan, were the property owners of 6180 Oakland Road and the applicants of this proposal.

Prior to beginning his presentation, Mr. Hebb noted that his property has the potential to be subdivided into two lots, however, he added that he and his wife intend to stay at this location for a long time and have no plans to subdivide the property.

In outlining his reason for the application, Mr. Hebb presented photographs of the house and advised that the house had been constructed in such a way that the upstairs was relatively small in comparison to the downstairs. He noted that the upstairs has three bedrooms, one of which was quite small and only suitable for one person. He pointed out that he and his wife have four children and now find that an additional bedroom is necessary.

Mr. Hebb advised that the proposed addition would accommodate a bedroom upstairs, a den below the bedroom, and an enlarged eating area in the kitchen with a mudroom off the kitchen. Mr. Hebb then elaborated on the dimensions of the proposal, correcting a comment in the staff report by advising that the proposed addition was really in two parts. He advised that one part of the addition was an 11 ft. x 5 ft. addition, starting 23 ft. back from the front of the building and would be one story. Mr. Hebb added that the second part was a two story addition, immediately behind the first part and would be 11 ft. x 17 ft. To further illustrate this point, Mr. Hebb circulated and submitted a diagram of the proposed additions (a copy of which may be found in the official file of this meeting).

Mr. Hebb advised that there were three reasons he was proposing to add to the east side of the building rather than the west side. He advised the first reason was that, due to the internal layout of the house, an addition to the west would be 50 percent more expensive than adding to the east. Secondly, he advised that, aesthetically, adding to the west side would change the entire look of the

Public Hearings
17 June 1992

house, whereas an addition to the east side would not change the look of the house dramatically and it would not be readily visible from the street. Mr. Hebb added that the third reason for adding to the east side was because an addition to the west side would prevent the property from ever being subdivided. He indicated that, although he does not intend to subdivide the property, removing the ability to subdivide the lot would reduce its value.

Mr. Hebb pointed out that the additional two feet he was requesting in his application was necessary in order to have sufficient space for the proposed bedroom and to have a room below of acceptable size.

On a point of information, Mr. Hebb noted that if the lot were subdivided into two lots, then only a one foot variance or less would be required.

With respect to the affect on the neighbourhood of his proposal, Mr. Hebb advised that the addition would be set back a substantial distance from the street and it would not be visible except if one was viewing it directly. He added that the appearance of wide open space on Oakland road would be unaffected. As well, he pointed out that his house was probably the smallest on Oakland Road and the proposed addition would make the house more in keeping with others in the neighbourhood.

Referring to Mr. Paton's concern about the reduction of light in his den, Mr. Hebb referred to his diagram and advised that the window of his den will not have the addition built directly opposite to it. He added that the addition will begin one foot to the south of the window. As well, Mr. Hebb noted that the first five feet of the addition was one story and he pointed out that Mr. Hebb's den was over his garage and the actual roof level of the first five feet of his proposed addition will not be above Mr. Paton's window sill of his den. He advised that there will be nothing to block his light in any way until one gets six feet beyond the window.

In concluding his presentation, Mr. Hebb illustrated the impact on the surrounding area of his proposal using additional photographs and a scale model of the proposal.

Ms. Nancy Vanstone, a resident of 6169 Oakland Road, addressed Council and indicated that she was in support of Mr. Hebb's proposal. Ms. Vanstone advised

Public Hearings
17 June 1992

that, in her opinion, the proposal would enhance the neighbourhood and she added that the financial commitment the applicants are prepared to make shows they are committed to the stability of the neighbourhood.

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.

HERITAGE HEARING: 5945 Spring Garden Road

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

A supplementary staff report dated 15 June 1992 was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and, using photographs, outlined the application to register 5945 Spring Garden Road as a heritage property, as outlined in the staff report dated 15 June 1992.

Mr. Norris noted that the owner of the property, Dr. Bruce Filliter, has agreed to the proposed registration.

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

Motion carried.

HERITAGE HEARING: 5567 Morris Street

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

A supplementary staff report dated 15 June 1992 was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and, using photographs, outlined the application to register 5567 Morris Street as a heritage property as outlined in the staff report date 15 June 1992.

Public Hearings
17 June 1992

Mr. Norris advised that it is not known at this time whether the owner, Mr. Gus Mandros, objects to the proposed registration.

Alderman Jeffrey suggested that, prior to Council granting approval of this matter, it would be appropriate for staff to contact Mr. Mandros and find out if he was in agreement to the proposed registration, to which Council agreed.

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

Motion carried.

Alderman Jeffrey requested that staff ask Mr. Mandros to forward a letter with respect to his view on this matter.

HERITAGE HEARING: 2140 Brunswick Street

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

A staff report dated 15 June 1992 was submitted.

Mr. Dan Norris, Heritage Planner, addressed Council and, using photographs, reviewed the application to register 2140 Brunswick Street as a heritage property as outlined in the staff report of 15 June 1992.

Mr. Norris advised that the property owners, Stephen Osler and Gay Hauser, have requested the registration.

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

Motion carried.

HERITAGE HEARING: 1029 Tower Road

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

A staff report dated 15 June 1992 was submitted.

Public Hearings
17 June 1992

Mr. Dan Norris, Heritage Planner, addressed Council and, using photographs, reviewed the application to register 1029 Tower Road as a heritage property as outlined in the staff report of 15 June 1992.

Mr. Norris advised that he spoke with the property owners today and they have indicated they support the registration.

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

Alderman Jeffrey requested that staff contact the property owners and ask that they submit a letter to Council advising that they support the proposed registration.

Alderman Holland noted that he spoke with the property owners and they are very much in favour of the registration.

Motion carried.

**Public Hearing: Case No. 6479: Development Agreement -
6196 Oakland Road**

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

Mr. Gary Porter, Planner, addressed Council and, using diagrams, outlined the application by Ms. Nancy Vanstone to allow an addition to the building at 6196 Oakland Road, as contained in the 6 May 1992 staff report.

Mr. Daniel Gallivan addressed Council and advised that his wife, Ms. Nancy Vanstone, was the applicant and he would be speaking on her behalf.

Mr. Gallivan pointed out that, at a meeting of the Committee of the Whole Council on May 20, 1992, City Council approved an amendment to the staff recommendation relating to the setback requirements. Mr. Gallivan added that his understanding of the matter was that, a unanimous resolution of the Committee of the Whole dealt with this issue, and that it was not an issue at tonight's hearing. He indicated that if he was incorrect in this assumption, then he was prepared to address the matter in detail.

