

**CITY COUNCIL  
25 JUNE 1992**

**Question Alderman Adams Re:  
Disposal of Needles - Physicians' Offices**

Alderman Adams asked for information as to whether a procedure is presently in place with regard to the safe disposal of needles used in physicians' offices, emphasizing that, in his opinion, these items represent another form of "hazardous waste" requiring attention.

**Question Alderman Adams Re:  
Rosebushes - Northwest Arm Drive**

Alderman Adams asked for information from staff as to whether rosebushes, similar to those used on Dunbrack Street, could be installed along Northwest Arm Drive.

10:40 p.m. - Deputy Mayor Stone took his usual seat on Council with Alderman Crowley assuming the Chair.

**Question Deputy Mayor Stone Re:  
Traffic Speeds on Dunbrack Street**

Deputy Mayor Stone expressed satisfaction that the speed limit on Dunbrack Street in the area of Ross Street has been reduced from 70 kph to 60 kph, and asked that the Halifax Police Department be asked to monitor the area for a time to ensure that this new speed restriction is observed.

**Question Deputy Mayor Stone Re:  
Information - Garbage Collection Schedule**

Deputy Mayor Stone made reference to the material recently distributed by the City with regard to garbage pick-up on holidays. Commending staff on this initiative, the Deputy Mayor asked for information as to whether this material had been forwarded to all residents of Halifax.

On another but related matter, the Deputy Mayor asked if information could be made available to householders as to the kinds of waste materials (such as old propane tanks for barbecues) that will **not** be collected. In this same context, Deputy Mayor Stone inquired as to whether residents should be advised to refrain from flattening the aluminum cans before placing them in their blue recycling bags.

10:45 p.m. - Deputy Mayor Stone assumes the Chair, with Alderman Crowley resuming her usual seat on Council.

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25 JUNE 1992**

NOTICES OF MOTION

**Notice of Motion Alderman Fitzgerald Re:  
Reconsideration of Motion Approved by Council,  
25 June 1992: Item 11.2 - "Monastery Lane  
Street Closure"**

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Alderman Fitzgerald gave notice that at the next regular meeting of Halifax City Council, scheduled for Thursday, 16 July 1992, he wishes to introduce a Motion of Reconsideration concerning the decision, approved by Council at its 25 June 1992 meeting, relating to Item 11.2, "Monastery Lane Street Closure."

ADDED ITEMS

Award of Tender #92-45

A staff report, dated 22 June 1992, was submitted.

MOVED by Alderman Downey, seconded by Alderman Pottie that:

- 1) City Council approve the resurfacing program proposed by the Engineering and Works Department, shown in Appendices "A" and "B" of the staff report of 22 June 1992, and funded in the 1992 Capital Budget Special Programs;
- 2) authority be granted to award Tender #92-45 to **Dexter Construction Co. Ltd.** for the unit prices quoted at a bid price of \$174,760.00 and a total project cost of \$192,500.00;
- 3) authority be granted to proceed with the resurfacing of the indicated streets until the total project cost of \$192,500.00 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.

The motion was put and passed.

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**Price Agreement #912255 -  
Manhole Frames and Covers**

A staff report, dated 22 June 1992, was submitted.

MOVED by Alderman Holland, seconded by Alderman Crowley that authority be granted to issue a price agreement to L. E. Shaw Ltd. for covers and to I.M.P. Group for frames, the lowest bidders meeting specifications (funds to be made available from various account numbers).

The motion was put and passed.

**Cat Control (Alderman O'Malley)**

This matter had been added to the agenda at the request of Alderman O'Malley who advised that she has recently received a number of complaints regarding stray cats. Emphasizing that these complaints appear to be more numerous than in past years, the Alderman also noted that she has recently become aware of the dangers of feline leukemia which, according to authorities, is widespread in many of the City's stray cats.

Alderman O'Malley indicated that, in her opinion, the control of cats has now become a matter of some concern. Acknowledging that this is a matter which has been deliberated by Council on previous occasions, she asked to have information submitted at that time re-circulated and, in addition, asked that staff contact the City of Dartmouth to determine the success of that City's efforts (i.e., its tattoo program) in this regard.

There being no further business to be discussed, the meeting was adjourned at approximately 11:00 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
DEPUTY MAYOR BILL STONE  
ALDERMAN MARY ANN CROWLEY  
CHAIRMEN

EDWARD A. KERR, CMC  
CITY CLERK

MS\*K

**CITY COUNCIL  
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SPECIAL CITY COUNCIL  
PUBLIC HEARINGS  
MINUTES

Council Chamber  
Halifax City Hall  
8 July 1992  
7:55 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 a recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Mr. Gerry Goneau, representing the 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 forwarded from a meeting of the Committee of the Whole held earlier on this date:

**Case 6527 - 1336-44 Hollis Street - Amendment to Development Agreement - Date for Public Hearing**

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

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Planning Committee, this matter be forwarded to the City's Heritage Advisory Committee for review and recommendation and, in the interim, a public hearing date be set to consider the following proposal:

That City Council enter into an amending agreement with Templeton Place Limited thereby amending the existing development agreement, known to the City of Halifax as Case No. 6316

and registered at the Registry of Deeds in Book 5222 at Pages 940-946, to alter the approved design and number of dwelling units.

Motion carried.

The City Clerk advised that the scheduled date of the Public Hearing was **Wednesday, 19 August 1992, at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Tender 92-22 - Quinpool Road - Tree Well Removals**

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

At the request of Alderman Meagher, Council agreed to forward this item to the next regular meeting of City Council scheduled for **Thursday, 16 July 1992.**

**Tender 92-11 - Sewer Renewal - Adelaide Avenue**

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

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Committee on Works, Council award tender #92-11 for the project, materials and services listed for the unit prices quoted at a bid price of \$94,900.00 and a total project cost of \$114,000.00 to L.J. Casavechia Construction and, further, that funding be authorized from account number 94024.

Motion carried.

**Tender 92-15 - Elm Street Sewer Renewal**

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

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Committee on Works, Council award tender #92-15 for the project, materials and services listed for the unit prices quoted at a total bid price of \$45,304.50 and a total project cost of \$55,000.00

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to G. & R. Kelly Enterprises Ltd. and, further, that funding be authorized from account # 94025 and a funding transfer be approved from account #94024 (Sewers General - Adelaide Avenue) in the amount of \$5,000.00.

Motion carried

**Tender 92-29 - Traffic Lights at Spring Garden Road and Dresden Row**

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

MOVED by Alderman Downey, seconded by Adams that, as recommended by the Committee on Works, Council award Tender #92-29 for the projects, materials and services listed for the unit prices quoted at a bid price of \$43,785.00 and a total project cost of \$52,500.00 to Standard Paving Maritime Limited and, further, that funding be approved from account number 91533.

Motion carried.

**Tender 92-10 - Traffic Improvements - Upper Water Street at Cogswell Interchange**

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, Tender 92-10 for the project, materials and services listed for the unit prices quoted at a bid price of \$29,960.00 and a total project cost of \$36,000.00 be awarded to Ocean Contractors Ltd., and further that funding be authorized from account number 91535.

Motion carried.

Council then continued with the regular agenda as follows:

**Mainland North Traffic**

This item had been forwarded to this meeting from a meeting of City Council held on 25 June 1992.



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This matter had also been added to the agenda of the meeting of the Works Committee held earlier on this date.

A supplementary information report dated 2 July 1992 pertaining to this matter was submitted.

The following correspondence on this matter was submitted:

- a letter dated 28 June 1992 from Mr. John Flint, 4 Bayview Road, Halifax, N.S., B3M 3N9.

- a letter dated 28 April 1992 from Mr. Eric Bezanson, 6 Titus Street, Halifax, N.S.

- a letter dated 6 July 1992 from Ms. Anne E. MacMillan, representing the Ward 12 Community Association and the Rockingham Community Coalition.

- a letter dated 7 July 1992 from Ms. Mary Moulton, Director, University Relations, Mount Saint Vincent University, Halifax, N. S.

Alderman Holland addressed the matter and advised that at the Works Committee meeting held earlier on this date, Alderman Macdonald moved a motion, which he seconded, to defer this matter to the next regular meeting of City Council, scheduled for Thursday, 16 July 1992.

Noting that Alderman Macdonald was unable to attend this evening's meeting, Alderman Holland advised that he was prepared to move the motion.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that this matter be deferred to the next regular meeting of City Council, scheduled for Thursday, 16 July 1992.

Deputy Mayor Stone addressed the matter and indicated that due to extenuating circumstances involving Alderman Macdonald, he was prepared to support the deferral of this matter. However, the Deputy Mayor advised that, in fairness to the residents, he felt the matter should be dealt with at the next regular City Council meeting.

Motion carried.

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At 8:05 p.m. Deputy Mayor Stone retired from the meeting.

Public Hearing Re: Case No. 6478: Appeal of Minor  
Variance Approval - 3626 Deal Street

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

A staff report dated 22 June 1992 was submitted.

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the application by Mr. Anthony Metlege for a minor variance of the frontage requirement for the property located at 3626 Deal Street for the purpose of permitting construction of a three unit building (as contained in the 22 June 1992 staff report).

In his remarks, Mr. Hanusiak advised that the variance was approved by City staff on 7 April 1992, however, the abutting property owners were appealing the decision of the Development Officer.

Mr. Hanusiak responded to questions from Council.

Mr. Fares, a representative of the applicant, indicated that he did not have a presentation to make and that he was in attendance to respond to any questions Council may have.

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

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

Motion carried.

At 8:10 p.m. Her Worship retired from the meeting and Alderman Meagher assumed the Chair.

Public Hearing Re: Case No. 6512: Appeal of Minor  
Variance Approval - 1589 Preston Street

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

A staff report dated 23 June 1992 was submitted.

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Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the application by Mr. Jacek Kwiecinski for a minor variance of the side yard requirement to permit construction of a second storey addition over the existing dwelling and an enclosed rear stairway at 1589 Preston Street (as contained in the 23 June 1992 staff report).

In his remarks, Mr. Hanusiak advised that the application was approved by City staff on 12 May 1992, however, the decision of the Development Officer was being appealed by four property owners in the notification area.

Mr. Kwiecinski, the applicant, briefly addressed Council and advised that the reason he wanted to develop the property into a duplex was to provide a home for his mother-in-law and father-in-law. He went on to add that he felt a duplex would be the best arrangement for his in-laws because they would have their own amenities, and they would be living close to him and his wife.

Mr. John Rowe, a resident of 1586 Chestnut Street, addressed Council and spoke in opposition to the application.

In his comments, Mr. Rowe referred to the staff report and questioned some of the points which supported approval of the application.

Mr. Rowe advised that he questioned whether as-of-right zoning would permit a two-story single family residence with a two foot setback as is indicated in the staff report. Referring to another point regarding the proposed addition being permitted as-of-right if the building was to remain single family dwelling, Mr. Rowe suggested this was irrelevant because the setback requirements for the intended use of the building are for a duplex.

Mr. Rowe noted that the staff report states that, of the 25 properties surveyed in the immediate area, most of these fail to meet the 5 foot sideyard requirement at least on one side. He added that this indicated to him that the difficulty experienced is general to the properties in the area and, as such, the variance should not be granted.

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Mr. Rowe noted that the property in question was one on a block of single story houses and he suggested that this speaks to its uniqueness and the need to maintain the sense of scale and proportion of the small block which enhances the neighborhood.

**At 8:16 p.m. Deputy Mayor Stone entered the meeting and assumed the Chair and Alderman Meagher took his usual seat in Council.**

In concluding his remarks, Mr. Rowe expressed concern that if approved, it could become precedent setting and, additionally, the neighbors will not know if the property owner will demonstrate intentional disregard for the land use bylaw until after completion and occupancy of the property. He added that, if the appeal was not successful, then Council should consider enforcing an order to reconstruct the property to its present size and use should the property owner intentionally disregard the land use bylaw in the future.

Mr. Rowe and Mr. Hanusiak responded to questions from Council.

Mr. Dan MacIntosh addressed Council and advised that he owned the property south of the property in question.

Mr. MacIntosh suggested that the fact that the property in question was one of a few in the neighborhood that was less than two storeys in height was a unique feature of the streetscape, and he indicated that this was an important reason for refusing the application.

Mr. MacIntosh advised that he was concerned and questioned the owner's intended use of the property, noting that this property has not been maintained to the same degree as other properties in the neighborhood during the time it has been owned by the current property owner. He went on to add that the lawn has been mowed infrequently, the sidewalk was never cleared of snow in the winter, and that the building has been occupied by a series of tenants. In addition, Mr. MacIntosh pointed out that, for many months, the owner refused to remove 30 bags of trash stored in the yard immediately adjacent to his property.

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Ms. Sarah Simms addressed Council and advised that she has lived next door to the property in question for approximately 50 years.

Ms. Simms pointed out that she was concerned because the owner has never lived in the house and that it has been occupied by a steady succession of tenants. She advised that the property owner told her that he gave permission to the main tenant to sublet the rooms and she noted that the result of this action has been that the house has become a small, untidy rooming house.

Ms. Simms pointed out that, prior to the owner obtaining his variance, he told her that he was not going to live in the house for at least two or three years and instead, he would be renting the property. She added that after he received the variance he informed her that he changed his mind and that he and his wife's parents were going to live in it. Ms. Simms added that just recently she noticed ads in the newspaper looking for tenants for the property.

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

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

Motion carried.

Public Hearing Re: Case No. 6532: Development Agreement - 2858 Agricola Street and 5809 Bilby Street

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 Mr. Mike Crosby for a development agreement to enable subdivision of the rear portion of 5809 Bilby Street for an addition to 2858 Agricola Street (as contained in the 4 June 1992 staff report).

Mr. Mike Crosby, the applicant, addressed Council briefly noting that the purpose of his application was to expand his business in an attempt to increase its potential.



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There were no further persons wishing to address Council.

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

Motion carried.

**Public Hearing Re: Case No. 6347: Development Agreement -  
2037 Parker Street**

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

Mr. Gary Porter, Planner, addressed Council and outlined the application by Mr. John Maughan for a development agreement to permit a beauty parlour of no greater than 800 sq. ft. along with two dwelling units at 2037 Parker Street (as contained in the 24 March 1992 supplementary staff report).

There was no one wishing to address Council on this matter.

A letter of opposition dated 2 July 1992 from Judy Dudar, 2057 Parker Street, Halifax, N. S. B3K 4T6, was submitted.

MOVED by Alderman Meagher, seconded by Alderman O'Malley that this matter be forwarded to Council without recommendation.

Motion carried.

**Public Hearing Re: Case No. 6539: Amendment to Section 43  
(a) of the Land Use Bylaw (Peninsula).**

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

A supplementary report dated 8 July 1992 was submitted.

A report dated 24 June 1992 from the Planning Advisory Committee was submitted.

Mr. Paul Dunphy, Planner, addressed Council and outlined the application to amend clause (a) of Section

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43E of the land use bylaw (Peninsula) to increase the required lot frontage for R-1 uses to 30 feet.

Mr. Dunphy noted that the submitted supplementary report has the corrected recommendation of the 11 June 1992 staff report to reflect the proper Section of the land use bylaw which is proposed to be amended.

Mr. Robert Grant addressed Council and advised that he was a solicitor with the firm of Stewart McKelvey Sterling Scales and that the Firm represents almost all of the property owners whose homes are on Jubilee Road, Henry Street, and Cedar Street, and whose properties surround a proposed development.

Mr. Grant advised that the proposal is to develop the interior of the lot into seven single family dwellings with the lot having only 16 or 20 ft. of frontage. Mr. Grant noted that this development was very large in scale and would be highly intrusive on the neighbourhood. He added that the neighbours feel very strongly against this proposed development and were particularly concerned because they have had no input in this matter whatsoever.

Mr. Grant pointed out that the present bylaw permits this proposal as-of-right, thereby, negating the need for a public hearing and the opportunity for public input. He added that the fact that the proposed development has received seven permits without any opportunity for public input came as a great surprise and concern to the neighbours. Mr. Grant advised that he believed the bylaw was too broad in its application at the present time, pointing out that it permits the development of a whole new community without public input and without any review of the design.

Mr. Grant added that the residents were also opposed to the proposed development because it will impose on their privacy, and it will impact on the noise, traffic, and City services of the area.

In concluding his remarks, Mr. Grant made reference to the supportive staff report and the Planning Advisory Committee report, and requested Council's approval of the amendment to stop the loophole which currently exists.

Mr. Bob Jollett, a resident of 6035 Jubilee Road, addressed Council and spoke in opposition to the

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development which is proposed for the interior of the area surrounded by Jubilee Road, Henry Street, Cedar Street, and Robie Street.

Mr. Jollett advised that he was surprised and shocked when he learned about the proposal because of the impact it would have on the neighbourhood and because the residents of the area did not have the opportunity to provide input.

Noting that he has lived at his current address for 10 years, Mr. Jollett advised that the reason he bought his property was because it provided him with the living space he wanted and it was close to the centre of the City. In closing, Mr. Jollett indicated that he was dismayed at the possibility this development may proceed, adding that he felt in a few years it could become a "ghettoized" set of properties.

Ms. Ann Louise King addressed Council and advised that her home was located adjacent to the entrance of the proposed development. She pointed out that, approximately 10 years ago, a larger development was proposed for this site, however, the area was downzoned from R-3 to R-2 and the residents thought the site would be protected from further development.

Ms. King added that the site has been a source of concern for some years and she advised that she was very distressed at the proposal for such an intense development on this property.

Ms. King advised that the driveway to her garage which was a right-of-way was very narrow and she suggested that it would not be able to accommodate the additional traffic from the proposed development. She added that the other entrance to the development, from Cedar Street, was adjacent to the property owned by Mr. Begg and he asked that she relay his concerns that the minimal lot frontage requirements permits an entrance by his house and it interferes with his right-of-way, which is next to his house. In closing, Ms. King urged Council to support the proposed amendment.

Mr. Leslie Burke, a resident of 6049 Jubilee Road, addressed Council and indicated that he supported the staff recommendation and he requested Council's approval of the amendment.

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Ms. Judith Fingard, a resident of 6061 Jubilee Road, addressed Council and advised that she was concerned about the impact the proposed development would have on her quality of life as well as the neighbourhood. As well, she advised that she and the residents were concerned that a similar situation could happen in another part of the City and she requested Council's approval of the amendment.

Mrs. Helena Bilsbury, a resident of 1755 Henry Street, addressed Council and spoke in opposition to the development which is proposed for the area referred to by the previous speakers. Mrs. Bilsbury strongly expressed her concern that residents did not have an opportunity to voice their opinions on the proposal. She added that an additional seven houses in this area will diminish the quality of life the residents currently enjoy.

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

The following correspondence pertaining to this matter was submitted:

- a letter dated 29 June 1992 from Mary J. Burke and Bernard T. Burke, 6047 Jubilee Road, Halifax, N. S., B3H 2E3.

- a letter dated 17 June 1992 from James and Katherine Hayes, 6041 Jubilee Road, Halifax, N.S., B3H 2E3.

- a letter dated 22 June 1992 from Ronald B. Mitton, 5162 Duke Street, P. O. Box 307, Halifax, N. S., B3J 2N7.

- a letter dated 8 May 1992 from Ann Louise King, 1735 Henry Street, Halifax, N.S., B3H 3K5.

- a letter dated 28 April 1992 from Ronald B. Mitton, 6053 Jubilee Road, Halifax, N. S., B3H 2E3.

- a letter dated 30 April 1992 from Albert McGrath, 1743 Henry Street, Halifax, N. S., B3H 3K5.

- a letter dated 28 April 1992 from Susan Wood, 1745 Henry Street, Halifax, N.S., B3H 3K5.

- a letter dated 28 April 1992 from Helena Bilsbury, 1755 Henry Street, Halifax, N.S., B3H 3K5.