Public Hearings
17 June 1992

Mr. Gallivan advised that the staff report concludes the proposed addition would be compatible with existing building design and it would benefit the neighbourhood in terms of enhanced property values. He added that letters in support on his application from adjacent property owners at 6180 Oakland Road and 6200 Oakland Road confirming they do not object were filed at a previous meeting.

In view of staff's recommendation as amended and with the support of the adjacent neighbours, Mr. Gallivan requested Council's favourable consideration of his application.

Mr. Harry Paton, a resident of 6174 Oakland Road, addressed Council and spoke in opposition to the proposal.

Mr. Paton advised that the application would perpetuate a nonconforming use and he suggested that, in the future, it could quite possibly become a two unit building. Mr. Paton noted that the application does not comply with the sideyard requirements and he advised that, if approval is granted, it should be granted subject to the application complying with the bylaw.

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

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that 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.

At 8:45 Alderman Fitzgerald retired from the meeting.

Public Hearing: Case No. 6431: Plan Amendment Request - 3763-71 Dutch Village Road

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

Mr. Marcus Garnet, Planner, addressed Council and, using diagrams, outlined the application by Mr.

Public Hearings
17 June 1992

Anthony Gossen to amend the Fairview Secondary Planning Strategy and land use bylaw for the property located at 3763-71 Dutch Village Road for the purpose of redesignating the two lots from Medium-Density Residential to Minor Commercial, and rezone from R-2 (General Residential) to C-2A (Minor Commercial) as contained in the 28 January 1992 staff report.

In concluding his remarks, Mr. Garnet advised that staff were recommending refusal of this application.

Mr. Anthony Gossen, the applicant, addressed Council and, using diagrams and photographs, outlined his proposal. Noting that the entire area along the west side of Joseph Howe Drive, from Bayers Road to Dutch Village was commercial with the exception of his lot of land, Mr. Gossen advised that he wished to consolidate the two lots in question and construct an office building. He indicated that his proposal would be in keeping with the other properties along Joseph Howe Drive.

Mr. Gossen pointed out that he understood the concern about the Fairview Secondary Planning Strategy, however, he questioned whether he was really a part of the Fairview area since his property was governed by the Peninsula bylaws. He noted that, even prior to annexation, this area was not considered a part of Fairview.

Mr. Gossen referred to a comment in the staff report which stated that on Joseph Howe Drive there was a visual separation between the land in question and the lot adjacent to his in such a way that the other lot was elevated. Referring to a photograph on the overhead monitor, Mr. Gossen advised that this was not so, suggesting that the lot was almost level with Joseph Howe Drive.

On another point, Mr. Gossen noted that staff were concerned about access to the property. To alleviate the situation, Mr. Gossen advised that he was proposing to have two driveways on Dutch Village Road. Further to this, Mr. Gossen pointed out that the type of business which would occupy his building, such as an engineering firm or mortgage broker, would not result in a constant flow of traffic. He suggested that a residential use on the property would, in fact, result in more traffic than his proposed commercial use.

Public Hearings
17 June 1992

Mr. Gossen noted that, according to engineers he has spoken with, the building that could presently be put on the lot could be larger than the one he is proposing. He suggested, therefore, it would be in everyone's best interest to have the lot zoned minor commercial and permit his development.

In concluding his remarks, Mr. Gossen submitted a letter in support of his application from the following property owners immediately adjacent to his property: Mr. Steven J. Metlege, 3749 Dutch Village Road; Ms. Mona Metlege, 3753 Dutch Village Road; and Colin Bancroft, 3677/75 Percy Street.

Mr. Gossen responded to questions from Council.

In response to a question by Alderman Jeffrey, Mr. Gossen advised that he anticipated having no more than three offices in his building and he pointed out that the building was designed in such a way that he would not be requesting a minor variance.

Mrs. Patricia Robertson, a resident of 3663 Percy Street addressed Council and spoke in opposition to the proposal.

Prior to her presentation, Mrs. Robertson noted that two of the signatures Mr. Gossen has in support of his application were developers and all three were non residents of the area. Additionally, she advised that Mr. Colin Bankcroft, one of the signatories, has full intentions of moving out of the area.

In her remarks, Mrs. Robertson expressed concern that she was once again before Council to plead against another proposed rezoning of this area. Noting that the Planning Advisory Committee has stated reasons for refusing the proposal and that the people of Fairview have fought long and hard to prevent further activity such as this, Mrs. Robertson questioned why Council was still entertaining these kinds of proposals.

Referring specifically to the proposal, Mrs. Robertson indicated that the traffic situation was hazardous in this location and the proposed commercial building would only add to the hazard. Mrs. Robertson added that, as well, for Council to approve the structure, it would indicate that the wishes and rights of the residents were being denied in favour of developers. She

Public Hearings
17 June 1992

pointed out that the developer knew when he purchased the property that it was not zoned for commercial use.

On another point, Mrs. Robertson advised that many developers start with good intentions regarding the buildings they construct, however, they become disastrous additions to the neighbourhood when the business venture is not successful and the business is sold. She indicated that the Fairview area has many instances of this situation occurring and the neighbours believe that the same situation will happen with Mr. Gossen's proposal.

In concluding her remarks, Mrs. Robertson advised that it was time that Council made developers adhere to the zoning regulations and let the people feel they have some influence over what happens to their neighbourhood.

Mr. John Etter, a resident of 16 Frederick Avenue, addressed Council and spoke in opposition to the proposal.

Mr. Etter advised that he attended the Planning Advisory Committee meeting of 24 March 1992 concerning this matter and it now seems to him there was some discrepancy in what Mr. Gossen was proposing at that meeting and what he was proposing tonight. Mr. Etter advised that, at the PAC meeting, Mr. Gossen indicated his proposed building would house 12 doctors offices, whereas, today he was suggesting something different.

On another point, Mr. Etter noted that the area in question was heavily travelled, pointing out that it was the outlet for the traffic of Fairview to the Mainland, and it was the partial outlet for the traffic of the Clayton Park area to the Mainland.

Mr. Etter referred to Mr. Gossen's comment disputing the point that there was a difference in the terrain between his lot and the adjacent lot and advised that, in his view, staff was correct on the matter. He added that there is a visual difference in the terrain between the properties, advising that the lot was raised. In conclusion, Mr. Etter indicated that he strongly supported Mrs. Robertson's presentation on the matter.

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

Public Hearings
17 June 1992

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

Noting that there were discrepancies raised on this matter, the Chairman requested that staff address these and provide further clarification to Council prior to the next regular meeting of City Council.

Motion carried.

Public Hearing: Case No. 6432: Plan Amendment Request -
9 Rosedale Avenue

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

Mr. Marcus Garnet, Planner, addressed Council and, using diagrams, outlined the application by Mr. Mayez Khoury for an amendment to the Fairview Secondary Plan and land use bylaw (Mainland Portion) to permit the construction of two four-unit apartment buildings.

In concluding his presentation, Mr. Garnet advised that staff was recommending refusal of this application.

Mr. Mayez Khoury, the applicant, addressed Council and indicated that the purpose of his application was to make the lot more viable. He added that his proposal would not bring him any more revenue than if he used the property to rent two duplexes. However, He advised that, given the present state of the economy, it was very difficult to rent a three bedroom home, and he suggested that his proposal would be more economically viable.

Mr. Khoury suggested that, in light of the fact that the property was surrounded by three and four unit and larger apartment buildings, he felt that his application would be in keeping with the neighbourhood.

Mr. Khoury also pointed out that his application would not devalue other properties, advising that a parking lot was directly across the street as well as behind his property and, on either side of the lot, there was a three unit and a four unit apartment building.

Public Hearings
17 June 1992

Mr. John Etter, a resident of 16 Frederick Street, addressed Council and spoke in opposition to the proposed application.

Mr. Etter began his presentation by noting that staff and the Planning Advisory Committee recommended refusal of this application. Mr. Etter advised that, if approved, the application will set a precedent with respect to widening the demarcation zone of Frederick Avenue, Rufus Avenue, Ashdale Avenue, Main Avenue, etc. and other developers could use the same argument. Also, Mr. Etter advised that, if approved, it would mean the first four buildings on Rosedale Avenue would be apartment buildings.

Mr. Etter noted that he has lived in Fairview for 32 years and, in a recent drive through the area, he counted the number of apartment buildings which were constructed after annexation. He advised that the results illustrated to him that the construction of apartment buildings has steadily increased.

In conclusion, Mr. Etter advised that he and the residents of Fairview do not want more apartment buildings and he requested that Council follow the Fairview Secondary Planning Strategy and refuse the application.

Mr. Thomas Manuel, a resident of 11 Central Avenue, addressed Council and spoke briefly in opposition to the proposal and he requested that Council refuse the application.

Mr. Cyril Patford, a resident of 23 Main Avenue, addressed Council and spoke in opposition to the proposed application.

In his remarks, Mr. Patford advised that, when he moved to Halifax six years ago, he chose to live in Fairview because the area appealed to him. He indicated that since he has moved to the area, the number of apartment buildings has increased to the point where he felt the situation was getting out of control.

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

The following correspondence in opposition to the application was submitted:

Public Hearings
17 June 1992

A letter received in the City Clerk's Office on 8 June 1992 from Mr. Roy Manuel, 11 Central Avenue, Halifax, NS.

A letter received in the City Clerk's Office on 3 June 1992 from Ms. Millie Manuel, a resident of 11 Central Avenue, Halifax, NS.

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

Motion carried.

There being no further business to discuss, the meeting adjourned at 9:45 p.m.

ALDERMAN RONALD HANSON
CHAIRMAN

Edward A. Kerr, CMC
City Clerk

/sm

HEADLINES

ADDED ITEMS:

Encroachment License - Civic No. 126
Rosedale Avenue 476
Solid Waste Disposal - Mediation 476
Award of Tender 92-05: Sidewalk Renewals 477
Report from Planning Advisory Committee Re:
Case No. 6451 - Possible Plan and Bylaw Amendment
Titus Smith School 478
Case No. 6532: Development Agreement - 2858
Agricola Street and 5809 Bilby Street 478
Case No. 6489: Application Stages I and II
Approvals - Development Agreement for Lots
K-17 and K-22, Phase 2B, Rockingham Ridge 479

PUBLIC HEARINGS:

Public Hearing: Case No. 6335: Appeal of Minor
Variance - 1669-71 Larch Street 479
Public Hearing: Case No. 6497: Appeal of Minor
Variance Approval - 6180 Oakland Road 479

**Public Hearings
17 June 1992**

Heritage Hearing: 5945 Spring Garden Road	484
Heritage Hearing: 5567 Morris Street	484
Heritage Hearing: 2140 Brunswick Street	485
Heritage Hearing: 1029 Tower Road	485
Public Hearing: Case No. 6479 Development	
Agreement - 6196 Oakland Road	486
Public Hearing: Case No. 6431: Plan Amendment	
Request - 3763-71 Dutch Village Road	487
Public Hearing: Case No. 6432: Plan Amendment	
Request - 9 Rosedale Avenue	491

HALIFAX CITY COUNCIL MINUTES

Council Chamber
Halifax City Hall
25 June 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: Her Worship Mayor Moira Ducharme, Chairman; Deputy Mayor Stone; and Aldermen Holland, Fitzgerald, Downey, Meagher, O'Malley, Pottie, Adams, Hanson, Jeffrey, and Crowley.

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

MINUTES

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that the minutes of the special meeting of City Council held on 3 June 1992 and of the regular Council meeting held on 11 June 1992 be approved.

Motion carried.

ADDITIONS/DELETIONS

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

- 20.1 Award of Tender #92-45, Streets Upgrading - Resurfacing, Part II
- 20.2 Price Agreement #912255 - Manhole Frames and Covers
- 20.3 Cat Control (Alderman O'Malley)

The City Clerk suggested that, due to a difficulty with a quorum, items 5.4 and 5.5 (plan amendment requests) be deferred to the next regular meeting of City Council to be held on **16 July 1992**, but it was agreed that the items be left on the agenda to be dealt with at that time.

At the request of Deputy Mayor Stone, Council agreed to defer:

11.1 Mainland North Traffic

Deputy Mayor Stone, in deferring this item, advised that this matter was an important one. However, he noted that Alderman Macdonald, who was unable to attend this meeting, would like to have the opportunity to speak on the item. It was therefore MOVED by Deputy Mayor Stone, seconded by Alderman Pottie that this matter be deferred to the Special City Council meeting to be held on 8 July 1992.

Motion passed.

DEFERRED ITEMS

Case No. 6335: Appeal of Minor Variance Refusal -
1669-71 Larch Street

A public hearing with respect to this matter was held on 17 June 1992.

Alderman Fitzgerald addressed the item and noted that the Peninsula Centre Secondary Planning Strategy contained various regulations with regard to building regulations such as regulations pertaining to lot frontage requirements. Alderman Fitzgerald expressed the view that to make any allowances to allow additional units on this small piece of land would deter from the neighbourhood and detract from the community.

Alderman Fitzgerald noted that letters had been received and recorded at the public hearing in opposition to this matter.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that the appeal of minor variance refusal with respect to the lot frontage, lot area and side yard requirements to permit conversion of the existing duplex to a three unit apartment building at 1669-71 Larch Street be **denied** and the decision of the Development Officer to refuse the application be upheld.