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- a letter dated 29 April 1992 from Leslie Burke, 6049 Jubilee Road, Halifax, N.S.

- a letter dated 28 April 1992 from Dr. John Fisk and Ms. Susan Doble, 6067 Jubilee Road, Halifax, N.S., B3H 2E3.

- a letter dated 29 April 1992 from Emmerson and Ann Louise King, 1735 Henry Street, Halifax, N.S.

- a letter dated 30 June, 1992 from Dr. Chris Bilsbury, 1755 Henry Street, Halifax, N.S., B3H 3K5.

Alderman Fitzgerald addressed the matter and advised that he was in agreement with the residents who have expressed their concerns this evening. Noting that staff and the Planning Advisory Committee have submitted reports in favour of the amendment and, in light of the residents concerns, Alderman Fitzgerald advised that he was prepared to move a motion at this time approving the amendment to increase the required lot frontage to 30 feet.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that Clause (a) of Section 43 E of the land use bylaw (Peninsula) be amended by deleting the figures "N/A" as they appear in the first column for R-1 uses under the heading of "Minimum Lot Frontage (Feet)", and substituting therefor the number 30.

Motion carried.

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

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

Mr. Michael Hanusiak, Planner II, addressed Council and, using diagrams, outlined the application by FS Industries Limited for a development agreement to permit construction of 19 townhouses on Lot K-17 and a 32 unit apartment building on Lot K-22, Rockingham Ridge (as contained in the 3 June 1992 staff report).

Mr. Hanusiak responded to questions from Council.

In response to a question by Deputy Mayor Stone regarding Lot 17, Mr. Hanusiak advised that staff could, if



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

A letter dated 7 July 1992 from Hugh K. Smith, President, FS Industries Limited, 500 Windmill Road, P. O. Box 816, Dartmouth, N. S., B2Y 3Z3.

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

Motion carried.

There being no further business to discuss, the meeting adjourned at 9:15 p.m.

HER WORSHIP MAYOR DUCCHARME  
ALDERMAN MEAGHER  
DEPUTY MAYOR STONE

Edward A. Kerr, City Clerk

/sm

HEADLINES

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| Tender 92-11 - Sewer Renewal - Adelaide Avenue .....  | 525 |
| Tender 92-15 - Elm Street Sewer Renewal .....   | 525 |
| Tender 92-29 - Traffic Lights at Spring Garden Road and<br>Dresden Row .....                              | 526 |
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## INFORMATION MEETING HALIFAX CITY COUNCIL

Council Chamber  
Halifax City Hall  
15 July 1992  
3:20 p.m.

An information meeting was held at this time for members of City Council concerning the solid waste management system mediation process.

**PRESENT:** Her Worship Mayor Ducharme, Chairman; and Aldermen Holland, Fitzgerald, Downey, O'Malley, Hanson, and Crowley.

**ALSO PRESENT:** Mr. Edward A. Kerr, City Clerk; Mr. Bill Hayward and Ms. Susan Holtz, the assigned mediators in the dispute concerning the Metro Solid Waste Management System.

### Solid Waste Management System - Mediation Process

A report dated 14 July 1992 was submitted.

Her Worship opened the meeting by introducing Mr. Hayward and Ms. Holtz to City Council and advising that the purpose of this meeting was for Mr. Hayward and Ms. Holtz to review the mediation process; advise Council of what they hoped to achieve; and to get Council's input on the matter.

Mr. Hayward addressed the meeting and advised that terms of reference had been drafted and, at a meeting which included the Mediation Committee last Thursday, the Mediation Committee agreed with the terms of reference.

Mr. Hayward advised that the terms of reference were designed to mediate the waste management dispute. He added that the time frame for the mediation process will end July 31, 1992 at which time the mediators and the committee will meet with the Ministers of Municipal Affairs and Environment and report on the status of their efforts and hopefully, will have a recommended accord. Mr. Hayward noted that, to assist in their work, the mediators have been given access to Council members, employees of the different municipalities, books and records of information

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of the Metropolitan Authority, as well as being offered the assistance from any government departments that they require.

Mr. Hayward advised that he and Ms. Holtz have guidelines as to what alternatives they will consider. He added that they will consider all scenarios that were considered by the Metropolitan Authority, which is primarily the five scenarios considered by the Metropolitan Authority in the selection process. In addition, he advised that the mediators can examine any new alternatives to waste management that have been identified, documented and costed and, specifically, were to include the alternatives put forward by the Sound Resource Management Group report, the alternative put forward in the Horner Associates report, and the incineration proposal at the Strait of Canso.

Mr. Hayward advised that under their terms of reference no new hypothetical alternatives which have not been documented and costed shall be considered. Mr. Hayward advised that they can consider items that are not directly related to the waste management strategy but that might serve to aid in the development of a consensus.

In concluding his remarks, Mr. Hayward noted that the role of the mediator ceases at the end of July.

Prior to opening the meeting up to comments from members of City Council, Mr. Hayward noted that one matter which seems to cause confusion is the idea of mediation versus arbitration. In this regard, he pointed out that Ms. Susan Holtz has devised a definition and would further elaborate on this.

Ms. Holtz addressed members of City Council noting that the terms "negotiation", "arbitration," "mediation," and "conciliation" are familiar from labour disputes. She added that it has only been during the last 15 years that any of these processes have been used in the environmental field. Ms. Holtz indicated that, although the terms have been used in the newspapers, etc, the media were not familiar with all the terms and their technicalities and, as a result, there has been some confusion.

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Ms. Holtz advised that, as mediators, their role is to assist the parties to come to a mutually acceptable solution in a dispute, adding that the final decision rests in the hands of the parties involved in the dispute. She noted that their role is to assist people to think through their positions, generate options, and so on.

**At 3:30 Alderman Pottie entered the meeting.**

Ms. Holtz advised that environmental mediation was relatively new to Canada and that she felt she was involved in quite an innovative process. She explained that this sort of activity has been ongoing in the United States since the 1970's and that there has been interest in it in Canada since the 1980's. Ms. Holtz pointed out that just recently the Federal Environment Assessment Act which was recently passed by the Senate and will be proclaimed, has provision for environmental mediation as an alternative to major public hearings. She added that she felt it was foresight on the part of the Province to look at environmental mediation.

Members of Council then put forward their comments on the matter.

Alderman Fitzgerald addressed the matter advising that he supported the mediation process. Alderman Fitzgerald added that he believed that garbage should be looked at as a resource and that the Province was the appropriate agency to establish guidelines and develop a comprehensive waste management system whereby garbage is treated as a resource for the Province.

Alderman Fitzgerald, in expressing concern about incineration, suggested that if the incineration option is chosen then it eliminates any flexibility or other alternatives. In this regard, he indicated that the incinerator would require the burning of many different waste materials and this would reduce any incentives for the public to pursue alternatives such as recycling. Alderman Fitzgerald advised that, secondly, incineration was wrong for the environment.

Alderman Fitzgerald pointed out that the incineration option would mean a 35 year commitment which the City would be locked into and, for this reason, he stressed the importance of ensuring that the decision made



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on this matter is the correct one. He noted that the Metropolitan Authority Advisory Committee had also developed a report and that, in his view, Strategy 3 of this report should be given serious consideration.

At 3:40 p.m. Deputy Mayor Stone and Alderman Meagher entered the meeting. At this time, Her Worship retired from the meeting and the Deputy Mayor assumed the Chair.

Alderman Hanson addressed the matter and advised that he felt that better cooperation was needed on this matter. He noted that in the media, the City of Halifax has been portrayed as not being cooperative, and he advised that this was not the case. The Alderman stressed that City Council wants to review all the information that is available and use it in the decision making process. He suggested that there has to be this kind of a rethinking at the level of the Metropolitan Authority before the overall problem can be addressed. Alderman Hanson indicated that he welcomed the mediation process.

Alderman Holland advised that, as a current member of the Metropolitan Authority, he was aware that there was animosity and conflict within the group.

Alderman Holland expressed concern about the financial commitment involved in the incineration program, noting that the City would be locking itself into this option for an entire generation and in this regard, he advised that he didn't think it was morally or fiscally responsible. Alderman Holland went on to add that the problem was common to the whole Province and suggested that the solution maybe for the Province to address it as a whole.

In concluding his remarks, Alderman Holland advised that politicians are very often not representative of the public. He noted that the public were very much in favour of the three R's--Reduce, Reuse, and Recycle--and in this regard the public wants their elected official to do the right thing.

Alderman Pottie addressed the matter and advised that during his term on the Metropolitan Authority, 1988-90, he was involved in the very beginning of the solid waste project and found the Authority to be a very

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frustrating organization. He added that a Committee was struck and it put together a Citizens Task Force and their original recommendation (Strategy 3) was not really accepted by the Director of the Metropolitan Authority. Alderman Pottie added that, as far as he was concerned, the system was faulted because the Citizens Task Force never really endorsed incineration.

Alderman Pottie pointed out that the City of Halifax has always been consistent in its views on incineration, adding that it never believed that incineration was the best option for a number of reasons, including cost. The Alderman also indicated that he was concerned about being "locked-in" to a 35 year commitment.

In conclusion, Alderman Pottie suggested that if the mediators can resolve the situation with a plan agreeable to everyone, then he believed that the Metro area could show leadership and throughout Nova Scotia, it could help out smaller municipalities with recycling, composting, etc.

Alderman Crowley addressed the matter indicating that she felt it was a positive move to have the mediators involved. She advised that she has always been concerned with the safety and health factor as well as the economic cost factor of the solid waste management project.

Alderman Crowley advised that she felt it was important to ask the other municipalities involved in this matter to reassess how they would feel if they were the largest stakeholder in such a venture where there are no parameters. She added that Halifax has no particular say in the matter and the costs will continue to rise. The Alderman pointed out that no one in the private sector would put themselves in such a position where they are not sure where they are going and not knowing what the costs will be in the end.

Alderman Crowley questioned if there have been any onsite tours of other facilities with respect to solid waste management by the Metropolitan Authority members in order to obtain first hand information on a solid waste management program.

In response, Mr. Hayward advised that a number of sites such as recycling and composting plants and

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incineration facilities were visited by members of the Metropolitan Authority. He briefly reviewed the sites and locations which were visited.

**At 4:00 p.m. Her Worship returned to the meeting and Deputy Mayor assumed his usual seat in Council.**

Alderman Downey addressed the matter and questioned the mediators on various aspects of the process. Alderman Downey indicated that he felt it would be more productive for the mediators to try and resolve the situation without hearing the views of the parties involved. He added that the views of each have been well documented and that he did not believe that this process would change anything.

Mr. Hayward pointed out that his role was to work with the parties to come up with an accord and agreement. He added that, if the parties don't agree and they can't come up with alternatives to which they agree, then the mediators do not have any authority to make any decision or recommendation which is binding on anyone. Mr. Hayward advised that he and Ms. Holtz were going into this process with a view that there may be options or alternatives not fully explored and were hopeful that the views currently held by all parties are not unchangeable.

Mr. Hayward responded to further questions of Alderman Downey.

Deputy Mayor Stone addressed the matter and indicated that he was also pleased about the mediation process. The Deputy Mayor expressed concern about cost and environmental factors of the incineration proposal and added that this was why City Council was trying to emphasize alternatives. Deputy Mayor Stone advised that he didn't believe the alternatives were given adequate consideration by the Metropolitan Authority.

With respect to the cost, Deputy Mayor Stone advised that he felt the City's pay-as-you-go policy would be wiped out as a result of the Metropolitan Authority scheme.

Deputy Mayor Stone suggested that the three R's--Reduce, Reuse, and Recycle--should be tried first and then consideration should be given as to what kind of

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incinerator, if any, is needed. He added that it seemed to be going backwards by choosing incineration and then trying the three R's.

Deputy Mayor Stone noted that part of the whole process is the need for a landfill site and he pointed out that Halifax, with its mine site proposal, was considering this as a dry landfill and not a wet landfill site which is currently in Sackville. He added that he didn't feel this aspect has been strongly brought to the attention of those people dealing with the landfill.

Deputy Mayor Stone advised that he believed that one of the concerns is the Metropolitan Authority itself and the way it exits. Referring to earlier comments, Deputy Mayor Stone added that it appears the Metro Authority is ganging up on Halifax. He pointed out that Halifax pays over 50 percent of the cost of the Metropolitan Authority.

Deputy Mayor Stone referred to the proposed Burnside site of the incinerator, noting that it was a second choice within the Burnside Park. He advised that this site is further inside the Burnside Park and will result in further costs. Deputy Mayor Stone noted that, by going further into the Burnside Park, the Metropolitan Authority is providing those infrastructures for the City of Dartmouth, paid for in part by the City of Halifax, and which will be used to compete against Halifax's industrial park.

Deputy Mayor Stone noted that there is another site in Bedford owned by the Metro Authority which could have been used as an incinerator site but this was not approved by the Authority.

In conclusion, Deputy Mayor Stone advised that he believed other alternatives should be given consideration before incineration is chosen, adding that incineration should be a last resort.

In closing the discussion, Alderman Fitzgerald addressed the matter once again and noted that the City has put forward a position paper on its views of this matter and pointed out that it was a summation of the concerns expressed here today.

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Alderman Fitzgerald emphasized that there has to be changes and that major expenditures cannot be forced on Councils by an outside organization. He added that it was also important to look at garbage collection in a whole new way and that it was essential that the citizens are part of the solution. He indicated that there were a number of effective and efficient garbage collection and waste management systems, particularly in Europe, which support his views.

Alderman Fitzgerald also pointed out that the Province and the Federal government have a big role to play in this issue. He advised that those levels of government can make rules and regulations which can be used to reduce the waste stream and he suggested that, unless the Province and the Federal government participate willingly in this issue, then it will go nowhere.

The Chairman thanked Mr. Hayward and Ms. Holtz for their attendance at this meeting.

At 4:30 p.m. the meeting adjourned.

HER WORSHIP MAYOR DUCHARME  
DEPUTY MAYOR STONE  
CHAIRMEN

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HEADLINES

Solid Waste Management System - Mediation Process ..... 1



# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
16 July 1992  
8:00 P. M.

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

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

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

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

A moment of silence was observed to acknowledge with sympathy the passing of Judge Tom Coffin, a former member of Halifax City Council from 1941-47; Mr. Percy Baker, a long-time member of Halifax County Council; and Mr. John Till, husband of Mrs. Barbara Till, the City's Coordinator of Occupational Health Service.

## Presentation of A Coat of Arms and Flag to the City of Halifax

Her Worship made reference to a display mounted in the Council Chamber pertaining to the Coat of Arms and flag, which were officially presented to the City of Halifax by His Excellency the Right Honourable Ramon John Hnatyshyn on behalf of the Crown, at a ceremony in Halifax on Sunday, 5 July.

In her comments, Mayor Ducharme, on behalf of all members of Halifax City Council, expressed appreciation to the Rotary Clubs of Halifax for their support in the City's acquisition of Arms by Crown grant.

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**MINUTES**

Minutes of a Special Meeting of Halifax City Council held on Wednesday, 17 June 1992 and of a regular meeting held on Thursday, 25 June 1992 were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Meagher.

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

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

- 20.1 Award of Tender #92-26: Supply and Installation of Vehicle Detection Loops
- 20.2 Award of Tender #92-36: Street Improvement Program - Robie Street (Quinpool - Jubilee)
- 20.3 Award of Tender #92-47: Street Improvement Program - Lady Hammond Road
- 20.4 Provincial Government Office Study
- 20.5 GoTime Maintenance
- 20.6 Spryfield Days (Alderman Adams)
- 20.7 Appointments

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

- 11.3 12 Guildwood Crescent
- 15.3 Case No. 6462: Plan Amendment Request - Peninsula Centre Area: West Side of Robie Street Between Pepperell and Shirley Streets (Request withdrawn by applicant)

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

- 20.8 Position Paper Re: Mediation - Solid Waste Management

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DEFERRED ITEMS

Mainland North Traffic

This matter had been deferred from a Special Meeting of Halifax City Council held on Wednesday, 8 July 1992.

The following information was received:-

- ◆ Correspondence, dated 15 July 1992, from Mrs. Barbora Streibl, a resident of Bridgeview
- ◆ Correspondence received on 16 July 1992 from Mr. R. Walker, Chairman, Ward 10 Residents Association

Deputy Mayor Stone addressed Council to indicate that while he recognized that any proposal to alter the Bedford Highway would have City-wide as well as **ward** implications, he personally was not prepared to support a motion that would have negative impacts on the integrity of existing neighborhoods, particularly those in Ward 12. Having said that, however, he emphasized that he had considerable sympathy for the residents of Ward 10 with respect to their traffic problems, and was therefore prepared to assist them and their Alderman in reaching a solution. The Deputy Mayor went on to note that no capital improvements have been made to the Highway for many years and that, in his opinion, it was now time to correct that situation and to take advantage of the cost-sharing that is presently available from the Provincial Government.

Under the circumstances, therefore, the Deputy Mayor advised that the proposal for which he intended to seek support from his fellow members of Council will include the widening of the Bedford Highway to four lanes through Ward 10 (i.e., from Bayview Road to Sherbrooke Drive), but that the Highway be limited to only three lanes through Ward 12. In putting this proposal forward, Deputy Mayor Stone pointed out that this configuration had received support not only from the many residents of Rockingham, but also from the Mayor of Bedford and from the MLA for this area.

It was therefore moved by Deputy Mayor Stone, seconded by Alderman Jeffrey that City Council endorse the recommendation put forward at the 17 June 1992 meeting of Committee of the Whole Council, as follows:

1. Council supports the preparation of a City Transportation Plan. Because the development of such a plan will take a year or more, planned or

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current projects should not be delayed (consultants will be engaged to prepare the City Transportation Plan);

2. the Bedford Highway project should proceed (the project should be referred back to the consultant for the preparation of an engineering design as a three-lane facility to include turning lanes and bus lay-bys);
3. the Joint Transportation Committee of the City/Province (to conclude the functional concept for Bayers Road between the Bicentennial Highway and Connaught Avenue) be reactivated;
4. improvements to major roadways and intersections, as recommended at the 20 November 1991 Committee of the Whole (attached as Appendices 1, 2, 3 and 4 to the staff report of 15 May 1992) be approved; and
5. the closure of Bayview Road not be approved (Council questions the value of an isolated Origin-Destination study, and suggests that a comprehensive OD study be included in the proposed Transportation Plan.

Alderman Macdonald addressed the motion currently on the floor, and briefly overviewed the traffic problems in Mainland North as well as the sequence of events leading up to tonight's discussion. In his comments, he enumerated various of the traffic options that had once been available to Mainland North residents; however, he emphasized that, one by one, those options had been removed with the result that residents have been left to "grasp at straws."

In his comments, the Alderman made reference to the congestion that is already evident on the Bedford Highway and emphasized that, given the continued growth that is anticipated for the Mainland North portion of the City, he personally found it difficult to comprehend how anyone could expect those problems to be resolved by widening only a portion of that roadway.

Alderman Macdonald went on to emphasize that the professional traffic engineers on City staff have consistently advocated that the Bedford Highway be widened to four lanes, a recommendation which had been strongly endorsed by the Task Force on City Traffic, the Halifax Industrial Commission, and the Provincial Department of Transportation. Referring to the opposition put forward to this proposal in particular by the Rockingham Community Coalition, Alderman Macdonald pointed out that the Bedford

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Highway has been designated as a principal arterial roadway whose primary function is to link Mainland North with Peninsula Halifax. In this context, he emphasized that, according to the Task Force report, the Highway currently has only "marginal capacity to meet demand."

On the basis of these and wide-ranging fiscal considerations, an amendment of substitution to the motion was moved by Alderman Macdonald, seconded by Alderman Holland that, with reference to (2), staff be requested to bring forward for Council's consideration conceptual drawings illustrating the impact of the proposal to widen the Bedford Highway to four lanes.