The City Clerk recorded that Deputy Mayor Stone, and Aldermen Meagher, O'Malley, and Crowley were not in attendance at the public hearing on this matter and were therefore not eligible to participate in the vote.

Motion passed with Deputy Mayor Stone and Aldermen Meagher, O'Malley, and Crowley abstaining.

**CITY COUNCIL
25 JUNE 1992**

**Case No. 6497: Appeal of Minor Variance Approval -
6180 Oakland Road**

A public hearing with respect to this matter was held on 17 June 1992.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that the appeal of minor variance approval with respect to 6180 Oakland Road be refused and the decision of the Development Officer to approve the application be upheld.

The City Clerk recorded that Deputy Mayor Stone, and Aldermen Meagher, O'Malley, and Crowley were not in attendance at the public hearing on this matter and were therefore not eligible to participate in the vote.

Motion passed with Deputy Mayor Stone and Aldermen Meagher, O'Malley, and Crowley abstaining.

Heritage Hearings: 5945 Spring Garden Road; 5567 Morris Street; 2140 Brunswick Street; 1029 Tower Road

Heritage hearings in respect of the above noted properties were held on 17 June 1992.

MOVED by Alderman Holland, seconded by Alderman Downey that the following properties be registered as Registered Heritage Properties:

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

The City Clerk recorded that Deputy Mayor Stone, and Aldermen Meagher, O'Malley, and Crowley were not in attendance at the public hearing on this matter and were therefore not eligible to participate in the vote.

Motion passed with Deputy Mayor Stone and Aldermen Meagher, O'Malley, and Crowley abstaining.

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

A public hearing with respect to the above matter was held on 17 June 1992.

**CITY COUNCIL
25 JUNE 1992**

An information report dated 23 June 1992 was submitted.

During the setting of the agenda, the City Clerk suggested that, due to a difficulty with a quorum, this item be deferred to the next regular meeting of City Council to be held on **16 July 1992**.

Alderman Jeffrey addressed the matter and indicated that he had some questions that he would like addressed by staff in a written report by the next regular meeting of City Council. With respect to the property at 3763-71 Dutch Village Road, Alderman Jeffrey indicated that it was his opinion and the opinion of the developer that this property consisted of two lots. The Alderman advised that he would like to know what would be permitted as of right on both of these lots.

Alderman Jeffrey also questioned, if the plan amendment was approved by Council and the property was zoned C-2, what uses would be accommodated as of right. Noting that the developer wants to build an office building on the property, Alderman Jeffrey questioned whether a contract agreement could stipulate that only the office building would be accommodated.

Alderman Jeffrey further questioned if the entrance to the proposed development could be accommodated only from the Joseph Howe Drive with no exits onto Dutch Village Road. The Alderman went on to advise that, next door to the property in question, there were two units. He noted that one of the units was presently being finalized and that the other one was approved a year or two ago. Alderman Jeffrey noted that both properties were single family dwellings and that, as of right, the City issued permits to build in the back of these single family dwellings (three units on one and four units on another). Expressing his opposition to this, Alderman Jeffrey questioned if the same thing could happen to the lot in question. The Alderman requested a written report in response to these questions.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that this matter be deferred to the next regular meeting of City Council to be held on 16 July 1992.

Motion passed.

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

A public hearing with respect to the above matter was held on 17 June 1992.

**CITY COUNCIL
25 JUNE 1992**

During the setting of the agenda, the City Clerk suggested that, due to a difficulty with a quorum, this item be deferred to the next regular meeting of City Council to be held on 16 July 1992.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that this matter be deferred to the next regular meeting of City Council to be held on 16 July 1992.

Motion passed.

PETITIONS AND DELEGATIONS

**Petition Alderman Adams Re: Lyons Avenue
Proposed Local Improvements**

Alderman Adams submitted a petition, in the form of a letter, dated 12 June 1992 containing 23 signatures of residents concerning proposed local improvements to Lyons Avenue.

**Petition Alderman Adams Re: The Relocation of the Common
Taxi Stand on Agricola Street**

Alderman Adams submitted a petition consisting of approximately 282 signatures of owners and operators of the Halifax Taxi Industry opposed to the suggested relocation of the common taxi stand at 2733 Agricola Street.

Petition Alderman Crowley Re: Flinn Park

Alderman Crowley submitted a petition dated 12 June 1992, in the form of a letter, from the residents on Roosevelt Drive regarding the entrance to the Flinn Park and the request for some flowers to the entrance of the Park. The Alderman also displayed pictures to Council at this time illustrating the entrance to the park.

Alderman Crowley asked that staff consider this request.

**Petition Deputy Mayor Stone Re:
Widening of the Bedford Highway**

Deputy Mayor Stone submitted an addition (containing approximately 150 signatures) to a petition previously submitted by the Rockingham Community Coalition with regard to the proposed widening of the Bedford Highway.

**CITY COUNCIL
25 JUNE 1992**

Payment of Account - Municipality of Argyle

This matter was forwarded to Council without recommendation pending receipt of a further staff report in response to the questions raised by Alderman O'Malley at the City Council meeting held on 11 June 1992.

An information report dated 25 June 1992 was submitted.

Alderman O'Malley addressed the matter and indicated that she could not recall agreeing to this amount and expressed her discomfort with the process. The Alderman indicated that it was her hope that there would not be any future financial commitments of this nature that have not been formally approved by City Council.

Following a short discussion, it was MOVED by Alderman Hanson, seconded by Alderman Downey that Council authorize the payment of \$94,936 for the cost of the study of landfill options available in the Municipality of Argyle as the agreed City contribution, plus applicable G.S.T.

Motion passed.

Draft Bill - An Act to Enable the Municipalities of the County of Halifax, Town of Bedford, City of Dartmouth and City of Halifax to Regulate Certain Aspects of the Collection and Disposal of Solid Waste

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Stone that, as recommended by the Finance and Executive Committee, City Council support the draft bill as attached to the staff report of 3 June 1992.

Motion passed.

Case No. 5962: Encroachment License - Purdy's Wharf Development

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, City Council approve a permanent encroachment of 1,285 sq. ft. under the loop roadway at Purdy's Wharf Development, Upper Water Street, as provided in the agreement attached to the staff report of 5 June 1992.

Motion passed.

**CITY COUNCIL
25 JUNE 1992**

Junk Dealer's Ordinance - Request for Amendment

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Ordinance No. 17 Respecting Junk Dealers be amended as shown in Appendix "A" in the staff report of 8 June 1992 to include definition of "Recycling Depot," "Junk Yard," and "Junk Dealer" and to apply the reporting requirements of the Ordinance to only junk dealers.

Motion passed.

Saint Mary's Boat Club

An information report dated 19 June 1992 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the policy respecting the rental of the Saint Mary's Boat Club property, attached as Appendix "A" to the staff report of 5 June 1992, be approved by City Council for the 1992 summer season and that staff closely monitor the policy during the summer season and report the results to City Council.

Alderman Pottie addressed the matter and noted that he had asked a question at the last Committee of the Whole Council meeting concerning the possibility of Council requiring that the party who would engage a special occasion liquor license for the St. Mary's Boat Club be required to engage an off-duty police officer during the event. Referring to the information report of June 19th, the Alderman noted that the Halifax Police Department Policy on Extra Duty Employment states that they are not allowed to work in a liquor establishment where liquor is sold and/or dispersed for consumption but could be employed outside the liquor establishment. Alderman Pottie advised that for safety reasons, he would like to amend the motion to require that the renter be required to engage the services of an off-duty Halifax City Policeman during the event.

MOVED in amendment by Alderman Pottie, seconded by Alderman Fitzgerald that the motion be amended to add the words "and, further, that the individuals renting the facility and acquiring a special occasion liquor license be required to engage an off-duty policeman for such events, in accordance with the Halifax Police Department Policy.

Following a debate, the amendment was put and defeated.

The main motion was put and passed.

**CITY COUNCIL
25 JUNE 1992**

COMMITTEE ON WORKS

Council considered the report of the Committee on Works from its meeting held on 17 June 1992 as follows:

Mainland North Traffic

During the setting of the agenda, it was MOVED by Deputy Mayor Stone, seconded by Alderman Pottie that this matter be deferred to the Special City Council meeting to be held on 8 July 1992.

Motion passed.

Monastery Lane Street Closure

The following correspondence was received:

- A letter dated 25 June 1992 from Ann Marie Wong, 6253 Allan Street;
- A letter dated 27 May 1992 from Hugh K. Smith, President, FS Industries.

Alderman Meagher addressed the matter and advised that it was his intent to move a motion prohibiting traffic on Monastery Lane from proceeding northbound past Quinpool Centre. Alderman Meagher noted that the neighbours in the area have been requesting a solution to the traffic problems in this area for some time. The Alderman went on to quote the following statement from the letter from Mr. Smith dated May 27th: "If Council wishes to implement a compromise situation, we would support the one outlined in the staff report of 30 January 1992 - being a closure of northbound traffic from Quinpool Centre to Allan Street. I believe that this solution is supported by the residents' group from Allan Street."

Commenting on the numerous discussions with respect to this matter, Alderman Meagher expressed the view that the proposed closure would be an acceptable compromise and make life tolerable for the residents on Allan Street.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that City Council approve the narrowing of Monastery Lane, immediately north of the Quinpool Road Centre access, to provide a physical impediment to the north bound traffic and that staff proceed with detailed design and cost estimates with a view to implementation the summer of 1992.

**CITY COUNCIL
25 JUNE 1992**

Alderman Adams addressed the item and agreed that there was a traffic problem on Monastery Lane. The Alderman went on to refer to an information report from staff with respect to the off-ramp at the Bay Road. Alderman Adams noted that this off-ramp was a temporary structure that was set up to help alleviate the traffic problems on Bay Road during the construction period. He added that this item had been before Council for a number of years and that City Council had worked very hard in reaching a very positive result. Alderman Adams noted that this temporary structure is now permanent because it works. In comparing the situation on Bay Road to the Monastery Lane situation, Alderman Adams suggested that the proposed solution should be tried to see if it is a workable solution.

Before entering the debate, Alderman Pottie noted that at Committee of the Whole it was his understanding that Council could not approve the proposed closure without holding a public hearing.

Mr. Barry S. Allen, Acting City Solicitor, advised that his understanding of what was being proposed was that the motion would regulate the traffic on the street rather than closing it physically.

Alderman Pottie advised that he was concerned about stopping the flow of the traffic on Monastery Lane and expressed the view that it would create a worse problem for the residents on Allan Street because of the number of apartment units in the Monastery Lane area. The Alderman explained that the motion would result in the traffic to and from the apartment buildings in this area being re-diverted onto Allan Street. Alderman Pottie also expressed the concern that a "bottleneck" situation would result if the closure went ahead. The Alderman reiterated the view that the proposed solution would not resolve the problem for the residents on Allan Street.

Alderman Fitzgerald indicated that he could not support the motion noting that he had received calls from the merchants and residents in the area who do not view the proposed closure as a solution to the traffic problem in the area. Alderman Fitzgerald added that staff have reported that it remains their opinion that from a traffic operations view point, based on volume data and accident history, the extent of the traffic problem on Allan Street does not justify the proposed modifications on Monastery Lane.

Alderman Holland also spoke in opposition to the motion expressing the view that the proposed closure would not be a solution to the problem.

**CITY COUNCIL
25 JUNE 1992**

In closing the debate, Alderman Meagher advised that the people who live in the apartment buildings in this area will have access to Monastery Lane down to Quinpool Road and that the appropriate signs will be posted re-directing the traffic if the closure is approved. Alderman Meagher reiterated the view that the proposal should be tried.

The motion was put and passed.

NOTE: Later in the meeting, a Notice of Motion of Reconsideration was given to reconsider this motion at the next meeting of City Council to be held on 16 July 1992.

**Award of Tender #92-22:
Quinpool Road - Tree Well Removals**

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

A Supplementary Information Report, dated 19 June 1992, was submitted.

Indicating that he continues to have concerns about what he views as a considerable outlay of money for this project, it was moved by Alderman Meagher, seconded by Alderman Jeffrey that the matter be deferred to the next meeting of Committee of the Whole Council (scheduled for Wednesday, 8 July 1992) for a further staff report.

The motion to defer was put and passed.

Rosebushes - Dunbrack Street

This matter had been forwarded to Council without recommendation having been brought forward by Alderman Jeffrey during a regular meeting of Halifax City Council ("Question Period") held on Thursday, 11 June 1992.

An Information Report, dated 23 June 1992, was submitted.

Commending staff for their approach to this problem, Alderman Jeffrey asked that every effort be made to have the rosebushes along the Dunbrack Street sidewalks pruned by the end of July.

In this same context, Alderman Jeffrey made reference to the fact that the grass along that section of

**CITY COUNCIL
25 JUNE 1992**

Dunbrack Street located in Ward 9 is badly in need of cutting, adding that even those parts that had been mowed had not been done properly. Alderman Jeffrey compared the condition of this section of Dunbrack Street with that in Ward 12, commenting that residents of Ward 9 feel that **their** part of Dunbrack Street is not given the same care and consideration as that in Ward 12.