In putting forward this amendment, Alderman Macdonald indicated that, in his view, these plans will indicate that the proposal to widen the Highway to four-lanes is the only appropriate option in terms of effectively accommodating traffic flow and resolving the concerns of area residents.

In supporting this amendment, Alderman Holland made reference to the necessity for City Council to make traffic-related decisions that will protect and enhance the economic viability of the City's Central Business District. He went on to emphasize that, if the downtown business area is rendered inaccessible, many companies now located in the CBD will be forced to move outside the City in order to survive. The Alderman pointed out that such relocations not only erode the City's commercial tax base, but have immediate and significant implications for all **residential** taxpayers.

Alderman Holland concluded his remarks by pointing out that, based on the foregoing observations, it was his opinion that the Bedford Highway situation has marked implications, not only for the residents of Wards 9, 10 and 12, but also for the City of Halifax as a whole.

Following a lengthy discussion, during which Mr. W. A. Sullivan, Chief Engineer, responded to questions from members of Council, the amendment to the motion was put and defeated.

**9:30 p.m. - Deputy Mayor Stone assumes the Chair, in order that Her Worship Mayor Ducharme might address Council.**

In her remarks, Her Worship made reference to the many years during which the residents in Mainland North (and particularly those on Bayview Road) have had to endure traffic-related problems. She went on to refer to the motion presently on the floor and indicated that, in her opinion, Council may be making a costly mistake by refusing



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to acknowledge the wisdom of the recommendations put forward both by staff and by the Task Force on City Traffic.

Mayor Ducharme expressed some considerable concern that by "exempting" the Bedford Highway in the manner suggested by Deputy Mayor Stone's motion, Council would be "tying the hands" of those responsible for developing a transportation plan for the City as a whole. She concluded her remarks by emphasizing that Council could not afford to be "parochial" in this regard and, on that basis, urged approval of the recommendation put forward in the 15 May report.

**9:37 p.m. -- Her Worship assumes the Chair, with Deputy Mayor Stone assuming his usual seat on Council.**

After some further discussion, Alderman Fitzgerald suggested (and it was so agreed) that the various components of the motion be voted on separately:

- (1) Council supports the preparation of a City Transportation Plan. Because the development of such a plan will take a year or more, planned or current projects should not be delayed (consultants will be engaged to prepare the City Transportation Plan).

The motion was put and passed.

- (2) The Bedford Highway project should proceed (the project should be referred back to the consultant for the preparation of an engineering design as a three-lane facility to include turning lanes and bus lay-bys).

The motion was put and passed.

- (3) The Joint Transportation Committee of the City/Province (to conclude the functional concept for Bayers Road between the Bicentennial Highway and Connaught Avenue) be reactivated.

The motion was put and passed.

- (4) Improvements to major roadways and intersections, as recommended at the 20 November 1991 Committee of the Whole (attached as Appendices 1, 2, 3 and 4 to the staff report of 15 May 1992) be approved.

The motion was put and passed.

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- (5) The closure of Bayview Road not be approved (Council questions the value of an isolated Origin-Destination study, and suggests that a comprehensive OD study be included in the proposed Transportation Plan.

The motion was put and defeated.

In thanking his fellow members of Council for their support, Deputy Mayor Stone also asked that staff of the City's Engineering Department prepare a "timetable" with which to proceed with tonight's motions, adding that he would appreciate being provided with this information as quickly as possible.

At Alderman Adams' request, Council agreed to address the following matter at this point in the meeting's agenda in deference to the many residents present in the public gallery.

100 Leiblin Drive

This matter had been forwarded to Council without recommendation, pending receipt of a further report from the City Manager.

A report, dated 15 July 1992, was submitted from Mr. Donald F. Murphy, Q.C., City Manager.

Acknowledging receipt of the 15 July report, Alderman Adams made reference to para. 3 on the first page, emphasizing that the owner of 100 Leiblin Drive has agreed to **an exchange of land**, rather than the arrangement described in the City Manager's report.

Alderman Adams went on to make reference to the considerable information which Council has already received regarding the unfortunate situation on Leiblin Drive. He went on to emphasize that he was prepared to make a motion which would serve not only to enhance the Graves Oakley Park, but would also return tranquillity and integrity to this residential community.

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

Responding to a question from Alderman Jeffrey, the City Solicitor advised that, at some future point in time, if Council should determine that not all of the

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acquired land was necessary to the operation of Graves Oakley Park, it could (with the approval of the Minister) arrange to sell this surplus property for residential purposes.

After some further discussion, the motion was put and passed.

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

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 25 June, a public hearing having been held on Wednesday, 17 June 1992.

An Information Report, dated 14 July 1992, was submitted.

Alderman Jeffrey made reference to the 14 July Information Report and in particular to the final paragraph on p. 4 concerning the construction of additional units to two properties adjacent to that under consideration. In his remarks, the Alderman asked for clarification as to whether these additional units had been constructed prior to the 1990 Land Use Bylaw amendment or, as he himself had been given to understand, earlier this year.

Alderman Jeffrey advised that he had met with a number of area residents regarding the proposed Plan and Bylaw amendment, and noted that many of these individuals are uncomfortable with the variety of uses that would be possible as-of-right under a C-2A classification. In this context, the Alderman made reference to Item (3) on p. 3 of the 14 July Information Report, and indicated that, in his opinion, a contract agreement (which would ensure that the site would be used only for offices) would be more acceptable to residents of the immediate neighborhood.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Adams that the proposal for an amendment to the Fairview Secondary Planning Strategy and Land Use Bylaw (redesignating the property at 3763-71 Dutch Village Road from Medium-Density Residential to Minor Commercial and rezoning the same site from R-2 to C-2A be rejected by Halifax City Council.

The City Clerk advised that the following members of Council were ineligible to vote, given their absence from the 17 June public hearing: Deputy Mayor Stone; and Aldermen Fitzgerald, Meagher, O'Malley, and Crowley.

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The motion was put and passed with Deputy Mayor Stone and Aldermen Fitzgerald, Meagher, O'Malley and Crowley abstaining.

It was further moved by Alderman Jeffrey, seconded by Alderman Adams that the matter be referred back to the Planning Advisory Committee with a request that they consider a Plan amendment for 3763-71 Dutch Village Road, such amendment designed to authorize the negotiation of a contract agreement which would ensure that the site in question would be used only for office purposes.

The motion was put and passed.

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

This matter was deferred from a regular meeting of Halifax City Council held on Thursday, 25 June, a public hearing having been held on Wednesday, 17 June 1992.

Alderman Jeffrey advised that he has received a number of telephone calls and letters from Fairview residents expressing their opposition to the proposed Plan amendment and the construction of two apartment buildings which that amendment would then permit.

In his remarks, the Alderman acknowledged that there are several other apartment buildings in the Rosedale Avenue area, but emphasized that, since they had been construction prior to amalgamation, they are now considered to be non-conforming uses.

Alderman Jeffrey went on to note that, in his opinion and in that of many area residents, the Plan amendment under consideration and the project which would ensue if that amendment were approved would set the stage for similar activity in such neighboring streets as Ashdale, Frederick, Rufus and Sunnybrae. The Alderman made reference to the fact that development in this area has begun to stabilize as a result of the provisions laid down in the Fairview Secondary Plan, emphasizing that he would not like to see this trend interrupted at this point in time.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Hanson that the request for an amendment to the Fairview Secondary Plan (as outlined in the staff report of 28 January 1992) be rejected by Halifax City Council.

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The City Clerk advised that the following members of Council were ineligible to vote, given their absence from the 17 June public hearing: Deputy Mayor Stone; and Aldermen Fitzgerald, Meagher, O'Malley, and Crowley.

The motion was put and passed with Deputy Mayor Stone and Aldermen Fitzgerald, Meagher, O'Malley and Crowley abstaining.

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

This matter had been referred without recommendation from the Special Meeting of Halifax City Council held on Wednesday, 8 July 1992.

Alderman Meagher indicated that, in his opinion, award of this tender would involve a considerable amount of money which the City could ill afford to spend in 1992.

It was therefore moved by Alderman Meagher, seconded by Alderman Fitzgerald that further consideration of this project be deferred to 1993 and that, in the interim, the money be put back into the City's general funds.

The motion was put and passed.

10:15 p.m. - Deputy Mayor Stone and Alderman Macdonald retire from the meeting.

**Case No. 6478: Appeal of Minor Variance  
Approval - 3626 Deal Street**

A public hearing into this matter was held on Wednesday, 8 July 1992.

Alderman Jeffrey made reference to the staff report of 22 June 1992 in which it is noted that, with the exception of the frontage requirement, the minor variance previously approved for the property at 3626 Deal Street meets all other conditions of the Land Use Bylaw. The Alderman went on to note that, having discussed the matter in some detail with the Development Officer, it is his opinion that construction of a three-unit building on this property will considerably enhance the site in question and, in so doing, impact favorably on abutting properties.

It was therefore moved by Alderman Jeffrey, seconded by Alderman Hanson that the decision of the Development Officer be upheld, and that City Council



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dismiss the appeal against the approval of the minor variance proposed for 3626 Deal Street.

The motion was put and passed.

10:17 p.m. - Deputy Mayor Stone returns to the meeting.

**Case No. 6512: Appeal of Minor Variance  
Approval - 1589 Preston Street**

A public hearing into this matter had been held on Wednesday, 8 July 1992.

Alderman Fitzgerald made reference to the fact that the Preston Street area generally consists of single-story houses, and added that, in his opinion, the proposed minor variance, while slight in nature, would very seriously impact on the existing character of the surrounding neighborhood.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Holland that Halifax City Council accept the appeal against the minor variance approval at 1589 Preston Street, and, in so doing, overturn the decision of the Development Officer.

The City Clerk advised that Deputy Mayor Stone was to vote, owing to his absence from the 8 July public hearing.

The motion was put and passed with Deputy Mayor Stone abstaining.

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

A public hearing into this matter had been held on Wednesday, 8 July 1992.

Responding to a question from Alderman O'Malley, the City Clerk advised that no letters or petitions in opposition to this proposal had been received.

MOVED by Alderman O'Malley, seconded by Alderman Pottie that:

- 1) the application for a development agreement to enable subdivision of 5809 Bilby Street into a lot of 1220 sq. ft. for single-family dwelling

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purposes (lands of M. Ann Crosby), as shown on Plan P200/18923 of Case No. 6532, be approved by City Council;

- 2) Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

**Case No. 6347: Development Agreement  
- 2037 Parker Street**

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A public hearing into this matter was held on 8 July 1992.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that the application for a development agreement to permit a beauty parlour of no greater than 800 sq. ft., as shown on Plans P200/18831-32 of Case No. 6347, along with two dwelling units at 2037 Parker Street (lands of John Maughan) be approved by Halifax City Council.

The motion was put and passed.

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

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A public hearing into this matter had been held on Wednesday, 8 July 1992.

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

- 1) the application for Stage I and Stage II development agreement approvals be granted concurrently for Lot K-17 to permit construction of a 19-unit townhouse, as shown on Plans P200/18817-18819 inclusive of Case No. 6489;
- 2) the application for Stage I and Stage II development agreement approvals be granted concurrently for Lot K-22 to permit construction of a 32-unit apartment building, as shown on

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Plans No. P200/18813-18816 inclusive, and Plan No. P200/189931 of Case No. 6489, providing that:

- (a) should any of the trees referred to in Clause 3 die or be removed during the period of two (2) years from the time they are planted, it shall be the responsibility of the developer to replace these trees at his expense;
  - (b) should any of the trees referred to in Clause 3 die or be removed during the period between two (2) years and ten (10) years from the time they are planted, it shall be the responsibility of the developer to replace those trees with trees of a type and size satisfactory to the Development Officer;
  - (c) a minimum of four (4) feet of landscaped area be provided and maintained between the parking spaces on Lot K-22 and its common boundary with Lot K-23AR, and that the developer at his expense plant a mixture of shrubs and deciduous trees, evenly spaced within the landscaped area adjacent to the first twelve (12) parking spaces east of Montgomery Court, as shown on Plan P200/18993;
- 3) the agreements (one for each lot as they are under separate ownership) shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The motion was put and passed.

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MOTIONS OF RECONSIDERATION

Motion Alderman Fitzgerald: Reconsideration of  
Council Resolution of 25 June 1992 Re:  
Monastery Lane Street Closure

Notice of Motion had been given by Alderman Fitzgerald during the 25 June 1992 meeting of Halifax City Council that he wished to have the Council resolution regarding the partial closure of Monastery Lane reconsidered.

Alderman Fitzgerald addressed Council, making reference to information provided by the City's Traffic Services Division, and noting that, in his opinion, the increase in the number of motorists using Allan Street over the last several years appears to be rather insignificant. In this context, he compared the traffic situation on Allan Street with that on other residential streets in the City, making particular reference to that portion of Preston Street between Quinpool Road and Pepperell (approximately 9,000 vehicles/day) and to Bayview Road (an estimated 13,000 vehicles/day).

Alderman Fitzgerald also referred to concerns previously raised by Alderman Pottie; namely, that the partial closure of Monastery Lane will not only serve to divert traffic to other residential streets in the Quinpool Road area, but will also increase the traffic counts on Allan Street, since residents of Quinpool Court will then be forced to use that street (rather than Monastery Lane) to gain access to their homes.

For the reasons indicated above, therefore, it was moved by Alderman Fitzgerald, seconded by Alderman Downey that Council reconsider its resolution of 25 June 1992; namely, that "Council approve the narrowing of Monastery Lane, immediately north of the Quinpool Centre access, to provide a physical impediment to northbound traffic; and that staff proceed with detailed design and cost estimates with a view to implementation during the summer of 1992."

The motion to reconsider was put and resulted in a tie vote. Her Worship Mayor Ducharme broke the tie by voting in favor of the Motion of Reconsideration, and declared the motion to be passed.

Alderman Meagher addressed the matter, questioning the validity of the information provided by staff with regard to current traffic counts on Allan Street and indicating that, in the opinion of many Allan Street residents, they had not been given sufficient opportunity

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to express their views on this matter. The Alderman went on to emphasize that the changes to Monastery Lane as proposed represent, in his opinion, a reasonable solution to the traffic problems on Allan Street, particularly in view of the fact that various other suggestions (such as speed bumps, and a four-way stop at the corner of Allan and Harvard) had been rejected by the Traffic Authority.

It was therefore moved by Alderman Meagher, seconded by Alderman Holland that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for WEDNESDAY, 22 JULY 1992, at which time Allan Street residents would be provided a further opportunity for input.

The motion to defer was put and passed.

The following information was submitted:

- ◆ Correspondence, dated 16 September 1991, from Mr. P. Coutts, 6220 Allan Street
- ◆ Correspondence, dated 30 June 1992, from Mr. J. Greg West, Branch Manager, Canada Trust, 6239 Quinpool Road
- ◆ Correspondence, dated 5 July 1992, from Mr. C. Burton Coutts, representing the Allan Street Citizens Committee
- ◆ Correspondence, dated 10 July 1992, from Mr. Joseph F. Martin, Pharmacist/Owner, Shoppers Drug Mart, 6139 Quinpool Road
- ◆ Correspondence, dated 15 July 1992, from the "Residents of Allan Street Traffic Committee"

**10:25 p.m. - Her Worship Mayor Ducharme retires from the meeting, with Deputy Mayor Stone assuming the Chair.**



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**PETITIONS AND DELEGATIONS**

**Petition Alderman Hanson Re: Williams Lake Road**

Alderman Hanson submitted a petition at this time in the form of a letter dated 16 July 1992 on behalf of the residents in the area of Williams Lake Road. The Alderman advised that the petition concerns the invitation to tender for a major construction project in relation to sanitary sewer improvements in that area.

Alderman Hanson asked that staff respond as quickly as possible to this matter noting that an invitation to tender is in process.

**Petition Alderman Crowley Re: Lloyd Fox Avenue**

Alderman Crowley submitted the following petitions at this time concerning Lloyd Fox Avenue: a petition containing 113 signatures of residents registering their support for the closure of the walkway connecting Lloyd Fox Avenue abutting the Halifax Shopping Centre property with a fence; a petition containing 50 signatures of residents in support of the closure of the walkway with a gate; and a petition with 15 signatures in opposition to the closure of the walkway connecting Lloyd Fox Avenue abutting the Halifax Shopping Centre property.

Alderman Crowley requested that City staff consider closing off Lloyd Fox Avenue which abuts the Halifax Shopping Centre to discourage youth gangs from using Lloyd Fox Avenue as a thoroughfare to West Mount School as recommended by the Chief of Police in a memorandum to her dated 1 May 1992. The Alderman indicated that it would be greatly appreciated if staff could act on this request as quickly as possible.

**Petition Alderman Meagher Re: Clifton Street**

Alderman Meagher submitted a petition at this time containing approximately 52 signatures of residents in the neighbourhood of Clifton Street concerning Garrick Lane. The petition requested that the sidewalk across the end of Garrick Lane be removed and replaced with asphalt. Alderman Meagher presented pictures at this time illustrating the area of concern.

A letter dated 23 June 1992 from Audrey Peake, 2337 Clifton Street, was also submitted along with a letter dated 7 July 1992 from Elizabeth Grant and a letter from Mr. and Mrs. Bill Patterson, 2363 Clifton Street, concerning the same matter.

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The Alderman submitted the petition and letters to the City Clerk and asked that the item be passed on to the Engineering and Works Department for a report at the next Committee of the Whole Council meeting scheduled for 22 July 1992 if possible.

Deputy Mayor Stone took his usual seat on Council at this time with Alderman Meagher assuming the Chair.

**Petition Deputy Mayor Stone Re: Dakin Drive**

Deputy Mayor Stone submitted a petition containing approximately 37 signatures of Dakin Drive residents requesting zoning of all of Dakin Drive to R-1. Included with the petition was a letter entailing "A Request for Immediate Action" signed by Mary Lutwick for the Petitioners. The letter requested that Council immediately take the action necessary to prohibit preliminary and/or final approval of any applications for changes, building or development on Dakin Drive which would not conform to R-1 zoning regulations; such prohibition of approval to remain in effect until such time as a decision has been reached on their petition for zoning of all of Dakin Drive to R-1.

With respect to the request that Council prohibit any further developments in the area until the petition for rezoning is dealt with, the City Solicitor clarified that this was a request that staff could not legally comply with. He added that, while the property is zoned as it is, if another application for a similar development is made as of right, then under the law staff will have no alternative than to process the application in the normal course of events. The City Solicitor noted that if the application complies with the law, then a permit would have to be issued.

Deputy Mayor Stone requested therefore, since this was not possible, that staff bring forward a report as quickly as possible in response to the petition.

Her Worship Mayor Ducharme returned to the meeting with Alderman Meagher taking his usual seat on Council.

**Dakin Drive Development**

With the agreement of Council, this item was dealt with at this time.

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An information report dated 16 July 1992 was submitted.

A petition referred to earlier was also submitted in relation to this item as well as a letter dated 15 July 1992 from Mary Lutwick, 32 Dakin Drive.

Deputy Mayor Stone addressed the item and noted that the proposed development could proceed as of right and that, therefore, Council did not have the power to prohibit the approval of the application. Noting the concerns of the residents raised at the Committee of the Whole with respect to the cutting of trees, in particular a heritage tree, and the encroachment into an R-1 area, the Deputy Mayor advised that he instructed staff to meet with the developer to see what could be done to resolve the concerns of the residents.

Deputy Mayor Stone went on to advise that staff discussed the matter with the developer and, referring to the information report of July 15th, commented that it was staff's opinion that a significant majority of the healthy mature trees will be protected. With respect to the ash tree of concern to the residents, the Deputy Mayor noted that staff is recommending that this tree be removed because it is substantially rotted. However, he added that staff is proposing that a cutting of the tree be preserved and grown by Parks and Grounds for future planting.

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of the Finance and Executive Committee from its meeting held on 8 July 1992 as follows:

**Sewer and Water Cost Sharing (Ragged Lake)**

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, City Council accept the provincial commitment for 50/50 cost sharing for sewer and water to the heavy industrial area of the City's Ragged Lake Industrial Park.

In moving the motion, Alderman Jeffrey questioned the Minister's provision that the City create a minimum of 100 jobs. The Alderman asked that staff inquire to see if this proviso is placed on Industrial Parks in other municipalities where the Province has provided cost sharing or if this is an isolated case because it is the City of Halifax.

Motion passed.

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License of Occupation - Halifax Civic Arena

MOVED by Alderman Pottie, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the City of Halifax acquire the land on which the Halifax Civic Arena now stands from the Federal Government for a total of \$324,000.00 and, in the negotiations, the \$36,000 in back rent now owing be deducted from the overall purchase price.

Motion passed.

Signing Authority - City Manager

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the City Manager be granted signing authority of \$20,000, but where the expenditure is derived as a result of quotation or tendering process, this limit be extended to \$50,000 with all items entered into above \$20,000 being reported monthly to Council.

Alderman O'Malley indicated that she had several questions in relation to this matter. The Alderman questioned if there is a problem with the present process and why the limit needed to be increased. Referring to the third paragraph of the staff report dated June 23, Alderman O'Malley advised that the report states that "these expenditures can be in the area of grants to organizations." Alderman O'Malley expressed concern with respect to this reference noting that she understood this to be the role of the Tax and Grants Committee. Alderman O'Malley also noted that, in regard to the provision of specialized services, she was not sure what this entailed.

Responding to the Alderman's concerns, the City Manager advised that the request did not originate in the City Manger's Office and that it was brought forward at the request of the Finance Department. He added that fundamentally the request takes into account inflation over the years and the inconvenience to the Finance Administration. The City Manager pointed out that the items entered into would only be expenditures that were already approved by Council.

Mr. Bernard G. Smith, Director of Finance, explained, as outlined in the staff report of June 23rd, that the limit of \$7,500 does not, in 1992 dollars, provide adequate flexibility to the City Manager, with the result of slowing down the process of paying suppliers on relatively routine purchase items that are within budget and have budgeted funds and which are non-controversial.

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A discussion ensued with Alderman O'Malley requesting a written report in response to her questions on this matter.

Following a further discussion, the motion was put and defeated.

**Alderman Macdonald retired from the meeting during the discussion on the above item.**

**Award of Tenders - Summer Break**

MOVED by Alderman Meagher, seconded by Deputy Mayor Stone that, as recommended by the Finance and Executive Committee, City Council authorize award of tenders/procurements by the City Manager for the period of 31 July 1992 to 18 August 1992 under the following conditions:

- a. that the tender/procurement be for works, services or materials approved by City Council for 1992 projects in the Capital and/or Operating Budgets of the City.
- b. that the tender/procurement bid, plus contingencies required, be within the approved budgetary funds as shown in the budget(s), and
- c. that the City Manager advise Council of all tenders/procurements awarded under this authority for ratification by Council at its meeting of 19 August 1992.

Motion passed.

**Policy - Private Clubs Utilizing City Property**

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, City Council approve the policy on "Private Clubs Utilizing City Property" (as attached to the 22 June 1992 staff report) so that criteria, standard guidelines and procedures can be implemented.

Motion passed.



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St. Mary's University Huskies Stadium Contract

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

1. City Council authorize the Mayor and City Clerk to sign the contract with Saint Mary's University for up to four hundred and thirty-three hours (433) of facility time at a cost of eighty dollars per hour plus GST (\$80.00/hour + GST).
2. The payment of eighteen thousand five hundred and fifty dollars (\$18,550.00) be paid on December 1st, 1992, with funds being available in account number 01-22606 4032 43927 (Recreation - Sport and Subsidies).

Motion passed.

Authorization of Loss Release - City Vehicle

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Council empower the City Manager and Treasurer to execute signing of the automobile proof of loss in connection with the City vehicle which caught fire while being used during normal operations on 8 February 1992, and thereby bring this file to a close.

Motion passed.

Heritage Incentives to Encourage the Retention and Re-use of Registered Heritage Properties

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the staff report of 15 June 1992 on Heritage Incentives to Encourage the Retention and Re-use of Registered Heritage Properties be referred to the Heritage Advisory Committee for a report back to Council.

Motion passed.

Shearwater International Airshow - Request to Overfly City of Halifax

MOVED by Alderman Hanson, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, City Council grant approval to the Shearwater

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International Air Show to permit various civilian and military air display performers to overfly the City of Halifax during the period 18 to 21 September, and that all military and Ministry of Transport safety regulations be strictly adhered to.

Motion passed.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of the Committee on Works from its meeting held on Wednesday, 8 July 1992, as follows:

**Traffic Concerns - Bridgeview Subdivision**

Deputy Mayor Stone addressed the matter and, reiterating his remarks at the Committee of the Whole, noted that staff has cooperated very extensively with many of the concerns he had with respect to this area. The Deputy Mayor asked that the Police Department continue to monitor this area and that staff determine whether the signs that have been established with respect to no parking are sufficiently visible. Noting that staff are investigating the feasibility of erecting a fence along the playground abutting Flamingo Drive, Deputy Mayor Stone indicated that he would like to receive a report in this regard when available.

Alderman Jeffrey advised that he received a report from staff in response to the concern he had regarding Rosedale and Willett. He noted that staff have agreed to discuss the possibility of a "4-way stop" with the residents in this area.

Her Worship retired from the meeting briefly with Deputy Mayor Stone assuming the seat of the Chair.

**Award of Tender #92-37 - Paving Renewal -  
Connaught Avenue (B/S) - Bayers Road to London Street**

This matter was forwarded to Council without recommendation pending receipt of a staff report addressing the questions raised by Alderman Pottie during the July 8th Committee on Works meeting.

An information report dated 14 July 1992 was submitted along with a letter from Jacques Whitford dated July 14th.

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Alderman Pottie addressed the matter and noted that staff in their report of July 14th indicates that Jacques, Whitford and Associates Limited letter of July 14th clarifies their former letter of June 25th. He added that staff have reported that Jacques Whitford, now that they have received the actual tender document, agree that the conventional and full depth paving structures have the same structural capacity. Also, Alderman Pottie advised that the staff report of July 14th indicates that, in considering past tender awards, full depth asphalt was recommended over conventional asphalt because staff believed it to be more durable. Therefore, Alderman Pottie noted that staff is basically of the opinion that 12 inches of asphalt is more durable than the Alternate 1 for five inches of asphalt.

In addressing the staff report, Alderman Pottie noted that the report also states that the additional premium in past tenders was approximately an 8 percent extra charge to in order to achieve the full depth pavement. The Alderman explained that staff claims that, with respect to Connaught Avenue, the premium for going with full depth asphalt is an additional \$80,000 or 10.7 percent considering the provisional items included and \$122,000 or 18.1 percent considering the provisional items not included. Alderman Pottie pointed out that Connaught Avenue is a shared street with the Province of Nova Scotia on a 50/50 basis. Therefore, he noted that additional charges for full depth are actually half of the 10.7 percent.

Alderman Pottie reiterated his view, as stated at the Committee of the Whole, that Council should approve 12 inches of asphalt for Connaught Avenue in light of the heavy traffic on this street. A discussion and questioning of staff ensued.

MOVED by Alderman Pottie, seconded by Alderman O'Malley that Council award Tender 92-37 for the project, materials and services listed for the unit prices quoted at a bid price of \$823,309.00 and a total cost project of \$987,970.00 to Dexter Construction Ltd. for Alternative #2 (full depth asphalt) and, further, that funding be authorized from account numbers 91408 and 91409.

A debate followed with vote being put and resulting in a tie. The Chairman broke the tie by voting in opposition to the motion, due to budgetary restraints, and declared the motion defeated.

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that Council award Tender 92-37 for the project, materials and services listed for the unit prices quoted at a bid price of \$743,685.00 and a total cost project of \$892,422.00 to Basin Contracting Ltd. for Alternative #1

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(asphalt granular) and, further, that funding be authorized from account numbers 91408 and 91409.

Motion passed.

**NOTE:** Later in the meeting, Alderman Pottie put forward a motion of reconsideration in respect of the above motion at which time a Stay of Proceedings was approved.

12 Guildwood Crescent

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

At the request of the City Clerk, this item was deleted during the setting of the agenda.

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

**Report from Planning Advisory Committee Re: Case No. 6496:  
Schedule "C" Development - 6116 Almon Street**

A report from Mr. Philip Pacey, Chairman, Planning Advisory Committee, dated 25 June 1992 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Planning Advisory Committee, Council refuse the application for a development agreement to permit a 68 unit apartment building at 6116 Almon Street which exceeds the maximum number of units permitted within Schedule "C" and does not meet the minimum street frontage or maximum population density for apartment buildings.

Motion passed.

**REPORT - PLANNING COMMITTEE**

Council considered the report of the Planning Committee from its meeting held on Wednesday, 8 July 1992, as follows:

**The Peninsula: Increasing Opportunities  
for High Density Housing**

A report dated 9 July 1992 from Mr. Edward A. Kerr, City Clerk, was submitted.

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MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, a date be set for a special meeting of Committee of the Whole Council to provide an opportunity for an indepth staff presentation.

Motion passed.

It was agreed that the meeting date would be set for Monday, 20 July 1992, beginning at 2:00 p.m. in the Council Chamber.

100 Leiblin Drive

This matter was dealt with earlier in the meeting.

Case No. 6462: Plan Amendment Request - Peninsula  
Centre Area: West Side of Robie Street Between  
Pepperell and Shirley Streets

The following correspondence in relation to this item was submitted:

- a letter dated 9 July 1992 from Geoff Keddy MRAIC, President, Geoff Keddy & Associates Architecture Interior Design;

- a letter dated 23 June 1992 from Gale Dempsey, 6042 Pepperell Street;

- a letter dated 8 June 1992 from David Hamilton, 6027 Shirley Street.

At the request of the City Clerk, this item was **deleted** during the setting of the agenda as the application was withdrawn by the applicant.

Dakin Drive Development

This item was dealt with earlier in the meeting.



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**Case No. 6564: Mainland South Plan Area -  
Commercial Development in Residential  
Development Districts**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Planning Committee, Case No. 6564 (pertaining to commercial development Residential Development Districts in the Mainland South Plan Area) be referred to the Planning Advisory Committee for review and recommendation.

Alderman Adams requested that the PAC, when looking at the shaded areas behind Leiblin Drive, not consider them as Residential Development Districts but rather as plain residential areas.

Motion passed.

**Case No. 6529: Development Agreement  
- 1341 Brenton Street (SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Planning Committee, a date be set for a public hearing to consider the application for a development agreement to permit an addition to the building at 1341 Brenton Street and to permit a change in use from a repair garage to an office as shown on Plans P200/18909 to 18913 inclusive, of Case 6529, (attached to the staff report of 18 June 1992), lands of Special Projects Limited.

Motion passed.

The City Clerk advised that the date for the public hearing would be scheduled for Wednesday, 19 August 1992, at 7:30 p.m. in the Council Chamber.

**Case No. 6501: Proposed Development Agreement -  
1572-88 Barrington Street and 1569-71 Argyle Street**

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Planning Committee, this item be deferred pending receipt of a staff report on the outcome of the consultant's report.

Motion passed.

**Tim Horton's - Quinpool Road and Beech Street**

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, the City Manager's Office schedule a meeting as soon as

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possible between the Aldermen of the area, citizen representatives, the City's Traffic Authority, the owner of Tim Horton's, a representative of the Police Department, a representative of the City's Planning Department, a representative of Engineering and Works Department (to provide input on the correct placing of curbs and gutters and roadways out of the lot), and the President of Sir Charles Tupper Home and School Association.

Alderman Meagher addressed the matter noting that attempts were being made to set up the meeting for Wednesday night at 7:00 p.m.

Motion passed.

**MISCELLANEOUS BUSINESS**

**Case No. 6463: Proposed Amendments to Municipal Development Plan and Land Use Bylaw, Development on Private Road**

A supplementary staff report dated 30 June 1992 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Adams that the staff report dated 5 June 1992 relating to reference to Appendix "C" be replaced with Appendix "B" as it appears in the 3rd paragraph on page 3 and in the recommendation on page 4.

Motion passed.

**QUESTIONS**

**Question Alderman Jeffrey Re: 137 Melrose Avenue**

Alderman Jeffrey noted that he had received a staff report in relation to the property at 137 Melrose Avenue. The Alderman advised that he has been trying for a number of months to have this property cleaned up. He went on to refer to a letter he received from the Building Inspection Division indicating that, due to snow conditions, the subject property will be inspected in the Spring. Noting that it is now summer and the property is still unsightly, Alderman Jeffrey requested that the Building Inspection Division pursue this matter. He commented that the last report he received was that the property in question had been purchased by another person and staff were now trying to determine the name of the new owner.

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**Question Alderman Jeffrey Re: 126 Rosedale Avenue**

Alderman Jeffrey advised that the owner of 126 Rosedale Avenue had acquired an encroachment license from the City to erect a fence. He advised that it was his understanding the property owner has to pay \$1.08 per square foot for the encroachment and that this will cost him approximately \$200 every year. Alderman Jeffrey expressed the opinion that this amount was high and unjustified and requested that staff review the fees for encroachment licenses.

**Question Alderman Jeffrey Re: Urgent Notice -  
Listing of Property for Tax Sale**

Alderman Jeffrey noted that he had received a telephone call from one of his residents who had received an urgent notice with respect to the listing of his property for tax sale. Noting that he had raised concern on previous occasions with respect to these notices, Alderman Jeffrey questioned if staff could review these notices to see if there was a more compassionate way of wording them. Alderman Jeffrey expressed the view that these letters were unsympathetic and submitted a sample of the letter to the City Clerk. The Alderman asked that this matter be passed on to the City Manager and that a report come back to Council on how these letters could be rewritten more compassionately.

**Question Alderman Jeffrey Re: Retaining Wall -  
Adelaide Avenue**

Alderman Jeffrey advised that the retaining wall on Adelaide Avenue is in terrible condition and poses a dangerous situation. He asked that staff inspect the area and undertake the necessary repairs to make the retaining wall safe.

**Question Alderman Jeffrey Re: Financial Aid to  
Owner of 56 Adelaide Avenue**

Alderman Jeffrey noted that he had received a telephone call from a lady who cares for her mother in her home at 56 Adelaide Avenue. The Alderman explained that this lady is on a fixed income and does not receive any compensation for caring for her disabled mother. Alderman Jeffrey expressed the view that this lady should probably be in a nursing home.

Alderman Jeffrey went on to advise that she recently had to have a wheelchair ramp installed outside her

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home for her mother and, in order to pay for this, she could not pay her light bill. He asked that staff consider the circumstances with respect to this situation and determine if this lady could some how be reimbursed for the money it cost her to have this ramp installed. The Alderman indicated that it was his understanding there were some funds available to people requiring care.

**Question Alderman Downey Re: Alexandra Centre**

Alderman Downey advised that he had a question concerning the Alexandra Centre which he asked that staff respond to at this time. The Alderman indicated that it was his understanding that everyone had been moved out of the building.

In response, the City Manager advised that not all of the tenants had been moved out to date.

Noting the seriousness of the situation, Alderman Downey indicated that it was his hope all people, especially the day care, would be relocated as soon as possible.

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

Alderman Downey referred to an information report dated 6 July 1992 he received concerning the sidewalk along Rainnie Drive. The Alderman indicated that it was his understanding all sidewalks that were 80% or more deficient would be corrected this year.

After viewing the Canadian Tire Cycle Races on television, Alderman Downey noted that the poor condition of the sidewalk between Rainnie Drive and Brunswick Street was noticeable. He noted that the information report of July 6th indicates that the sidewalk is about 82 percent deficient. Noting the number of people who use this sidewalk, Alderman Downey asked that staff consider repairing this area this year rather than in two years.

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

Further to Alderman Downey's question regarding the relocation of tenants from the Alexandra Centre, Alderman O'Malley questioned what tenants would be going to the Alexander MacKay School.

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**Question Alderman O'Malley Re: 3606 Highland Avenue**

Alderman O'Malley advised that it was her understanding that a developer is in the process of obtaining permits from the City with regard to 3606 Highland Avenue. She requested information from staff with regard to the permits that have been or are about to be issued and what the developer is actually permitted to do under these permits.

**Question Alderman O'Malley Re: Merkel Place Boulevard**

Alderman O'Malley commended Parks and Grounds staff for the work they have been doing to the boulevards throughout the City. However, Alderman O'Malley referred to the Merkel Place Boulevard and suggested that this boulevard has been overlooked. The Alderman asked that Parks and Grounds staff look into this situation and see what can be done to enhance this boulevard.

**Question Alderman O'Malley Re: Mobile Canteen Sites**

Alderman O'Malley advised that a couple of years ago tenders were issued for certain Mobile Canteen sites throughout the City. The Alderman questioned whether the persons who had been awarded these sites could in turn sublet them. She asked for information in this regard.

**Question Alderman Fitzgerald Re: Improvements - Prospect Road**

Noting the growth in the area of Prospect Road and the Ragged Lake and Atlantic Winter Fair sites, Alderman Fitzgerald asked that staff write the Provincial Government in respect to improvements to the area from the Old Sambro Road to Denneth Road or the Prospect Road. The Alderman noted that, as Council was aware, when the Northwest Arm Drive was built, Denneth Road was enlarged, and further improvements were to be made up to Prospect Road. Alderman Fitzgerald asked for a report in this regard.

**Question Alderman Fitzgerald Re: Waste Management Committee**

Alderman Fitzgerald suggested that consideration should be given to the establishment of an Environmental Waste Management Committee. He noted that this was a topic that will be very time consuming over the next number of years.



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**Question Alderman Fitzgerald Re: Metro Centre**

Alderman Fitzgerald noted that there have been discussions in the past with respect to ways of selling the Metro Centre to the Province.

In response, the City Manger advised that it was his understanding the process has started in the last week or two in respect of this matter.

**Question Alderman Fitzgerald Re: Cultural Policy**

Alderman Fitzgerald suggested that there be a discussion of the new cultural policy and how it is being interpreted with regards to services and rentals and things of this nature. He suggested that this item be at a future Committee of the Whole Council meeting. The Alderman suggested that it would be well advised in light of some of the questions that have been raised in respect of this item.

**Question Alderman Hanson Re: North West Arm Drive**

Alderman Hanson advised that, in relation to the corner of the Cowie Hill Road and North West Arm Drive, it has been brought to his attention that several accidents have occurred in this area. Noting that this is a provincial highway, Alderman Hanson asked that a letter be written to the Provincial Department of Transportation and Communications asking that they investigate their traffic controls at that intersection in an effort to provide a safer access and egress. Further, he asked that they also give consideration to reducing the speed limit in this area.

Alderman Fitzgerald retired from the meeting at this time.

**Question Alderman Adams Re: Leiblin Park**

Alderman Adams advised that there are some flooding problems occurring in the area of Leiblin Park. He went on to note that staff have done a very good job of cleaning up the existing drain on the north side of Leiblin Drive. In talking with the residents in the area, the Alderman advised that there are rumours that those ditches will be dug out completely. Alderman Adams requested clarification on what is being planned for the area.

Alderman Adams advised that storm sewers have also been another issue for members of this community. He noted

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that he would like to find out what it would cost each individual householder to hook up to the storm sewers. As well, in light of the present economic climate, Alderman Adams noted that tenders are coming in below budget. He therefore requested a new estimate for the cost of these storm sewers for this area.