Deputy Mayor Stone concurred with Alderman Jeffrey's request that the Dunbrack Street rosebushes must be trimmed as quickly as possible to provide better visibility for pedestrians, and commended staff for their efforts in this regard.

**Traffic Concerns - Bridgeview
Subdivision (Rockingham)**

This matter had been forwarded to Council without recommendation having been brought forward during a regular meeting of Halifax City Council held on Thursday, 11 June 1992.

An Information Report, dated 22 June 1992 and entitled "Pedestrian Safety - Flamingo Drive at Bridgeview Field," was submitted together with a second Information Report of the same date entitled "Speed - Dunbrack Street at Main Avenue."

Deputy Mayor Stone briefly overviewed the contents of the 22 June Information Report pertaining to actions recently taken by staff to enhance pedestrian safety in the area surrounding Bridgeview Field, and commended staff on their prompt response to residents' concerns. In his remarks, the Deputy Mayor emphasized that "No Parking Anytime" signs are proposed for the south side of Flamingo Drive, and that this suggestion has received the support of area residents.

It was noted that a report with regard to the feasibility of fencing on the road side of Bridgeview Field has yet to be submitted from Parks and Grounds/Recreation Department.

Alderman Jeffrey made reference to the contents of the second Information Report ("Speed - Dunbrack Street at Main Avenue") and emphasized that, based on the number of complaints he has received over the past several months from residents of Main Avenue, he felt that "No Right Turn on Red Light" signs should be erected at the intersection of Dunbrack and Main as well as at Main and Titus. The Alderman therefore asked that the City Traffic Authority review the feasibility of this proposal and submit a report

**CITY COUNCIL
25 JUNE 1992**

prior to the next regular meeting of Committee of the Whole Council **scheduled for WEDNESDAY, 8 JULY 1992.**

Alderman Jeffrey went on to recommend that, in the interests of protecting the City's children, Council should make every effort to have the Provincial Motor Vehicle Act amended so that the speed limits in those areas surrounding playgrounds and other recreational facilities is reduced from 50 kph to a maximum of 30 kph.

Truck Routes - Possible Amendments

This matter had been forwarded to Council without recommendation having been brought forward by Alderman Jeffrey during a regular meeting ("Question Period") of Halifax City Council held on Thursday, 11 June 1992.

With reference to the 16 June Information Report previously received, Alderman Jeffrey drew attention to the fact that, under the provisions of the present "Truck Route" Ordinance, trucks cannot be parked for more than two hours at a time on a City street. While concurring with the objective of this provision, the Alderman questioned whether, in fact, this section of the Ordinance is being enforced.

On another but related matter, Alderman Jeffrey expressed the hope that staff will do everything possible to expedite the preparation of an amendment to the Truck Route Ordinance which will more appropriately address the problems created by trucks being parked on residential streets.

9:30 p.m. - Her Worship Mayor Ducharme retires from the meeting, with Deputy Mayor Stone assuming the Chair.

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

**Report from the Halifax Taxi Commission Re:
Taxi Stand - 2733 Agricola Street**

This matter had been referred to the Halifax Taxi Commission for review and recommendation during a regular meeting of Halifax City Council held on Thursday, 14 May 1992.

A report, dated 22 June 1992, was submitted from Alderman Stephen Adams, Chairman of the Taxi Commission.

**CITY COUNCIL
25 JUNE 1992**

Alderman Jeffrey opened the debate by referring to the two alternatives contained in the Commission's report, emphasizing that he would be prepared to support Option 2; namely, that "the Star stand be relocated (and maintained as a four-car common stand) to the west side of Agricola Street, designated as '2' on the diagram attached" to the Commission's 22 June report. The Alderman went on to refer to the Commission's accompanying recommendation that, if the decision is made to move this stand, it will be returned to its original location on the east side of Agricola (adjacent to 2733 Agricola Street) if safety or other concerns develop. Alderman Jeffrey indicated that, while he had no difficulty with the conditions put forward in this regard by the Taxi Commission, it was his opinion that the stand would work smoothly in its new location on the west side of Agricola Street.

Noting that in this instance a motion of Council is unnecessary, Alderman Jeffrey asked that a recommendation be forwarded to the City Traffic Authority in favor of Option 2 as contained in the Taxi Commission's report, with a request that Mr. Kennedy take action in this regard as quickly as possible.

Speaking as Chairman of the Taxi Commission, Alderman Adams emphasized that, given the strong feelings of the taxi industry on the matter of the Star stand, the Commission had been extremely reluctant to make any recommendation concerning its relocation. However, he also pointed out that the Commission tries, whenever possible, to formulate recommendations which will be beneficial to the industry, its passengers and to abutting property owners.

Alderman Adams concluded his remarks by urging the Traffic Authority, before making his final decision in this matter, to determine whether there are any other locations for the Star stand which might prove acceptable and, if so, to discuss those options with members of the Commission.

Alderman O'Malley noted that Option 1 of the Commission's report suggested that an alternative site for the Star stand might be provided on the side of the Bloomfield Centre parking lot. Concurring with Alderman Jeffrey's earlier remarks, the Alderman indicated that she could not support this recommendation, given the fact that parking spaces on this lot are already heavily utilized. Alderman O'Malley also suggested that the flow of taxis on and off the lot might pose certain safety hazards, particularly given the large number of buses that frequently visit the Centre.

**CITY COUNCIL
25 JUNE 1992**

Alderman Downey expressed concern that efforts are continuing to have the Star stand relocated. In his remarks, the Alderman pointed out that, two years ago, when the issue was first brought to the Taxi Commission, members recommended **against** moving the stand because of its importance to the local taxi industry. Alderman Downey emphasized that taxi operators remain opposed to **any** relocation of this stand, a fact, he suggested, was evident from the number of signatures on the petition previously submitted by Alderman Adams.

In closing the debate, Alderman Jeffrey acknowledged receipt of the petition opposing the relocation of the Star stand, but questioned whether many of the operators were completely cognizant of what they were signing. The Alderman went on to emphasize that if the Star stand is **not** moved, the abutting businesses will find it difficult to survive. In this context, Alderman Jeffrey indicated that, in his opinion, Council must have regard for the City's business owners, particularly in these very difficult economic times. He added that, in a similar situation on Almon Street several years ago, the Traffic Authority had moved to eliminate a taxi stand because of complaints from the owner of an adjacent business. He therefore urged that Mr. Kennedy make a similar decision with regard to the relocation of the Star stand to the west side of Agricola Street.