### Question Alderman Adams Re: Rockingstone Road

Alderman Adams advised that in the Rockingstone Road area, south of Ardwell Avenue, there were no parking signs that had been installed on the east side of the Road in order to help alleviate some of the problems that were experienced by people travelling along the road and children running out between cars during and after ball games. Alderman Adams indicated that he would like to know whether these signs could be relocated to the west side of the street in order to allow for people to park and no one would need to cross the street. He added that this would allow for parents to pick up their children at school.

### Question Alderman Crowley Re: Highland Theatre

Alderman Crowley noted that there is a wall to one side of the Highland Theatre which appears to be unsafe. She therefore requested that staff investigate the situation.

Alderman Crowley also requested an update with respect to the future plans for this property.

### Question Alderman Meagher Re: 24 Hour Businesses

Alderman Meagher noted that he and Alderman Fitzgerald have been inundated with the operation of 24 hour service stations in residential areas i.e. Ultramar Station on Chebucto Road and the Irving Station on Quinpool Road. As requested on previous occasions, Alderman Meagher asked that staff draw up some regulations that would give the City some control over 24 hour businesses in residential areas. He asked that the City Solicitor's Department draft some regulations for Council's consideration in this regard.

### Question Alderman Meagher Re: 2347 Moran Street

Alderman Meagher noted that on March 4, 1991, Mrs. Douglas Baird of 2347 Moran Street, had the gutter along her house destroyed due to ice on trees. The Alderman advised that insurance adjusters have reviewed the situation but they have not, in his estimation, come to a conclusion on the

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matter. Alderman Meagher indicated that he would like to receive a report from the City Manager concerning the gratuitous payment in the amount of \$250.00 to Mrs. Baird for the cost of the gutter.

**Question Alderman Meagher Re: City Streets**

Alderman Meagher expressed concern with regard to the condition of some of the City's streets. He referred particularly to North Street, from Chebucto Road to the bridge, and Oxford Street, from Chebucto Road to Oak Street onto Quinpool Road. Alderman Meagher requested that staff investigate some of these main arteries and provide a report on when repairs will be done to some of these streets.

**Question Alderman Holland Re: Halifax District School Board**

Alderman Holland advised that approximately two months ago, he asked staff for a report in response to a comment that had been made by the Auditor General or the Deputy Minister of Education respecting administrative costs for School Boards in the Province. He added that the comment was made that the City of Halifax School Board had the second highest administrative costs of all other NS School Boards. Noting that he had not received a response in this regard to date, the Alderman questioned the status of this report.

Deputy Mayor Stone took his usual seat on Council with Alderman Meagher taking the seat of the Chair.

**Question Deputy Mayor Stone Re: Rockingham Ridge Liquor Store**

Deputy Mayor Stone noted that he had attended a meeting two nights ago concerning youth in the area and the problem of alcohol. He advised that this meeting was attended by the City's Drug Coordinator, Mr. Todd Leader, who led the meeting. The Deputy Mayor indicated that there is a great deal of concern about the availability of alcohol to the youth in this area. He went on to note that concern was expressed at the meeting with regard to the liquor store located in the Rockingham Ridge Shopping Centre which is now open until 12:00 midnight on Friday and Saturday nights.

Deputy Mayor Stone advised that the concern has been raised that this liquor store is providing more accessibility of alcohol to the youth in the area. He indicated that it appears that it is the only one that is open until 12:00 midnight in a residential area. Deputy Mayor Stone went on to request that staff contact the Provincial Liquor Licensing Board, or the appropriate

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persons, to ask that they consider not having the store open until midnight on weekends in such a residential area. He questioned whether this was the only store that is open until midnight on weekends and, if not, how many there were and if they were located in residential areas. The Deputy Mayor further questioned if it was necessary for the Rockingham Ridge liquor store to be open until midnight on weekends.

**Question Deputy Mayor Stone Re: Shortcut onto Dunbrack Street**

Deputy Mayor Stone advised that on Dunbrack Street, near Farnham Gate Road, there is a pathway through the bushes. He added that this pathway is being used as a short cut to Dunbrack Street and that motorists have expressed concern about the safety hazard which results because they are not aware that people are using this shortcut.

Deputy Mayor Stone went on to note that, with respect to the Northcliffe area, it was necessary to install a fence in the area of the rosebushes in order to prevent short-cutting. The Deputy Mayor asked that staff investigate the short-cutting situation on Dunbrack Street to determine what could be done to hinder or prevent people from crossing over from the median from one side to the other rather than using the crosswalk.

Deputy Mayor Stone resumed the seat of the Chair with Alderman Meagher taking his usual seat on Council.

**NOTICES OF MOTION**

**Notice of Motion Alderman Pottie Re: Reconsideration of Motion on Award of Tender 92-37: Paving Renewal - Connaught Avenue (B/S) - Bayers Road to London Street**

Alderman Pottie gave notice of motion that at the next regular meeting of Halifax City Council to be held on 30 July 1992 he will ask City Council to reconsider its decision on Tender 92-37 Paving Renewal - Connaught Avenue (B/S) - Bayers Road to London Street.

MOVED by Alderman Pottie, seconded by Alderman Meagher that City Council approve a "Stay of Proceedings" in relation to Tender #92-37 pending consideration of the motion of reconsideration.

Motion passed.

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**Notice of Motion Alderman Holland Re:  
Ordinance 17, the Junk Dealer's Ordinance**

Alderman Holland gave notice of motion that at the next regular meeting of Halifax City Council to be held on Thursday, the 30th day of July, 1992, he proposes to move First Reading of the amendments to Ordinance 17, the Junk Dealer's Ordinance, the purpose of said amendments is to remove the requirement for recycling depots to be licensed.

**ADDED ITEMS**

**Award of Tender 92-26: For the Supply and Installation  
of Vehicle Detection Loops**

A staff report dated 13 July 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman Meagher that Council award Tender 92-26 for traffic signal vehicle detection loops to the lowest bidder, Black & McDonald Ltd., for the tendered amount of \$349,225.70 and a total project cost of \$419,000.00 and authorize funding from RC# 9133.

Motion passed.

**Award of Tender 92-36: Street Improvement Program,  
Robie Street (S/B) - Quinpool to Jubilee**

A staff report dated 13 July 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman Downey that Council award Tender 92-36 for the project, materials and services listed for the unit prices quoted to Standard Paving Maritime at a tender price of \$245,000.00 and a total project cost of \$294,000.00 and authorize fund from account number 91406.

Motion passed.

**Award of Tender 92-47: Street Improvement Program:  
Lady Hammond Road (B/S) - Kempt to Mackintosh, Mumford  
Road - Chebucto to Leppert, Robie (S/B) - University to  
South, Windsor St. - Connolly to Connaught**

A staff report dated 92-47 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that Council award Tender 92-47 for the projects,



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materials and services listed for the unit price quoted to Dexter Construction Co. Ltd. at a tender price of \$348,827.00 and a total project cost of \$419,000.00 and authorize funding from account 91406.

Motion passed.

**Provincial Government Office Study**

A staff report dated 14 July 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman Downey that Halifax City Council communicate with the Premier of Nova Scotia, the Minister of Supply and Services and the members of the Legislature representing Halifax expressing strong concern over the office space study and specifically request:

1. That the provincial government continue to support its policy respecting the Halifax Central Business District contained in the Halifax-Dartmouth Regional Development Plan (see Appendix B of the staff report dated 14 July 1992);
2. That the provincial government continue to support Halifax's Municipal Development Plan, approved by the provincial government, that recognizes the CBD as the focus of government, business and culture in the province and Atlantic region (see Appendix C of the staff report dated 14 July 1992); and
3. That prior to any change in policy respecting the location of government office space, a full analysis of the economic, social and cultural implications be conducted.

Motion passed.

**GoTime Maintenance**

A staff report dated 13 July 1992 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Holland that Council approve payment of \$15,408.00 for GoTime support to be recovered by billing to the Metropolitan Authority.

Motion passed.

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**Spryfield Days (Alderman Adams)**

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

Alderman Adams addressed the matter and, for the information of Council, apprised City Council of the events taking place this weekend in relation to Spryfield Days.

**Appointments**

A report from Her Worship Mayor Ducharme dated 15 July 1992 was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that the following appointments be approved:

**TAXI COMMISSION**

Len leBlanc  
Term to expire 31 January 1995

**ART ALLOCATION COMMITTEE**

Thilairani Pillay  
Term to expire 31 January 1995

**HALIFAX REGIONAL LIBRARY BOARD**  
Agnes Napier  
Term to expire 31 January 1995

**DIRECTORS OF POINT PLEASANT PARK**  
Thomas J. Adams  
Term to expire 31 January 1995

**ROUND TABLE ON THE ENVIRONMENT AND THE ECONOMY**  
Paula Gallagher  
Term to expire upon completion of mandate.

Motion passed.

**Position Paper - Mediator - Solid Waste Management  
(Alderman Fitzgerald)**

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

A memorandum dated 14 July 1992 was submitted from the City Manager with an attached report dated 29 June 1992 representing the City of Halifax's Position on Waste Management.

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MOVED by Alderman Downey, seconded by Alderman Meagher that the memorandum from the City Manager dated 14 July 1992 on Solid Waste with an attached report dated 29 June 1992 representing the City of Halifax's Position on Waste Management be tabled.

Motion passed.

There being no further business, the meeting was adjourned at 12:45 a.m.

HER WORSHIP MAYOR DUCHARME  
DEPUTY MAYOR STONE  
AND  
ALDERMAN MEAGHER  
CHAIRMEN

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

KS/MS

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**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
22 July 1992  
5:45 P. M.

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

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

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

**ALSO:** Mr. Gerry Goneau, Representing the City Solicitor; City Clerk; and other members of City staff.

**Public Hearing Re: Case No. 6553: Appeal of  
Minor Variance Refusal - 6422 Berlin Street**

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

A staff report dated 3 July 1992 was submitted.

Mr. Paul Dunphy, Planner, addressed City Council and outlined the appeal of minor variance refusal in relation to the application for a minor variance of the lot frontage and lot area requirements of the land use bylaw to permit additions to the existing duplex at 6422 Berlin Street (as described in the staff report of July 3, 1992).

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

Noting that he was not aware of any opposition to this application, it was MOVED by Alderman Pottie, seconded by Alderman Fitzgerald that the appeal of minor variance refusal in relation to the application for a minor variance of the lot frontage and lot area requirements of the land use bylaw to permit additions to the existing duplex at 6422 Berlin Street be granted and the decision of the Development Officer to refuse the application be overturned.

Motion passed.

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Public Hearing Re: Case No. 6485: Appeal of  
Minor Variance Refusal - 2734 Dublin Street

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

A staff report dated 22 June 1992 was submitted.

Mr. Paul Dunphy, Planner, addressed City Council and outlined the appeal of minor variance refusal in relation to the application for a minor variance of the lot area requirement of the land use bylaw to legalize an existing three unit apartment building at 2734 Dublin Street.

Mr. Chris Karmas addressed Council and advised that he was the son of one of the owners of the building in question. In response to a question from Alderman Pottie, Mr. Karmas advised that the unit in question has existed since 1974. He added that the previous owner was prosecuted three times in respect of the third unauthorized unit and that the third time around the matter was thrown out of the Court. Mr. Karmas noted that he requested a copy of the report in relation to the matter but was informed that it had been destroyed.

Mr. Karmas went on to express the view that the removal of the third unit would not affect the parking, accessory building or amenity area as suggested by staff in their report. He added that the building would not become any smaller by removing the third unit. Therefore, he questioned how the removal of this unit, which has existed for approximately 18 years, could resolve the problem that was referred to in the staff report under Section (a) on page 2 relating to the ability of this lot to provide adequate space to accommodate the dwelling, parking, accessory building and amenity area.

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

**Alderman Macdonald retired from the meeting at this time.**

Alderman Pottie addressed the matter and advised that some of the neighbours on Dublin Street and Vienna Street have put together a petition in relation to this application. Alderman Pottie submitted a copy of the petition at this time dated 16 July 1992 containing 10 signatures of persons in opposition to the variance to allow a third unit at 2734 Dublin Street.

MOVED by Alderman Pottie, seconded by Alderman O'Malley that this matter be forwarded to City Council without recommendation.

Motion passed.

Public Hearing: Case No. 6240: Peninsula and  
Mainland Land Use Bylaws - Amendments

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

Mr. Paul Dunphy, Planner, addressed Council and outlined the proposed amendments to the mainland and peninsula bylaws as referred to in the staff report of 9 March 1992 and in the Planning Advisory Committee of 22 June 1992.

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

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that City Council approve the proposed amendments for the Peninsula and Mainland Land Use Bylaws, incorporating the changes suggested by the Planning Advisory Committee (as attached to the report from the Planning Advisory Committee dated 22 June 1992).

Motion passed.

Public Hearing: Case No. 6518: Peninsula and  
Mainland Land Use Bylaw - Amendments

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

Mr. Paul Dunphy, Planner, addressed Council and outlined the proposed amendments to the existing land use bylaws for the peninsula and mainland portion of the City as described in the staff report of 7 May 1992 and in the report from the Planning Advisory Committee dated 22 June 1992. Mr. Dunphy noted that these amendments were of a housekeeping nature and their purpose is to provide for continuous and incremental improvement to the existing bylaws so that they remain effective.

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

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that City Council approve the proposed amendments for the Peninsula and Mainland Land Use Bylaws, incorporating the changes suggested by the Planning Advisory Committee (as attached to the report from the Planning Advisory Committee dated 22 June 1992).

Motion passed.

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Public Hearing: Case No. 6451: MDP and LUB for  
Titus Smith School, Main Avenue

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

Mr. Stephen E. Feist, Planner II, addressed Council and outlined the proposed redesignation of the former Titus Smith School site to "High Density Residential" and rezoning to the R-3 (General Residential and Low-Rise Apartment) Zone as described in the supplementary staff report of 4 June 1992.

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

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

Motion passed.

6:10 p.m. the meeting adjourned.

DEPUTY MAYOR STONE  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

/MS

HEADLINES

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# HALIFAX CITY COUNCIL MINUTES

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

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

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

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

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

Before beginning the regular agenda, Her Worship Mayor Ducharme, on behalf of members of Council, extended sympathy to Mildred Royer, Director of Employee Relations, on the death of her grandmother.

## MINUTES

Minutes of a Special Meeting of Halifax City Council held on Wednesday, 8 July 1992 and of a regular meeting held on Thursday, 16 July 1992 were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Fitzgerald.

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

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

- 20.1 Mainland North Traffic (Alderman Macdonald)
- 20.2 Award of Tender 92-39: Paving Renewal - Jubilee Road (Dunvegan to Pryor)

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- 20.3 Award of Tender 92-105: Soccer Field Extension - Graves Oakley Sportfield
- 20.4 Award of Tender 92-106: Color Laser Copier - Halifax Police Department
- 20.5 Municipal Development Plan Amendment: Bicentennial Drive at Bayers Lake Interchange
- 20.6 Award of Tender 92-11 - Sewer Renewal - Adelaide Avenue
- 20.7 Advance of Funds for Canadian Association of Chiefs of Police

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

- 20.8 Situation - Jubilee, Robie, Cedar Street Area (Alderman Fitzgerald)

**NOTE:** At the request of Alderman Macdonald, Council agreed to deal with added **item 20.1** earlier in the meeting. As a result, this item was dealt with following agenda item 10.2.

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

**Halifax Natal Day Festivities**

Her Worship Mayor Ducharme noted that the City's Natal Day Activities were officially launched earlier today. At this time, Her Worship invited the Council representatives on the Natal Day Committee to comment on some of the events planned for the event.

Alderman Pottie addressed Council and briefly reviewed this year's program for the Halifax Natal Day Festivities.

Her Worship extended appreciation and thanks to Alderman Pottie and to Alderman Crowley and members of the Halifax Natal Day Committee for their work in organizing and promoting this event.

Alderman Adams also commended Alderman Pottie and Alderman Crowley, and the other members of the

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Committee, for their efforts in connection with holding the concert on the Hill.

DEFERRED ITEMS

Case No. 6485: Appeal of Minor Variance Refusal -  
2734 Dublin Street

A public hearing in respect of this matter was held on 22 July 1992.

A letter dated 27 July 1992 from Mr. Chris Karmas on behalf of the applicants was submitted.

Alderman Pottie addressed the matter and, as Council was aware, noted that a petition was submitted at the public hearing from the neighbours in the area of Dublin Street in opposition to the variance application. The Alderman noted that the variance requested was not a minor one and MOVED, seconded by Alderman Adams that the appeal of a minor variance in relation to 2734 Dublin Street be refused and the decision of the Development Officer to refuse the minor variance application be upheld.

The City Clerk advised that Aldermen Jeffrey and Macdonald were not in attendance at the public hearing on this item.

Motion passed with Alderman Jeffrey and Macdonald abstaining.

Case No. 6451: MDP and LUB for Titus Smith School,  
Main Avenue

A public hearing in respect of this matter was held on 22 July 1992.

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that City Council approve the redesignation of the former Titus Smith School site to "High Density Residential" and rezoning to the R-3 (General Residential and Low-Rise apartment) Zone as outlined in the report from the Planning Advisory Committee dated 10 June and in the supplementary staff report of 4 June 1992.

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The City Clerk advised that Aldermen Jeffrey and Macdonald were not in attendance at the public hearing on this item.

Motion passed with Alderman Jeffrey and Macdonald abstaining.

**MOTIONS OF RECONSIDERATION**

**Motion Alderman Pottie - Reconsideration of City Council Motion of July 16, 1992 Re: Award of Tender 92-37: Paving Renewal - Connaught Avenue (B/S) - Bayers Road to London Street**

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Alderman Pottie gave notice of motion at the last meeting of City Council held on 16 July 1992 that he intended to request Council at this time to reconsider its decision with respect to Tender 92-37 Paving Renewal - Connaught Avenue (B/S) - Bayers Road to London Street. A "Stay of Proceedings" in relation to this item was approved at that time.

Alderman Pottie addressed the item and advised that he had in his possession new information for Council with respect to this matter. The Alderman explained that he was of the opinion that alternative two for 12 inches of asphalt as opposed to alternative one for 5 inches for the paving of Connaught Avenue was a better value for the City.

Alderman Pottie went on to note that the Asphalt Institute Thickness Design Manual was acquired from the United States and was sent to Maritime Testing (1985) Limited for their inspection and evaluation of the difference between a full depth verses 125 mm of asphalt. At this time, the Alderman submitted a copy of a letter from Maritime Testing dated 30 July 1992 addressed to Dexter Construction stating that they reviewed the Asphalt Institute Thickness Design Manual and Design Charts and compared the difference depths. He added that the letter states that the design charts suggest that the full depth asphalt alternative could yield an increased life expectancy in the order of 5 times that of the second alternative roadway. Alderman Pottie expressed the opinion that based on the information submitted he believed that an additional 10.4 percent expenditure was worthwhile.

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MOVED by Alderman Pottie, seconded by Alderman Holland that City Council reconsider its motion of 16 July 1992 with respect to the Award of Tender 92-37: Paving Renewal - Connaught Avenue (B/S) - Bayers Road to London Street.

Motion of reconsideration passed.

The motion before City Council at this time is as follows:

"THAT City Council award Tender 92-37 for the project, materials and services listed for the unit prices quoted at a bid price of \$743,685.00 and a total cost project of \$892,422.00 to Basin Contracting Ltd. for Alternative #1 (asphalt granular) and, further, that funding be authorized from account numbers 91408 and 91409."

Alderman Pottie reiterated the view that, due to the information he presented to Council from Maritime Testing (1985) Limited, the extra charge of approximately \$80,000 was a very modest amount to pay for five times the wear resistance on the street.

A debate followed and Mr. Bill Sullivan, P.Eng., Chief Engineer, addressed the matter and indicated that he understood this particular testing as shown in the letter from Maritime Testing to be from the Asphalt Book and relates asphalt to asphalt as opposed to complete structures. Again, Mr. Sullivan reiterated staff's opinion, as presented at the Committee of the Whole, that the structural strength of both designs are equivalent. He added that he could not refute the fact that if there is more asphalt there is a durability factor. However, Mr. Sullivan noted that the question was whether or not the durability factor was worth \$80,000 without the provisional items or \$122,000 with the provisional items.

The question was called for and the above motion of July 16th was put and defeated.

MOVED by Alderman Pottie, seconded by Alderman Holland that Council award Tender 92-37 for the project, materials and services listed for the unit prices quoted at a bid price of \$823,309.00 and a total cost project of \$987,970.00 to Dexter Construction Ltd. for Alternative #2 (full depth



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asphalt) and, further, that funding be authorized from account numbers 91408 and 91409.

Alderman Pottie noted that he understood that the approval of his motion would result in an overexpenditure of approximately \$80,000 to \$120,000. However, the Alderman suggested that there have been savings as a result of some of the recent tender awards and that these savings could be used for this overexpenditure.

The debate continued and Her Worship Mayor Ducharme left the seat of the Chair and addressed Council with Alderman Holland becoming Chairman.

Her Worship Mayor Ducharme advised that she was really concerned about the precedent that is being set this evening. Her Worship noted that on numerous occasions staff, who work for the welfare of the City, have advised that the best option is option one for the City. Her Worship Mayor Ducharme expressed concern that now, based on a report commissioned by the company who will benefit from this contract, Council is considering approving alternative 2 for full depth asphalt.

Her Worship returned to the seat of the Chair with Alderman Holland taking his usual seat on Council.

Following a further debate, the motion by Alderman Pottie was put and passed.

**PETITIONS AND DELEGATIONS**

**Petition Alderman Adams Re: Lyons Avenue Paving  
Curb/Gutter and Sidewalk**

Alderman Adams submitted a petition at this time in the form of a letter from Barry, Marjorie & Justin Friesen, 17 Lyons Avenue, regarding the upcoming improvements to Lyons Avenue. The Alderman tabled this letter and asked that it become part of the public record.

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**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of the Finance and Executive Committee from its meeting held on 22 July 1992 as follows:

**Building Improvements to the Halifax Police Department**

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council under Section 201(1) of the City Charter approve a supplementary appropriation in the amount of \$10,072 to the Building Maintenance Account of the Halifax Police Department to rectify the deficiencies as outlined in the staff report of 15 July 1992 and as ordered by the Department of Labour.

Motion carried.

**Presentation - Downtown Halifax Business Improvement District Commission Re: Budget**

The following information was submitted:

- A supplementary staff report dated 29 July 1992.

- A supplementary report from the City Solicitor dated 29 July 1992.

- A letter dated 29 July 1992 from Gavin Giles, Spencer & Company Barristers and Solicitors, was also submitted.

- A letter dated 28 July 1992 from Franklyn Medjuck, Q.C., Centennial.

Information was also circulated at this time at the request of Alderman Crowley on the Downtown BID Commission.

Alderman Pottie noted that he had received numerous pieces of information in relation to this item and advised that he would like additional time to review the information submitted.

The City Solicitor recommended that, if Council was not going to consider the BIDC budget tonight, consideration be given to requesting the Minister of Municipal Affairs to approve the late

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filing of the budget by the BIDC Committee. He noted that this would not commit Council to the actual approval of the budget.

It was therefore MOVED by Alderman Pottie, seconded by Alderman Jeffrey that City Council defer this item to the next Committee of the Whole Council meeting to be held on 19 August 1992 and request the Minister of Municipal Affairs to retroactively extend the time for the submission by the Commission of its budget to a date following the time it was actually submitted.

Alderman Downey asked for a report with respect to the statement that was made by Mr. Gavin Giles at the last Committee of the Whole Council meeting concerning legal action commenced against the City by some of his clients.

The City Solicitor advised that notice of intended action has been given but the actual actions have not been commenced to date.

Alderman Downey indicated that he would like information in this regard.

Following a short discussion, the motion was put and passed.

**NOTE:** As agreed to during the setting of the agenda, Council proceed to deal with agenda item 20.1 at this time.

**Mainland North Traffic (Alderman Macdonald)**

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

Alderman Macdonald addressed the matter and noted, as Council was aware, that at a meeting of City Council on 16 July 1992, a five part motion was considered in relation to Mainland North Traffic with each part voted on separately. The Alderman advised that the final motion with respect to the closure of Bayview Road recommended that the closure not be approved. He added that that motion was put and defeated which would indicate that it would be acceptable to go ahead and close Bayview Road.

Alderman Macdonald went on to explain that the closure of Bayview Road was a very drastic step

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and that he did not think anyone on Bayview Road seriously wished that Bayview Road be closed. He added that it was their wish for a partial closing as was originally recommended by Alderman Fitzgerald sometime ago. Alderman Macdonald noted that this item has been a long-standing problem with no viable solutions.

Alderman Macdonald went on to propose a motion, with Alderman Fitzgerald indicating that he would second it, as follows: that further to a staff report dated 15 May 1992 regarding Mainland North Traffic, and a motion passed at City Council on 16 July 1992 which was in five parts, and a Bayview Road Residents' petition submitted at the Committee of the Whole Council meeting on 8 July 1992:

City Council approve the installation of a concrete median along Lacewood Drive and Bayview Road to prevent traffic turning left from Lacewood Drive down Bayview Road, and approve the placement of a similar concrete median along Lacewood Drive at Gateway Road subject only to the confirmation of the wishes of the residents along Gateway Road and the immediate area.

Alderman Jeffrey indicated that he could support the motion but questioned its legality.

In response, the City Solicitor advised that it was his understanding Alderman Macdonald is requesting that a physical concrete structure be erected in the middle of Lacewood Drive that would prevent a number of traffic movements i.e. left turns from Lacewood onto Bayview, traffic coming up Bayview to only be able to turn right onto Lacewood, and would prevent cars coming up from Bayview from continuing straight ahead onto Clayton Park Drive. The City Solicitor advised that Council could approve physical structures on the highway itself but suggested that this was a matter which Council would be well advised to receive professional advice on so that all the consequences are known.

The City Solicitor added that he had some concerns from a procedural point of view noting that what was being proposed would involve an expenditure of money. He noted that the Charter requires that a report be received from the City Manager before a decision is made for such an expenditure. In conclusion, the City Solicitor suggested that perhaps the motion should be treated as a notice of motion so

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that staff could comment on it and bring back a report for the next Committee of the Whole Council meeting.

Following a discussion, the Chairman noted that what is being proposed, as she understood it, is to call for the plans and the costing and comments from staff at the next Committee of the Whole Council meeting. She suggested that a decision in respect of the matter could be made at the special meeting of City Council to be held on the same date.

It was therefore MOVED by Alderman Macdonald, seconded by Alderman Fitzgerald that the proposed motion by Alderman Macdonald be forwarded to the next meeting of the Committee of the Whole Council to be held on **19 August 1992** pending receipt of a staff report and, further, that this matter be included on the agenda for the special meeting of City Council scheduled for that evening.

The motion was put and passed.

**Report from Design Advisory Committee**  
**Re: Design Award Program Proposal**

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, City Council approve the proposal for a Design Award Programme as attached to the report from the Design Advisory Committee dated 30 June 1992 and, further, that \$6000 be allocated from the City Manager's contingency fund.

Motion passed.

**Tax Certificate Fees**

MOVED by Alderman Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, City Council, under Section 288(3) of the Halifax City charter approve a fee of \$50.00 for a tax certificate, effective 1 January 1992.

Motion passed.

**Annual Technical Support SUN 1V32 - Users Union**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, authority be granted to commit \$16,024.32 with Oracle Corporation Canada



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Incorporated for annual technical support for Sun IV 32 Users Unix and that funding be authorized from account number 22612-0050 titled Computer Software - Finance, Management Information Systems.

Motion passed.

**Communications Network Maintenance**

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, approval be granted to pay Century Analysis Incorporated the annual maintenance fee of \$56,320.00 U.S. plus applicable taxes, this maintenance fee to be a yearly charge, with funds to be made available from Account #22382-8300-80436, Network Maintenance.

Motion passed.

**Paper Requirements - Estimated Annual Usage -  
Eight (8) Million Sheets**

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, paper requirements be awarded to the lowest bidder meeting City of Halifax specifications, as indicated with an asterisk (\*) in the staff report of 20 July 1992 as follows:

|                |              |                  |         |
|----------------|--------------|------------------|---------|
| Graphic Papers | June to June | 8.5 X 11 Colored | \$ 7.10 |
| Graphic Papers | June to June | 8.5 X 14 Colored | 9.05    |
| Graphic Papers | June to June | 11 X 17 Colored  | 14.20   |

|                   |               |                 |         |
|-------------------|---------------|-----------------|---------|
| Inter-City Papers | Sept. to Dec. | 8.5 X 11 White  | \$ 4.10 |
| Inter-City Papers | Sept. to Dec. | 8.5 X 14 White  | 5.23    |
| Inter-City Papers | Sept. to Dec. | 11 X 17 Colored | 8.58    |

Motion passed.

**Proposal 92-65: Creative Playstructure -  
Halifax Commons**

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, authority be granted to award proposal 92-65 for a creative playstructure at the Halifax Commons to Children's Playground Inc., the most cost effective submission which meets the

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requirements of the proposal, and that funds be authorized from account #9160.97018 titled Central Commons Playspace.

Motion passed.

**Award of Tender 92-102: School Crossing Guards**

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

A supplementary staff report dated 23 July 1992 was submitted.

Alderman Meagher addressed the matter and reiterated his view that the responsibility for school crossing guards should remain with the Halifax Police Department. The Alderman proposed a motion that the City not go to public tender for these services and remain with its present system of having school crossing guards supervised and operated by the Police Department.

Following a short discussion, it was MOVED by Alderman Downey, seconded by Alderman Pottie that this matter be forwarded to the next Committee of the Whole Council meeting to be held on **Wednesday, 19 August 1992**, and that the Chief of Police be in attendance at that time to respond to concerns and questions from members of Council.

Motion passed.

**Tax Incentives**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, City Council continue with the City's present policy of not granting tax incentives.

Motion passed.

**Position Paper - Solid Waste**

A blue bound copy of the "City of Halifax Position Report on Solid Waste Management was submitted."

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MOVED by Alderman Fitzgerald, seconded by Alderman Holland that City Council formally adopt its position on waste management (as submitted at the last meeting of City Council in a memorandum from the City Manager dated 14 July 1992 on Solid Waste with an attached report dated 29 June 1992 representing the City of Halifax's Position on Waste Management, and as presented in the blue bound "City of Halifax Position Report on Solid Waste Management").

Her Worship Mayor Ducharme advised that this report has been circulated to the other municipalities and that all four municipalities will be invited with the media to the Lord Nelson Hotel on Tuesday, August 4th, to receive the results of the mediation.

Motion passed.

**REPORT - COMMITTEE ON WORKS**

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

**Petition Re: Clifton Street**

MOVED by Alderman Meagher, seconded by Alderman Pottie that, as recommended by the Works Committee, curb and gutter be installed at the intersection of Clifton Street and Garrick Lane, as it was prior to the sidewalk being renewed.

Motion carried.

Alderman Meagher noted that funding was available from a previous project that had not been approved (removal of tree wells along Quinpool Road).

**Monastery Lane Street Closure**

Subsequent to the last Committee on Works meeting, a letter was received from Hugh K. Smith, President, FS Industries Limited, dated 30 July 1992.

The following motion which was reconsidered at the July 16th City Council meeting was deferred from the Committee on Works to this meeting of Council without recommendation:

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"THAT Council approve the narrowing of Monastery Lane, immediately north of the Quinpool Centre access, to provide a physical impediment to northbound traffic; and that staff proceed with detailed design and cost estimates with a view to implementation during the summer of 1992."

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

In addressing the motion, Alderman Meagher noted that the traffic along Allen Street has been an on-going problem for a long period of time. He noted that there have been numerous proposals and attempts to try and improve the conditions in this area with no success.

Alderman Pottie addressed the motion and indicated that he sympathized with the concerns of the residents in the area. The Alderman expressed the view that the problem on Allen Street related to the excessive speed of traffic on this street. He went on to suggest that, in his opinion, speed bumps would resolve the problem but noted that unfortunately staff did not agree with this option. Alderman Pottie went on to express the concern that, to impede the traffic from Monastery Lane onto Allen Street, the apartment dwellers in Quinpool Court will be inconvenienced. The Alderman added that a traffic jam will result as well if vehicles coming out of Quinpool Centre will only be permitted to turn left.

Alderman Pottie noted that Mr. Smith, in his letter of July 30th, advises that staff have confirmed that "there was nothing in the original Agreement about Monastery Lane." He pointed out that the residents had previously suggested that this was in the original agreement but was disregarded. Alderman Pottie went on to indicate that he could not support the motion for the narrowing of Monastery Lane indicating that this would not be a feasible solution.

Alderman Fitzgerald addressed the matter and indicated that he too felt very strongly about the

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motion. He expressed the view that the traffic will only be forced into other areas and that the residents in the Quinpool Centre area will be inconvenienced. The Alderman suggested that serious problems would result with the proposed recommendation.

In response to a question from Alderman Crowley as to whether there would be a trial period put on the proposed recommendation, Alderman Meagher indicated that it would take at least six months to year to determine whether the closure a workable one. He suggested that staff would monitor the situation.

The motion was put and passed.

**At approximately 9:50 p.m. Her Worship Mayor Ducharme retired from the meeting.**

**Traffic Improvements - Herring Cove Road Phase (IV) -  
Old Sambro Road to Cowie Hill Road**

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that, as recommended by the Committee on Works, City Council approve the appointment of Whitman Benn and Associates Limited for the design and preparation of Drawings and Specifications for Improvements to the Herring Cove Road from Old Sambro Road to Cowie Hill Road at an estimated cost of \$200,000.00 including G.S.T. and that the Mayor and City Clerk be authorized to sign the Agreement (funding to be approved from Capital Account #91504, Herring Cove Road Improvements).

Motion passed.

**Award of Tender - Jubilee Road**

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that, as recommended by the Committee on Works, City Council award tender 92-46 for the projects, materials and services listed for a street improvement program, sidewalk renewals, and traffic improvements (items 1, 2, 3, & 4 in the staff report of 23 June 1992) for the unit prices quoted to Standard Paving Maritime Limited at a tender price of \$219,050.00 and a total project cost of \$263,000.00 (funding to be made available from account numbers 91406, 92673, 92674 and 91530).

Motion passed.



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10:00 p.m. - Alderman Macdonald retires from the meeting.

**REPORT - SAFETY COMMITTEE**

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

**Resolution - Municipality of the County  
of Cape Breton Re: Violent Crime**

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, as recommended by the Safety Committee, Halifax City Council support the following resolution forwarded by the Municipality of the County of Cape Breton:

**WHEREAS** recent violent crimes in Nova Scotia have caused concern for the future of what we have always considered a safe place in which to live;

**AND WHEREAS** there is a strong opinion in this community that the justice system protects the accused and not the victim.

**BE IT THEREFORE RESOLVED** that Council of the Municipality of the County of Cape Breton send a message to both the Provincial and Federal Governments registering our concerns that violent crimes will not be tolerated and to that end we ask that the justice system be reviewed, especially in the areas of sentencing and the Young Offenders Act.

**BE IT FURTHER RESOLVED** that copies of this Resolution be forwarded to all Nova Scotia Municipalities asking for their support. Also, that copies be sent to all M.L.A.'s and M.P.'s.

The motion was put and passed.

**False Alarm Bylaw**

Alderman Fitzgerald addressed the matter, indicating that while he still regarded the proposed bylaw as a good "first step," he continues to have some concern regarding the proposal to decrease the level of priority given to chronic offenders as opposed to the levying of a sizeable fine.

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Alderman O'Malley noted that, during the 22 July meeting of the Safety Committee, she had raised with Chief MacDonald her concerns regarding the use of the words "Audible Alarm" and "Monitored Alarm" on the permit stickers. The Alderman went on to note that the Chief appeared to concur with her feelings on this matter, and had advised that a report would be forthcoming confirming that these words would be removed from the proposed stickers. Alderman O'Malley stated that she had not, as yet, received that confirmation, and asked that this be brought to the attention of Chief MacDonald.

Alderman O'Malley also asked to go on record as being concerned about the proposal to downgrade police response time with regard to chronic offenders, and expressed her support of Alderman Fitzgerald's suggestion that, instead, substantial fines for repeated offenses should be levied.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Safety Committee, the proposed False Alarm Bylaw (as attached to the staff report dated 16 July 1992) be approved in principle with a request that the concerns raised by Alderman Fitzgerald and by Alderman O'Malley with regard to the permit stickers and the proposed priority reduction system be addressed in a staff report.

The motion was put and passed.

10:03 - Her Worship returns to the meeting with Alderman Adams resuming his usual seat on Council.

REPORT - PLANNING COMMITTEE

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

**Case No. 6559: Amendment to Development Agreement**  
**- 2650 Dublin Street (6333-37 Seaforth Street)**  
**(SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Planning Committee, a date be set for a public hearing to consider the application to amend the existing development agreement respecting 2650 Dublin Street to permit a second storey addition on the rear portion of this building not to exceed elevation 227.5 (approximately 23.9 ft. in height).

The motion was put and passed.

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The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 23 SEPTEMBER 1992 at 7:30 p.m. in the Council Chamber.**

**Case No. 6514: Rezoning - P Zone to R-1 Zone  
and Lot Modification, 82 Main Avenue  
(SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Jeffrey, seconded by Alderman Crowley that, as recommended by the Planning Committee, a date be set for a public hearing to consider the rezoning of the Fairview Community Centre lands at 82 Main Avenue (Lots 6 and 8 of the Ashdale Subdivision) from P (Park and Institutional Zone) to R-1 (Single-Family Dwelling Zone).

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 19 AUGUST 1992 at 7:30 p.m. in the Council Chamber.**

**Case No. 6457: Proposed Lot Modification -  
9, 15 and 17 Bluestone Road (SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Hanson, seconded by Alderman Meagher that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the entering into of a modification agreement to permit construction of a single-family dwelling at 15 Bluestone Road.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 19 AUGUST 1992 at 7:30 p.m. in the Council Chamber.**

**Case No. 6558: Development Agreement  
- 2672 Robie Street (SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the application for a development agreement to permit redevelopment of the automobile dealership (City Mazda) at 2672 Robie Street as shown on Plans P200/19001-19005 of Case No. 6558 (attached to the staff report of 9 July 1992).

The motion was put and passed.

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The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 19 AUGUST 1992 at 7:30 p.m. in the Council Chamber.**

**Case No. 6540: Proposed Development Agreement  
- 2086 Maynard Street (SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, Council confirm 9 SEPTEMBER 1992 as the date for the public hearing to consider the entering into of a development agreement to permit construction of a single-family dwelling at 2086 Maynard Street

The motion was put and passed.

**Case No. 6501: Proposed Development Agreement  
- 1572-88 Barrington Street and 1569-71 Argyle Street**

Following is the recommendation forwarded from the Planning Committee:

That this matter be deferred pending receipt of the Hardman Report and staff's comments in relation to that report.

A supplementary report, dated 24 July 1992, was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that City Council set a date for a public hearing to consider the entering into of a development agreement to permit construction of a commercial arts centre at 1572-88 Barrington Street and 1569-71 Argyle Street, provided the development substantially complies with Plan Nos. P200/18835-42 and 18994-95 of Case 6501.

The motion was put and passed.

After some discussion, it was agreed that the requested public hearing would be scheduled for WEDNESDAY, 23 SEPTEMBER 1992 at 7:30 p.m. in the Council Chamber.