**Report from the Planning Advisory Committee Re:
Case No. 6240: Peninsula and Mainland Land
Use Bylaws (Amendments)**

A report, dated 22 June 1992, was submitted from Dr. P. Pacey, Chairman of the Planning Advisory Committee.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Planning Advisory Committee, a public hearing date be set to consider the proposed amendments to the Peninsula and Mainland Land Use Bylaws, as outlined in the resolution attached to the report from the PAC dated 22 June 1992.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for 5:00 p.m. on **WEDNESDAY, 22 JULY 1992** in the Council Chamber.

**CITY COUNCIL
25 JUNE 1992**

**Report from the Planning Advisory Committee Re:
Case No. 6518: Peninsula and Mainland Land
Use Bylaws (Amendments)**

A report, dated 22 June 1992, was submitted from Dr. P. Pacey, Chairman of the Planning Advisory Committee.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Planning Advisory Committee, a public hearing date be set to consider the proposed amendments to the Peninsula and Mainland Land Use Bylaws, as outlined in the resolution attached to the report from the PAC dated 22 June 1992.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for 5:00 p.m. on WEDNESDAY, 22 JULY 1992 in the Council Chamber.

REPORT - PLANNING COMMITTEE

Council considered the report of the Planning Committee from its meeting held on Wednesday, 17 June 1992, as follows:

100 Leiblin Drive

This matter had been forwarded to Council without recommendation from the Planning Committee meeting of 17 June 1992.

A memorandum, dated 24 June 24, 1992, was submitted from Alderman Stephen Adams.

Alderman Adams noted that the problems surrounding the non-conforming use at 100 Leiblin Drive are of some long-standing, pointing to the presentation made to the 17 June meeting of the Planning Committee by a resident of Leiblin Park (Mr. Daniel Paul) as evidence of the hardships endured by area residents.

The Alderman went on to make reference to a staff report dated 31 January 1992 and submitted extracts from that report (marked as "Appendix A") pertaining to the possible costs to the City of Halifax of acquiring the property located at 100 Leiblin Drive. Having briefly overviewed that extract, Alderman Adams emphasized that, through the acquisition of that property, the City has what he termed "an excellent opportunity" not only to expand the existing Graves-Oakley Park and to stabilize land values,

**CITY COUNCIL
25 JUNE 1992**

but also to resolve once and for all the difficulties that area residents have been forced to endure for the last several years.

It was therefore moved by Alderman Adams, seconded by Alderman Jeffrey that City staff be directed to acquire 100 Leiblin Drive for Industrial Park at a value of approximately \$100,000, and other City property equivalent to \$140,000.

Responding to concerns raised by Alderman Pottie regarding Alderman Adams' motion, the City Manager indicated that this proposal should more appropriately be forwarded to staff for review and comment from the perspective of whether the necessary funding for this land acquisition is available, whether the proposed purchase price is indeed accurate, whether, in fact, the Recreation Department concurs with the necessity for additional recreational space in this area of the City, and whether there are avenues, other than land acquisition, that could be explored in order to resolve this problem.

Based on the City Manager's remarks, it was moved by Alderman Pottie, seconded by Alderman Holland that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for Wednesday, 8 July 1992), pending receipt of further information from staff.

The motion was put and resulted in a tie vote. The Chairman broke the tie by voting against the proposed deferral.

A debate ensued during which Alderman Fitzgerald concurred with comments made previously by Alderman Pottie in that the City cannot always afford to "buy away its problems." Having said that, however, the Alderman acknowledged that Council must take some kind of action to resolve the difficulties resulting from the use at 100 Leiblin Drive, and strongly recommended that the City Manager be instructed to prepare a report on this matter for the 8 July Committee of the Whole meeting.

After some further discussion, it was moved by Alderman Adams, seconded by Alderman Jeffrey that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for WEDNESDAY, 8 JULY 1992), pending receipt of a report from the City Manager concerning the proposal for land acquisition previously put forward by Alderman Adams.

The motion to defer was put and passed.

CITY COUNCIL
25 JUNE 1992

Case No. 6463: Proposed Amendments to Municipal
Development Plan and Land Use Bylaw --
Development on Private Roads

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, Case No. 6463, respecting proposed amendments to the Municipal Development Plan and Land Use Bylaw (Development on Private Roads), be forwarded to the Planning Advisory Committee for review and recommendation.

In putting this motion forward, Alderman Hanson asked that the PAC make a special effort to deal with this matter as quickly as possible.

The motion was put and passed.

Property at 2100 Brunswick Street and
Portland Place (Kidston Glass Co. Ltd.)

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, Council direct staff to proceed with the tasks outlined in the 11 June 1992 staff report with regard to the property at 2100 Brunswick Street and Portland Place (Kidston Glass Co. Ltd.) and to report back at the earliest possible date, no later than two months' time.

The motion was put and passed.

Land Use Bylaw Amendment (Peninsula)
- Section 43E(a)

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Planning Committee, the staff report, dated 11 June 1992 with reference to Case No. 6539 (Proposed Amendment to Section 43E(a) of the Land Use Bylaw) be tabled for Council's consideration during the public hearing scheduled for 8 July 1992.

The motion was put and passed.

Air Conditioning Unit -
Sobeys Food Village (Windsor Street)

This matter had been recommended for referral to staff for review and report.

**CITY COUNCIL
25 JUNE 1992**

An Information Report, dated 25 June 1992, was submitted.

Alderman Meagher advised that there are actually two areas of concerns with regard to this air conditioning unit, one being the noise it seems to generate on an almost continuous basis and the other being the fact that the unit appears to have been installed at a height greater than what was originally agreed to in the development agreement.

Concurring with Alderman Meagher's remarks, Mr. Michael Hanusiak of the Development and Planning Department advised that a staff report with regard to proposed changes in the development agreement is now being developed for Council's consideration.

It was also noted that, in the Information Report of 25 June, staff have advised that further investigation of the noise level in the immediate vicinity of the Sobeys Windsor Street location is required.

It was therefore moved by Alderman Meagher, seconded by Alderman O'Malley that the matter be deferred, pending receipt of further staff reports.

The motion to defer was put and passed.

QUESTIONS

**Question Alderman Jeffrey Re: Proposed Transfer
- Parks and Grounds Division to Recreation Department**

Responding to a question from Alderman Jeffrey, the City Manager advised that consultants will start work tomorrow on their review of the proposed transfer of the Parks and Grounds Division to the Recreation Department. Mr. Murphy added that this study is expected to take approximately five weeks.

**Question Alderman Jeffrey Re:
Street Lighting - Veronica Drive**

Alderman Jeffrey made reference to a memorandum, dated 22 June 1992, which he had recently received from staff in response to his question (raised during the 11 June City Council meeting) concerning the feasibility of street lighting on Veronica Drive. The Alderman noted that staff have indicated that "the petition for street lighting on Veronica Drive will . . . have to be submitted to the owners of this private road for a resolution."