**Case No. 6434: Proposed Development Agreement - 2344 and 2350 Hunter Street  
(SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Planning Committee, a date

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be set for a public hearing to consider the application for a development agreement at 2344 and 2350 Hunter Street.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 19 AUGUST 1992 at 7:30 p.m. in the Council Chamber.**

**1546 Barrington Street - Former Halifax Infirmary Annex**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee:

- (1) Council authorize an expenditure of up to \$15,000 from the Heritage Fund to secure the structure at 1546 Barrington Street (the former Halifax Infirmary Annex) at this time; and,
- (2) Council authorize staff to obtain liability insurance through the City's insurance brokers to ensure that the public is protected from dangers posed by the facade until action can be taken to permanently stabilize the facade.

The motion was put and passed.

**Case No. 6527: 1336-44 Hollis Street  
Amendment to Development Agreement  
(CHANGE DATE FOR PUBLIC HEARING)**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, the date set for the public hearing in relation to Case No. 6527 (1336-44 Hollis Street) be changed from 19 August to 9 SEPTEMBER 1992.

The motion was put and passed.

**MOTIONS**

**Motion Alderman Holland Re: Ordinance No. 17,  
the Junk Dealer's Ordinance - FIRST READING**

Notice of Motion with regard to this matter had been given by Alderman Holland (on Alderman Fitzgerald's behalf) during a regular meeting of Halifax City Council held on 16 July 1992.



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MOVED by Alderman Fitzgerald, seconded by Alderman Holland that Halifax City Council give FIRST READING to amendments proposed for City Ordinance 17, the Junk Dealer's Ordinance, attached as Appendix "B" to the staff report, dated 6 July 1992; and further, that the matter be referred to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 19 August 1992, for consideration and report.

The motion was put and passed.

**MISCELLANEOUS BUSINESS**

**Local Improvement Project - Lyons Avenue**

A staff report, dated 22 July 1992, was submitted.

Correspondence from Barry and Marjorie Friesen, 17 Lyons Avenue, had earlier been submitted by Alderman Adams during the "Petitions and Delegations" portion of the meeting.

MOVED by Alderman Adams, seconded by Alderman Fitzgerald that City Council direct staff to proceed with the design and tender of the approved new paving project for Lyons Avenue and delete the installation of sidewalk.

In putting forward this motion, Alderman Adams pointed out that 50 percent of the affected owners, representing at least one-half of the total property assessment shown on the last assessment roll, had petitioned **against** the installation of sidewalks as a component of this project.

The motion was put and passed.

**QUESTIONS**

**Question Alderman Jeffrey Re:**  
**School Avenue**

Alderman Jeffrey noted that, during a recent visit to School Avenue, he had been dismayed by the condition of a manhole which is located in the middle of the off-ramp coming off Dutch Village Road (in the vicinity of the Bicentennial Highway). The Alderman went on to emphasize that the manhole in question has sunk to a level which, in his view, poses serious safety problems for motorists, and asked that staff either of the Province or of the City of

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Halifax (depending on who is responsible for the maintenance of this off-ramp) be requested to remedy the situation as quickly as possible.

On another but related matter, the Alderman made reference to the condition of the sidewalks along School Avenue, emphasizing that, in some places, there is an estimated 12" of grass growing up between the cracks. Alderman Jeffrey expressed the view that this state of affairs was "disgraceful," and asked that staff be asked to address this situation immediately.

Alderman Jeffrey also referred to a previous request concerning the repair of the School Avenue fence, and asked for information as to whether the Province intends to undertake this project in the near future.

On a final note, Alderman Jeffrey made reference to the extremely poor condition of the School Avenue street surface and asked that staff be asked to take appropriate action in this regard.

**Question Alderman Jeffrey Re:**  
**Intersection - Dutch Village Road/Joseph Howe Drive**

Alderman Jeffrey expressed concern regarding the configuration of the roadway at the Dutch Village Road/Joseph Howe Drive intersection, adding that it had been his understanding that this matter would be addressed during the 1992/93 budget year. However, upon discussing the matter with Mr. W. A. Sullivan, the City's Chief Engineer, the Alderman was advised that no design work had yet been completed nor a tender call prepared.

Alderman Jeffrey asked that staff be requested to prepare a report on this matter as quickly as possible for Council's consideration.

**Question Alderman Jeffrey Re:**  
**Tim Horton's (Joseph Howe Drive)**

Alderman Jeffrey indicated that on a previous occasion he had raised the matter of heavy trucks parking on the grassed area adjacent to Tim Horton's on Joseph Howe Drive. The Alderman went on to note that despite the installation of "No Parking" signs on this side of the street, the practice has continued with the result that the grassed area has now been reduced to mud.

Alderman Jeffrey asked that the Halifax Police Department be requested to monitor this situation and to

ensure that offenders are ticketed and/or towed away. He further suggested that sidewalks be installed on this portion of Joseph Howe Drive (possibly as part of a cost-sharing arrangement with CN), and requested a report from staff in this regard.

**Question Alderman Adams Re:**  
**Overhead Crosswalk Lights**

Alderman Adams made reference to the RA5 Overhead Crosswalk Light which has been installed on Robie Street adjacent to the Halifax Commons, pointing out that the unit has been designed so that its flashing lights both face in the same direction.

In this context, the Alderman made reference to the two RA5's installed on Herring Cove Road, one at Greystone and the other at Drysdale Road, emphasizing that on these units, the lights flash in opposite directions. Alderman Adams asked for information from staff as to whether adjustments could be made to the Herring Cove Road units so that, in the interests of improved visibility, the lights could all face the same way.

**Question Alderman Adams Re:**  
**Blind Crest - Herring Cove Road**

Alderman Adams made reference to a blind crest located on the Herring Cove Road (travelling northward) between Clovis Street and the Old Sambro Road.

Acknowledging receipt of a report from the Traffic Authority recommending against the use of "No Passing" signs in this location, the Alderman asked that Mr. Kennedy comment on what, in his opinion, could be done to alleviate this potentially dangerous situation.

**Question Alderman Adams Re:**  
**Flooding - Graves Oakley Field**

With regard to the flooding problems experienced in the Leiblin Park area and, in particular, on the Graves Oakley Field, Alderman Adams suggested that a dry creek be constructed extending from the back of the Field toward Kidston Lake to enable the swamp/bog area to drain toward a natural water source.

The Alderman asked for staff comment on this recommendation.

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**Question Alderman Adams Re:**  
**Television Coverage - City Council Meetings**

Observing that certain items of Council business are of particular interest to many TV viewers, Alderman Adams suggested that the official Council agenda be placed on the screen for several minutes prior to the commencement of each Council meeting.

Her Worship suggested that staff discuss this recommendation with Channel 10 representatives.

**Question Alderman Fitzgerald Re:**  
**Provincial Election**

Referring to rumors that certain Halifax Aldermen may be interested in running for Provincial office, Alderman Fitzgerald asked that Council be provided with information as to what regulations are in place to address such an eventuality (e.g., the deadline for the tendering of resignations, etc.).

**Question Alderman Fitzgerald Re:**  
**Problems with Electronic Parking Meters**

Alderman Fitzgerald asked for a brief report concerning the City's new electronic parking meters and the allegation that they have been shortchanging motorists.

**Question Alderman Fitzgerald Re:**  
**Carleton Hotel**

Alderman Fitzgerald indicated that he understood 10 September to be the date on which the Carleton Hotel could be demolished, and asked for a status on the City's ongoing negotiations with the building's owners.

**Question Alderman Fitzgerald Re:**  
**Block Bounded by Jubilee/Cedar/Robie and Henry Streets**

Alderman Fitzgerald made reference to the fact that Council has now eliminated the "loophole" in the Peninsula Centre Detailed Area Plan which had permitted housing to be constructed without street frontage. However, he went on to emphasize that there is a particular piece of property in an area bounded by Jubilee, Cedar, Robie and Henry Streets which continues to give abutting property owners cause for concern.

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The Alderman indicated that it was his understanding that Section 91 of the Nova Scotia Planning Act could be used to address this problem, and asked for staff comment in that regard.

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

Alderman Fitzgerald acknowledged receipt of a 22 July Information Report which provided a brief overview of the enquiry undertaken into the operation of the incinerator at the Victoria General Hospital. The Alderman went on to emphasize that, based on the information contained in that report, it would appear that incineration is indeed a questionable approach to waste management.

Alderman Fitzgerald made particular reference to the fact that, according to the 22 July report, the Provincial Department of the Environment has requested the operator to develop a plan as to how and when the incinerator deficiencies will be corrected. The Alderman therefore asked that, once that plan becomes available, staff keep Council apprised of the status of those repairs and of their cost.

**Question Alderman Downey Re:**  
**Personnel Problems - City Field Division**

Responding to a request from Alderman Downey, the City Manager indicated that he would be preparing a report regarding various personnel problems at City Field.

**Question Alderman Downey Re: Alexandra Centre**

With reference to a question from Alderman Downey, the City Manager indicated that he understood the last tenants of the Alexandra Centre to be scheduled for relocation as of 31 July. He went on to note that, once the building is completely vacant, staff will be undertaking a full assessment of the problems at that facility.

**Question Alderman Downey Re: "Tap" Building**

Alderman Downey made reference to the fact that he had recently noticed that many of the windows in the former "Tap" building had been boarded up with plywood. Noting that area merchants have been working hard to upgrade the appearance of Gottingen Street, the Alderman emphasized that the plywood does nothing to enhance the image of the building, and asked that it be removed (and the building secured in some other fashion) or painted.



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Alderman Downey further indicated that it had been his understanding that the City was going to purchase the Tap building, and asked for a full report on the matter.

**Question Alderman O'Malley Re:**  
**Proposed Sports Pad - Highland Park School**

Alderman O'Malley made reference to the fact that a new sports pad for the Highland Park School had been approved as part of the City's 1992/93 budget. The Alderman expressed concern that time is running out before the School is scheduled to be opened again, adding that a tender for this facility has yet to be submitted to Council.

The City Manager indicated that he would research the situation and report back to Alderman O'Malley.

**Question Alderman O'Malley Re:**  
**Joint Committee on Youth Gangs**

Alderman O'Malley asked for a progress report from the Joint Committee (consisting of representatives of the Recreation Committee, Parks and Grounds, Legal, and the Halifax Police Department), which has been meeting to discuss the problem of local youth gangs.

**Question Alderman O'Malley Re:**  
**Commendation - Parks and Grounds Staff**

Alderman O'Malley complimented Mr. D. E. Quinn, Superintendent of Parks and Grounds, and his staff on their work at Seaview Park. In her remarks, the Alderman described the grounds as being well groomed and very beautiful, and asked that a "bouquet" be extended to Mr. Quinn and his staff on their efforts.

**Question Alderman Crowley Re:**  
**Parcel of Land - Cook Avenue**

Alderman Crowley made reference to a triangular piece of land at the top of Cook Avenue abutting the Halifax Shopping Centre, and indicated that there is some question as to who is responsible for its maintenance. While acknowledging that the situation is currently on hold pending a meeting with Shopping Centre representatives, the Alderman asked if the City Manager would make every effort to expedite the matter so that these long-term problems could be resolved.

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**Question Alderman Hanson Re:**  
**Status Report - 1992/93 Capital Budget**

Alderman Hanson asked that, during Council's summer recess, staff prepare a status report concerning the approved 1992/93 Capital Budget, with particular emphasis on the "wish list" of projects which were to be undertaken as surplus funds became available.

**Question Alderman Hanson Re:**  
**Truck Traffic on Margaret Road**

Alderman Hanson advised that heavy trucks have been travelling Margaret Road at excessive speeds, creating a potentially dangerous situation particularly given the narrowness of the roadway. The Alderman therefore asked that the Halifax Police Department be asked to monitor this situation to ensure that the proper speed limit is maintained.

**Question Alderman Holland Re:**  
**Tower Road School Yard**

Alderman Holland reported a problem with individuals using the Tower Road School yard for basketball purposes until the early hours of the morning.

The Alderman noted that while the Halifax Police Department have been notified of the problem, it would appear that their efforts have been largely unsuccessful. He therefore suggested that the Halifax District School Board be approached as to whether they could police the school facility more stringently.

Alderman Holland concluded his remarks by requesting a staff report on the matter.

**Question Alderman Holland Re:**  
**Bedford Waterfront Development Project**

Alderman Holland made reference to a report carried in the 25 July edition of the Chronicle-Herald concerning approval of the first phase of a major development project for the Bedford Waterfront.

Emphasizing that the overall size of the project is considerable, the Alderman asked for a report from staff as to what impact this development will have, in their opinion, on the current traffic situation on the Bedford Highway.

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**Question Alderman Holland Re:**  
**Auditor's Report - Halifax District School Board**

Alderman Holland noted that some time ago he had asked for a report from the City Manager regarding the assessment by the Auditor General that the School Board of the City of Halifax was the second-most heavily administered in the Province. The Alderman observed that that report has not yet been received.

**Question Alderman Meagher Re:**  
**MacDonald Apartments - Cunard Street**

Alderman Meagher advised that with repairs now underway to the parking garage at the MacDonald Apartments on Cunard Street, residents have been forced to seek other parking alternatives for the duration of the project. The Alderman went on to point out that the situation has been exacerbated by the fact that the sidewalk in front of this apartment complex has been torn up while new curb and gutter is installed.

Because on-street parking in this area is already at a premium, Alderman Meagher asked that the Director of Engineering be requested to investigate the matter to see if parking spaces in front of the MacDonald Apartments could be restored as quickly as possible.

**Question Alderman Meagher Re:**  
**Report - Halifax Commons**

Alderman Meagher asked for information as to the progress being made on the plan for the Halifax Commons.

**Question Alderman Jeffrey Re:**  
**Springvale Avenue**

Alderman Jeffrey reported that he had received a number of complaints from residents concerning the fact that garbage has again been dumped in the underbrush between Springvale Avenue and the Ashburn Golf Course.

The Alderman asked that staff be requested to look at cutting the underbrush and removing that garbage and, in addition, to monitor the situation so that the individuals responsible for depositing this garbage can be charged.

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NOTICES OF MOTION

Notice of Motion Alderman Fitzgerald Re: Proposed  
Development: Cedar/Henry/Jubilee/Robie Streets

Alderman Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on **Thursday, 27 August 1992**, he proposes to introduce for First Reading a motion that the City of Halifax invoke Section 91 of the Planning Act to cancel the permits that have already been issued for the proposed development bounded by Cedar, Henry, Jubilee, and Robie Streets.

ADDED ITEMS

Mainland North Traffic (Alderman Macdonald)

This matter had been dealt with at an earlier point in the meeting.

Award of Tender #92-39: Paving  
Renewal - Jubilee Road (Dunvegan to Pryor)

A staff report, dated 27 July 1992, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that Tender #92-39 (Paving Renewal - Jubilee Road, Dunvegan to Pryor) be awarded to **Standard Paving Maritime Limited** for the unit prices quoted at a tender price of \$105,920.00 and a total project cost of \$128,000.00 (funds to be made available from Account No. 91413).

The motion was put and passed.

Award of Tender #92-105: Soccer  
Field Extension (Graves Oakley Sportsfield)

A staff report, dated 28 July 1992, was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that Tender #92-105 (Soccer Field Extension - Graves Oakley Sportsfield) be awarded to **Turf Masters Landscaping**, the lowest bidder meeting specifications, for a price of \$37,243.49 (funds to be made available from Account No. 25206.9160.97014 entitled "Graves Oakley - Sod").

The motion was put and passed.

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**Award of Tender #92-106: Color Laser  
Copier - Halifax Police Department**

A staff report, dated 24 July was submitted, together with a supplementary report dated 28 July 1992.

MOVED by Alderman Pottie, seconded by Alderman Crowley that Tender #92-106 (Color Laser Copies - Halifax Police Department) be awarded to Halifax Office Products at a cost of \$77,625.00 plus G.S.T., and that funds be made available from Account No. 26110.0211 entitled "Automation Assets" as well as from the Equipment Replacement Account.

The motion was put and passed.

**Municipal Development Plan Amendment:  
Bicentennial Drive at Bayers Lake Interchange**

A report, dated 27 July 1992, was submitted from Ms. Judy Wells, Vice Chairman, Planning Advisory Committee.

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, as recommended by the Planning Advisory Committee, a public hearing date be scheduled to consider the amendments proposed for the Municipal Development Plan and Land Use Bylaw attached to the PAC report of 27 July 1992.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be set for **WEDNESDAY, 23 SEPTEMBER 1992 at 7:30 p.m. in the Council Chamber.**

**Award of Tender #92-11:  
Sewer Renewal - Adelaide Avenue**

A staff report, dated 29 July 1992, was submitted.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that City Council rescind its motion of 8 July 1992 awarding Tender #92-11 to L. J. Casavechia Construction.

The motion was put and passed.

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that:

- 1) City Council award Tender #92-11 (Sewer Renewal - Adelaide Avenue) to the second lowest bidder, **D. A. Lanthier Construction Ltd.**, for the total unit



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30 JULY 1992**

prices quoted at a bid price of \$98,383.00 and a total project cost of \$114,000; and that

- 2) City Council direct staff to recover from L. J. Casavechia Construction the difference in bid prices totalling \$3,482.00.

The motion was put and passed.

**Advance of Funds for the Canadian  
Association of Chiefs of Police**

A staff report, dated 29 July 1992, was submitted.

MOVED by Alderman Pottie, seconded by Alderman Hanson that an advance of \$15,000 be provided to cover promotional expenditures relevant to the Annual Conference of the Canadian Association of Chiefs of Police to be held on Halifax in 1993 (funds to be made available from Account No. 22399.0121).

The motion was put and passed.

**Situation - Jubilee/Robie/Cedar Street  
Area (Alderman Fitzgerald)**

Alderman Fitzgerald made reference to the Notice of Motion which he had put forward at an earlier point in the meeting, and strongly recommended that the City Solicitor and City Manager develop a report on this matter for possible discussion at the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 19 August 1992.**

There being no further business to be discussed, the meeting was adjourned at approximately 10:40 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
AND  
ALDERMAN STEPHEN ADAMS  
CHAIRMEN

MS\*K

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**SPECIAL COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
19 August 1992  
7:30 P.M.

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

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

**PRESENT:** Her Worship Mayor Ducharme, Chairman; and Aldermen Holland, Downey, Meagher, Adams, Hanson, Jeffrey, Macdonald and Crowley.

**ALSO PRESENT:** Mr. Gerry Goneau, Representing the City Solicitor; City Clerk; and other members of City staff.

**ADDED ITEMS:**

Before beginning the regular agenda, Council considered the following items being forwarded from the Committee of the Whole Council held earlier on this date.

**Case No. 6528: Proposed Development Agreement -  
Block R-2, Kearney Lake Road**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, a date be set for a public hearing to consider the application for a development agreement to permit a mixed residential and commercial development on Block R-2, Kearney Lake Road, provided the development is in substantial compliance with Plan No. P200/19087-95 of Case 6528.

Motion passed.

The City Clerk advised that the public hearing date would be set for **Wednesday, 9 September 1992, 7:30 p.m.**, in the Council Chamber.

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**Award of Tender #92-14: Prince Street  
Combined Sewer Rehabilitation**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Committee on Works, Council award tender 92-14 for the project, materials and services listed in the staff report of 10 August 1992 for the unit prices quoted at a total bid price of \$387,441.00 and a total project cost of \$450,000.00 to D.A. Lanthier Construction Company Limited for Alternative #2 (Combined Sewer Renewal and Paving Renewal) and, further, that funding be authorized from account 93014 (Sewer Development Account).

Motion passed.