**CITY COUNCIL
25 JUNE 1992**

Alderman Jeffrey therefore asked that staff locate the owners of this private road as quickly as possible to advise them of the problems created by the lack of adequate lighting, and to determine whether they, in fact, would be willing to cooperate in bringing Veronica Drive up to City standards.

**Question Alderman Jeffrey Re:
Chain Link Fence Abutting School Avenue**

Alderman Jeffrey made reference to the chain link fence erected on the left side of the Bayers Road exit from the Bicentennial Highway abutting School Avenue.

In his remarks, the Alderman noted that this fence is owned and maintained by the Province of Nova Scotia, and is currently in what he described as a "disgraceful" condition. Alderman Jeffrey went on to point out that the situation has been made somewhat worse by the fact that attempts to improve this fence have been made over the years, with the result that some sections are full of rust, while others have been painted in a variety of colors.

The Alderman emphasized that, in his opinion, the condition of this fence creates a very negative "first impression" of the City of Halifax, and called on staff to approach the Province to take remedial action in this regard.

**Question Alderman Downey Re:
Sidewalk - Rainnie Drive**

Alderman Downey made reference to the television coverage of the Canadian Tire Cycle Races which was recently aired on TSN, noting that, unfortunately, the cameras had focused on the poor condition of the asphalt sidewalks on Brunswick Street and on Rainnie Drive.

The Alderman went on to suggest that, in his opinion, these sidewalks have a deficiency rating of approximately 80 percent, and asked for a report from staff as to when repairs could be undertaken.

**Question Alderman Downey Re:
Line Painting - City Streets**

Alderman Downey reported that a number of individuals have expressed concern that, in some instances, the City appears to be undertaking line painting on streets which are earmarked for resurfacing during the 1992

**CITY COUNCIL
25 JUNE 1992**

construction season. The Alderman noted that line painting under these circumstances would appear to be redundant and asked for a report on the matter from staff.

**Question Alderman Downey Re:
Student Hirings - Parks and Grounds Division**

Alderman Downey requested a report from staff as to whether students will be hired during the summer months by the City's Parks and Grounds Division.

**Question Alderman Fitzgerald Re:
Pan American Games Committee**

Alderman Fitzgerald expressed concern that City Council appears to know very little about the Pan American Games Committee, its objectives, or possible future expenditures. He therefore asked for information as to the make-up of that Committee, its mandate, and the current status of the bid process.

**Question Alderman Fitzgerald Re:
Former Halifax Infirmary Building**

Alderman Fitzgerald made reference to the building at the corner of Blowers and Barrington Streets, which is now boarded up. Noting that the owner has expressed concern relating to security and safety, the Alderman asked for information as to when a report on this matter might be expected.

The Deputy Mayor advised that the requested report would be available for the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 8 July 1992.**

**Question Alderman Fitzgerald Re:
Waste Management - Mediation Process**

Alderman Fitzgerald asked for information as to whether the mediator in the waste management issue has yet been appointed; whether the City's submission has been finalized and, if so, when members of Council will be given an opportunity to review that information; and the date of the City's presentation to the mediator.

In this same context, Alderman Fitzgerald indicated that he understood the Metropolitan Authority to be entering into binding contracts with regard to such

**CITY COUNCIL
25 JUNE 1992**

things as power generation, and asked for comments on this matter from staff.

**Question Alderman Fitzgerald Re:
1992 Natal Day Festivities**

Alderman Fitzgerald strongly recommended that the Chairman of the 1992 Natal Day Committee be asked to provide members of Council with information regarding this year's celebrations, possibly through a presentation to a future Committee of the Whole Council meeting.

**Question Alderman O'Malley Re:
Alexander MacKay School**

Alderman O'Malley advised that she has not yet received staff's response to her questions regarding the Alexander MacKay School which were raised at a meeting of the Committee of the Whole Council several weeks ago.

**Question Alderman O'Malley Re:
Traffic Speeds - Columbus Street Area**

Alderman O'Malley advised that she has received a number of complaints from residents of Columbus Street concerning traffic speeds in their neighborhood. In her remarks, the Alderman pointed out that vehicles coming off the Robie Street exit from the Bridge appear to be using excessive speeds, and asked that the Chief of Police be requested to undertake a period of selective enforcement in this area in an attempt to reduce these speeds to a more acceptable level.

**Question Alderman O'Malley Re:
Letter from Colonial Honda**

Alderman O'Malley made reference to a letter to the City Manager, dated 23 June 1992, from Mr. Don Megaffin, President of Colonial Honda, in which complaints are levelled against the current restrictions concerning the use of portable signs. In light of these concerns, the Alderman asked that this letter be forwarded to staff for review and comment.

**Question Alderman Crowley
Re: Residential Tax Rebate**

Alderman Crowley referred to a letter, dated 6 June 1992, recently received from Mrs. Irene C. Boutilier

**CITY COUNCIL
25 JUNE 1992**

of 6737 Huron Street on the subject of the Residential Tax Rebate, and asked that the points raised in that correspondence be referred to staff for review and comment.

**Question Alderman Crowley Re:
Adult Video Store - Quinpool Road**

Alderman Crowley reported that the parents of several of the children attending the Sir Charles Tupper School have expressed their concern to her about the recent opening of an adult video store on Quinpool Road.

In light of these concerns, the Alderman asked for information from staff as to whether this store had, in fact, met all the City's legal requirements, and whether anything further could be done to lessen the shop's visibility to passing children.

**Question Alderman Hanson Re:
Temporary Repairs - Herring Cove Road**

Alderman Hanson asked staff to consider the use of the asphalt recycling apparatus to make repairs on that portion of Herring Cove Road between Glenora Drive and the intersection with Purcell's Cove Road (or, failing that, between Glenora and Cowie Hill Drive). In his comments, the Alderman acknowledged that permanent repairs to this roadway will be part of the overall Herring Cove Road project, but pointed out that this particular section is in extremely poor condition.

**Question Alderman Hanson Re:
Traffic Bottlenecks - Herring Cove Road**

Alderman Hanson reported that frequent bottlenecks are caused on Herring Cove Road by vehicles attempting to access the Tim Horton's shop. He therefore asked if staff might contact him by telephone to discuss what temporary measures might be implemented to alleviate the situation.

**Question Alderman Adams Re:
Complaint - 21 Sylvia Avenue**

With reference to various on-going water problems experienced by a Mrs. Cook, owner of the property at 21 Sylvia Avenue, Alderman Adams asked that staff investigate the matter and submit a report.