**Award of Tender #92-13: Herring Cove Road  
Culvert Rehabilitation**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Committee on Works, Council award tender 92-13 for the project, materials and services listed for unit prices quoted at a bid price of \$112,300.00 and a total project cost of \$135,000.00 to Sun Construction Co. Ltd.; Council authorize an increase gross funding to \$135,000.00, net funding is adequate for this approved cost-sharing project; and authorize funding from account 93016 -Herring Cove Road - Storm Sewer Rehabilitation.

Motion passed.

**Recommendations - Tax Concessions & Grants Committee**

MOVED by Alderman Meagher, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Council approve the recommendations of the Tax Concessions & Grants Committee as follows (with the exception of the Centennial Arena Commission in the amount of \$72,800.00):

| <u>Cultural:</u>                   |           |
|------------------------------------|-----------|
| Atlantic Film Festival             | \$ 455.00 |
| Atlantic Fringe Festival           | 1,820.00  |
| Atlantic Jazz Festival             | 455.00    |
| Centre for Art Tapes               | 273.00    |
| Maritime Conservatory of Music     | 4,550.00  |
| Musique Royale                     | 227.50    |
| Neptune Theatre                    | 19,565.00 |
| Nova Scotia Kiwanis Music Festival | 2,002.00  |
| Scotia Festival of Music           | 910.00    |
| Symphony Nova Scotia               | 19,565.00 |

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Cultural (Cont'd):

|                    |          |
|--------------------|----------|
| Theatre Arts Guild | 1,365.00 |
| Upstart Theatre    | 682.50   |

Miscellaneous:

|  |           |
|--|-----------|
| Bide-A-While Shelter Society                         | \$ 182.00 |
| Canadian Celiac Association                          | 227.50    |
| City Centre Ministry                                 | 455.00    |
| Clean Nova Scotia Foundation                         | 1,365.00  |
| Halifax Block Parent Association                     | 2,730.00  |
| Kline Heights Management                             | 728.00    |
| Multicultural Council of<br>Halifax/Dartmouth        | 3,640.00  |
| National Access Awareness Week                       | 455.00    |
| North British Society/Metropolitan<br>Scottish Games | 910.00    |
| Psoriasis Society of Nova Scotia                     | 364.00    |

Recreation:

|   |             |
|---|-------------|
| Captain William Spry Centre                   | \$18,200.00 |
| Eileen Meagher International<br>Track Classic | 227.50      |
| George Dixon Horseshoe Club                   | 728.00      |
| Halifax Junior Bengal Lancers                 | 5,915.00    |
| Halifax Rowing Club                           | 1,820.00    |
| Halifax Super Tiger Cats                      | 728.00      |
| Inner-City Youth Club                         | 910.00      |
| Maskwa Aquatic Club                           | 4,095.00    |
| Spryfield Lions Club Pool                     | 27,300.00   |
| Spryfield Lions Club Rink                     | 18,200.00   |

Social Services:

|   |             |
|---|-------------|
| Association for Women's<br>Residential Facilities | \$ 2,750.93 |
| Callow Veterans' & Invalids'<br>Welfare League    | 3,185.00    |
| Canadian Association for<br>Community Living      | 3,640.00    |
| Canadian Mental Health Association                | 3,276.00    |
| Canadian National Institute<br>for the Blind      | 1,911.00    |
| Canadian Paraplegic Association                   | 2,002.00    |
| Canadian Red Cross                                | 30,940.00   |
| Children's Aid Society                            | 2,275.00    |
| Coalition Supportive Service                      | 2,457.00    |
| Coverdale Foundation                              | 1,365.00    |
| Elizabeth Fry Society                             | 1,001.00    |
| Family Service Association                        | 2,730.00    |
| Family Service of Support                         | 910.00      |
| G.B. Isnor Senior Citizens                        | 546.00      |
| Halifax metro Welfare Rights                      | 910.00      |

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Social Services (cont'd):

|   |             |
|---|-------------|
| Halifax Seniors Council                         | 1,092.00    |
| Help Line                                       | 3,439.80    |
| Home of the Guardian Angel                      | 3,185.00    |
| Homes for Independent Living                    | 1,365.00    |
| Metro Area Family Planning Association          | 1,820.00    |
| Metro Volunteer Week Association                | 455.00      |
| North End Community Health Association          | 3,003.00    |
| Port Cities Dept Counselling                    | \$ 1,820.00 |
| Rainbow Haven                                   | 455.00      |
| St. John Ambulance                              | 2,275.00    |
| St. Leonard's Society                           | 2,275.00    |
| Service for Sexual Assault Victims              | 4,095.00    |
| Society for the Rehabilitation<br>of Alcoholics | 2,502.50    |
| Spencer House                                   | 7,871.50    |
| Stepping Stone Program                          | 910.00      |
| Sunrise Manor Association                       | 546.00      |
| Veith House Headway                             | 1,820.00    |
| Ward 5 Community Centre                         | 7,280.00    |
| Ward 9 Friendship Group                         | 637.00      |
| Youth Alternative Society                       | 2,184.00    |

Motion passed.

Downtown Halifax Business Improvement  
District Commission Budget

MOVED by Alderman Crowley, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Halifax City Council accept the 1992/93 Downtown Business Improvement District Commission budget as appended to the staff report dated 21 July 1992; and further, that Council direct staff to develop a questionnaire to seek input from downtown merchants on such matters as the procedures currently being followed by the BIDC, the level of communication between the Commission and its members, and whether or not additional input from the City is deemed necessary.

Motion passed.

Council then proceeded to deal with its regular agenda as follows:

Mainland North Traffic

This item was dealt with during the Committee of the Whole Council meeting held earlier on this date.

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Public Hearing: Case No. 6554: Appeal of Minor Variance -  
20 Ravenrock Lane

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

A staff report dated 20 July 1992 was submitted.

A letter dated 14 August 1992 from J. Doucet, 79 Clayton Park Drive, in opposition to the appeal of minor variance refusal was received.

Mr. Michael Hanusiak, Planner II, addressed Council and outlined the application for a minor variance to permit an addition measuring 7 ft. by 33 ft. to the existing carport at 20 Ravenrock Lane. Mr. Hanusiak provided an explanation of why the applicant was refused this variance (as explained in the staff report of 20 July 1992).

Mr. Richard Brookfield, applicant, addressed Council and noted that he has lived at 20 Ravenrock Lane in excess of 27 years and that he was likely the longest standing resident on this street. Mr. Brookfield advised that he could not argue with the Planning Department that the variance was a 50 percent reduction. However, he noted that his request was for an expansion of two feet.

Mr. Brookfield went on to note that his neighbour, immediately abutting north of his property at 24 Ravenrock Lane, had submitted a letter with his application indicating that he had no objection to the request for minor variance approval. Mr. Brookfield also submitted a petition containing 6 signatures of all of the residents immediately abutting his property in support of his appeal of minor variance.

Mr. Brookfield add that the contractor has assured him that there will be in excess of 18 feet inside the garage which will meet all of the requirements of the Building Code. He further added that staff have indicated that the proposed structure would be located in the front yard. Mr. Brookfield pointed out that his house is 45 feet from the street-line and that he was proposing to build the garage on the side of the house and was not proposing a structure that would protrude in front of his residence. In closing, Mr. Brookfield noted that the proposed work would create a small degree of employment during a time in which it is greatly needed.

There were no further persons wishing to address Council.



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Responding to a question from Alderman Macdonald, the City Clerk advised that there was only one letter received in respect of this matter which was from Mr. J. Doucet, 79 Clayton Park Drive, objecting to the appeal of minor variance refusal.

Alderman Macdonald advised that, in view of the fact that the applicant has satisfied the requirements among his neighbourhood and the fact that, in his opinion, the applicant would not do anything that would take away from the architecture on the street, he could support the minor variance. It was therefore MOVED by Alderman Macdonald, seconded by Alderman Jeffrey that the appeal of minor variance refusal with respect to 20 Ravenrock Lane be granted and the decision of the Development Officer to refuse the application be overturned.

Motion passed.

**Public Hearing: Case No. 6434: Proposed  
Development Agreement - 2344-2350 Hunter Street**

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

A staff report dated 26 May 1992 was submitted at the 3 June 1992 Committee of the Whole Council meeting.

Mr. Michael Hanusiak, Planner II, addressed Council and outlined the application for a development agreement to permit construction of a four unit apartment building at 2350 Hunter Street (as described in the staff report of 26 May 1992).

There were no persons wishing to address Council in respect of this item.

Responding to a question from Alderman Meagher, the City Clerk advised that no correspondence was received on this proposal.

MOVED by Alderman Meagher, seconded by Alderman Downey that:

- 1) City Council approve the entering into of a development agreement to permit construction of a four unit apartment building at 2344-50 Hunter Street, provided that the development is in substantial compliance with Plan No. P200/18895 of Case 6434.
- 2) Council require that the agreement be signed within 180 days, or any extension thereof granted

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

Motion passed.

**Public Hearing: Case No. 6529: Development  
Agreement - 1341 Brenton Street**

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

A staff report dated 18 June 1992 was submitted at the Committee of the Whole Council meeting held on 8 July 1992.

Mr. Gary Porter, Planner, addressed Council and outlined the application for a development agreement pursuant to Section 16A of the land use bylaw to allow a change in use and an addition to the building at 1341 Brenton Street (as described in the staff report of 18 June 1992).

There were no persons wishing to address Council in relation to this matter.

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

Motion passed.

**Public Hearing: Case No. 6558: Development  
Agreement - 2672 Robie Street**

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

A staff report dated 9 July 1992 was submitted at the Committee of the Whole Council meeting held on 8 July 1992.

Mr. Gary Porter, Planner, addressed Council and outlined the application for a development agreement pursuant to Section 83(c) of the land use bylaw to permit redevelopment of the automobile dealership (City Mazda) at 2672 Robie Street as described in the staff report of July

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9th. Mr. Porter advised that the purpose of the proposal is to remove the majority of the buildings on the site and construct a new building containing offices, showroom and parts and service departments. In conclusion, he advised that staff are recommending approval of this development agreement.

Mr. Steve Scarff, applicant, President of City Mazda, addressed Council and advised that he purchased this business five years ago. At that time, he noted that there were five employees and that he presently had 42 employees and an additional 15 in subsidiaries. Mr. Scarff indicated that he would like Council to approve his application as soon as possible. Mr. Scarff presented a large sketch showing his proposed building which he suggested, in his opinion, will add to Robie Street and will encourage others to invest money in this area.

There were no further persons wishing to address Council.

Responding to a question from Alderman Meagher, the City Clerk advised that no correspondence was received on this proposal.

MOVED by Alderman Meagher, seconded by Alderman Downey that:

1. the application for a development agreement to permit redevelopment of the automobile dealership (City Mazda) at 2672 Robie Street as shown on Plans P200/19001-19005 of Case No. 6558 be approved by City Council.
2. Council requires that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Motion passed.

**Public Hearing: Case No. 6457: Lot Modification -  
9, 15, and 17 Bluestone Road**

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

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A staff report dated 7 July 1992 in relation to this matter was submitted at the 22 July 1992 Committee of the Whole Council meeting.

Mr. Michael Hanusiak, Planner II, addressed Council and outlined the application for a lot modification agreement involving the properties at civic nos. 9, 15 and 17 Bluestone Road as described in the staff report of July 7th. Mr. Hanusiak advised that the purpose of the agreement is to permit the reconstruction of a single family dwelling at civic no. 15 Bluestone Road.

Mr. Rod Stright addressed Council and advised that he was a property owner in the North West Arm area. He advised that he had no objection to neighbourhood improvements but was concerned that there seemed to be many exceptions being made in respect of this development. Mr. Stright noted that he had to go through an exhaustive process and meet various requirements a few years ago when developing his property. Mr. Stright advised that while he did not have any particular objection to this proposal, he was concerned that the City was bending a lot of rules for the development in question.

There were no further persons wishing to address Council.

MOVED by Alderman Hanson, seconded by Alderman Jeffrey that City Council approve the entering into of a modification agreement, as attached to the staff report of 7 July 1992, to permit construction of a single family dwelling at 15 Bluestone Road.

Motion passed.

**Public Hearing: Case No. 6514: Rezoning - P Zone to R-1  
and Lot Modification - 82 Main Avenue**

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

A staff report dated 3 July 1992 in relation to this matter was submitted at the 22 July 1992 Committee of the Whole Council meeting.

Mr. Michael Hanusiak, Planner II, addressed Council and outlined the proposal for a rezoning of the Fairview Community Centre lands at 82 Main Avenue (Lots 6 and 8 of the Ashdale Subdivision) from P, Park and Institutional zone, to R-1, Single Family Dwelling zone, and to modify the area of Lot No. 8 for R-1 uses as described in the staff report of July 22nd. Mr. Hanusiak

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advised that staff are recommending approval of the rezoning and modification of the lot area of Lot No.8.

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

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that:

1. City Council approve the rezoning of the Fairview Community Centre lands at 82 Main Avenue (Lots 6 and 8 of the Ashdale Subdivision) from P - Park and Institutional Zone to R-1, Single Family Dwelling Zone; and
2. Approve modification of the lot area of Lot No. 8.

Motion passed.

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

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

HEADLINES

|  |     |
|--|-----|
| Case No. 6528: Proposed Development Agreement -<br>Block R-2, Kearney Lake Road.....                 | 620 |
| Award of Tender #92-14: Prince Street<br>Combined Sewer Rehabilitation.....                          | 621 |
| Award of Tender #92-13: Herring Cove Road<br>Culvert Rehabilitation .....                            | 621 |
| Recommendations - Tax Concessions<br>and Grants Committee .....                                      | 621 |
| Downtown Halifax Business Improvement<br>District Commission Budget.....                             | 623 |
| Mainland North Traffic.....  | 623 |
| Public Hearing: Case No. 6554: Appeal<br>of Minor Variance - 20 Ravenrock Lane .....                 | 624 |
| Public Hearing: Case No. 6434 -<br>Proposed Development Agreement -<br>2344-2350 Hunter Street ..... | 625 |



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HEADLINES (CONT'D)

|   |     |
|---|-----|
| Public Hearing: Case No. 6529: Development Agreement - 1341 Brenton Street .....                    | 626 |
| Public Hearing: Case No. 6558: Development Agreement - 2672 Robie Street .....                      | 626 |
| Public Hearing: Case No. 6457: Lot Modification - 9, 15, and 17 Bluestone Road .....                | 627 |
| Public Hearing: Case No. 6514: Rezoning - P Zone to R-1 and Lot Modification - 82 Main Avenue ..... | 628 |

# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
27 August 1992  
8:00 P. M.

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

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

**ALSO PRESENT:** Ms. Mildred Royer, Acting City Manager; City Solicitor; City Clerk; and other members of City staff.

The meeting commenced with those in attendance joining Her Worship Mayor Ducharme in the recitation of the Lord's Prayer.

## MOMENT OF SILENCE - ALBERT J. WALKER

A moment of silence was held to commemorate the passing of former City Alderman and Deputy Mayor Albert J. Walker who died earlier this day. In her remarks, Her Worship Mayor Ducharme referred to Mr. Walker as "a friend, a devoted citizen, and an excellent ambassador" for the City of Halifax, and extended sympathy on behalf of all members of Council to his wife and family.

## MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 30 July, as well as a Special Meeting (Public Hearings), held on Wednesday, 22 July 1992, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Holland.

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

Alderman Fitzgerald made reference to an item entitled "Mardi Gras Proposal" which had been suggested by the City Clerk as Item 20.1. The Alderman asked that this matter instead be placed on the agenda for the next regular meeting of Committee of the Whole Council scheduled for **Wednesday, 9 September 1992.**

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DEFERRED ITEMS

**Case No. 6529: Development Agreement  
- 1341 Brenton Street**

A public hearing into this matter had been held on Wednesday, 19 August 1992.

Responding to a question from Alderman Downey, the City Clerk advised that no letters of objection had been received regarding this proposal.

MOVED by Alderman Downey, seconded by Alderman Holland that:

- 1) the application for a development agreement to permit an addition to the building at 1341 Brenton Street and to permit a change in use from a repair garage to an office, as shown on Plans P200/18909 to 18913 inclusive of Case No. 6529, lands of Special Projects Limited, be approved by City Council;
- 2) Council require that the agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies as necessary, whichever approval is later, including applicable appeal periods; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

The City Clerk advised that Deputy Mayor Stone, and Aldermen Fitzgerald, O'Malley and Pottie had been absent from the 19 August public hearing and were therefore considered to be ineligible to vote.

The motion was put and passed with Deputy Mayor Stone, and Aldermen Fitzgerald, O'Malley and Pottie abstaining.

PETITIONS AND DELEGATIONS

**Petition Alderman Downey Re: Additional  
Police Enforcement - Creighton/Gerrish Street Area**

Alderman Downey submitted a petition signed by approximately 27 residents of Creighton Street who are concerned about the lack of police protection in their

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neighborhood. In presenting this petition to the City Clerk, Alderman Downey asked that staff report on this matter as quickly as possible.

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of its Finance and Executive Committee, from a meeting held on Wednesday, 19 August 1992, as follows:

**Solid Waste Management/Accord**

Reiterating remarks made during the 19 August meeting of the Finance and Executive Committee, Alderman Fitzgerald pointed out that Halifax City Council has consistently gone on record as being opposed to the concept of incineration. He emphasized, however, that there **are** alternatives to this form of waste management, adding that an appropriate approach to the matter can be achieved through public consultation.

It was therefore moved by Alderman Fitzgerald, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee:

- 1) further debate regarding the 4 August Accord on Metro Waste Disposal Management be deferred, and that Halifax City Council call upon the Province to reinstate the mediation process so that a non-incineration option can be included; and that
- 2) the City quickly schedule a special (public) session or sessions to discuss the options with regard to waste management.

Concurring with Alderman Fitzgerald's comments, Her Worship Mayor Ducharme refuted allegations that Halifax City Council, in asking for a continuance of the mediation process, is acting in bad faith, emphasizing that Council continues to seek a **metropolitan** solution.

The motion was put and passed.

It was further agreed that the proposed public meeting be scheduled for TUESDAY, 8 SEPTEMBER at 7:00 p.m. in the Council Chamber, Halifax City Hall.

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**Award of Tender #92-102:  
School Crossing Guards**

Correspondence dated 27 August 1992 was received from Mr. Clifford C. Mullaney, Vice-President Operations (Atlantic Region), Pinkerton Security & Investigation Services.

MOVED by Alderman Pottie, seconded by Alderman Macdonald that, as recommended by the Finance and Executive Committee, authority be granted to award Tender #92-102 for provision of School Crossing Guard Service to **Pinkertons of Canada Ltd.** at a 1992/93 price of \$354,592.32 (less appropriate G.S.T.), subject to escalation in accordance with the CPI for a period of five (5) years.

In putting forward this motion, Alderman Pottie acknowledged that he had received calls from a number of concerned crossing guards about the manner in which this matter is being handled by City Council. However, he went on to emphasize that, having considered all aspects of the Pinkerton proposal, he was confident that the motion presently on the floor represented the best possible approach, both in terms of providing for the safety of local school children and in providing continued employment for existing crossing guards.

Alderman Pottie further noted that while the Pinkerton proposal does not represent a significant cost-saving to the City, it will have the effect of freeing up a small number of police officers who can now devote themselves to police-related duties.

A discussion ensued with various members of City Council, including Aldermen Jeffrey, O'Malley, and Downey, expressing concern that, despite the fact that Pinkerton will be committed to hiring as many of the existing crossing guards as possible, the number of weekly hours worked will be reduced, perhaps making those individuals ineligible to receive UIC.

Responding to those concerns, the Acting City Manager pointed out that the UIC regulations have now been changed so that a minimum of 15 hours a week (rather than the previous 20) must be worked in order for an individual to qualify for UIC payments. Ms. Royer went on to point out that Pinkerton has also indicated that school crossing guards will also be given an opportunity to work for the company in other capacities, thereby increasing their earning potential.

After some further discussion, the motion was put and passed.