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At Alderman Fitzgerald's suggestion, it was agreed that a recommendation be forwarded to the City Manager that an evaluation of the Pinkerton service be undertaken subsequent to the first full year of operation, (to include such information as the number of existing crossing guards hired by that agency) and that a full report be made on this matter to City Council.

9:00 p.m. - Her Worship Mayor Ducharme retires from the meeting, with Deputy Mayor Stone assuming the Chair.

Employee Computer Purchase Plan

MOVED by Alderman Holland, seconded by Alderman Pottie that, as recommended by the Finance and Executive Committee, Council approve a re-opening and second offering of the employee computer purchase program as originally approved by the City in 1989, but with updated equipment specifications.

The motion was put and passed.

At the request of Alderman Adams, it was agreed that Item 19, "Notices of Motion," be dealt with at this time in deference to the number of people present in the public gallery interested in its outcome.

NOTICES OF MOTION

Notice of Motion Alderman Adams Re: Proposed  
Amendment to Ordinance 116, the Taxi Ordinance

Alderman Adams gave Notice of Motion that, at the next regular meeting of Halifax City Council, scheduled for Thursday, 17 September 1992, he proposes to introduce a motion to amend City Ordinance 116, the Taxi and Limousine Bylaw.

Alderman Adams went on to note that the purpose of this amendment is to increase the maximum number of seats permitted in a mini-van licensed by the City as a taxi, as well as to bring the provisions of Ordinance 116 into conformity with those of the Provincial Motor Carrier Act.

The Alderman added that he would be making a recommendation to the City's Taxi and Limousine Commission that a special public meeting be scheduled as quickly as

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possible to address the issue of the Seniors Shuttle Service which has recently begun operation in the City. Alderman Adams emphasized that this meeting would be designed to hear submissions not only from the owner of the Shuttle Service and his clientele, but also from members of the local taxi industry.

A debate ensued with Alderman Holland emphasizing that, in his opinion, Council must do everything in its power to support the Seniors Shuttle Service because of the very important service it is providing to the City's seniors. The Alderman went on to make reference to points raised during the 19 August Finance and Executive Committee and reiterated that, because of the size of the vehicle being utilized by the Shuttle Service, it was his understanding that neither provincial nor municipal regulations apply. The Alderman asked that staff investigate this matter and submit a report.

After some further discussion and questioning of the City Solicitor, it was agreed that the matter would be added to the agenda of the next regular meeting of Committee of the Whole Council, scheduled for 9 September 1992, pending receipt of the staff report previously requested by Alderman Holland.

9:10 p.m. - Her Worship Mayor Ducharme returns to the meeting, with Deputy Mayor Stone resuming his usual seat on Council.

REPORT - FINANCE AND EXECUTIVE COMMITTEE (CONT'D)

Encroachment License - Civic Nos. 2323  
and 2327 Creighton Street

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of two (2) encroaching front entrance landings and steps on the buildings known as Civic Nos. 2323 and 2327 Creighton Street.

The motion was put and passed.

Encroachment License - Civic Nos. 1533  
and 1535-37 Birmingham Street

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of an encroaching front entrance landing,

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steps, and wheelchair ramp on the buildings known as Civic Nos. 1533 and 1535-37 Birmingham Street.

The motion was put and passed.

**Encroachment License -  
Civic No. 1569-79 Dresden Row**

Following is the recommendation from the 19 August meeting of the Finance and Executive Committee:

That an encroachment license be **refused** for the construction of an encroaching fenced-in eating area at Civic No. 1569-79 Dresden Row.

MOVED by Alderman Downey, seconded by Alderman Holland that an encroachment license be **approved** for the construction of an encroaching fenced-in eating area at Civic No. 1569-79 Dresden Row.

The motion was put and passed.

**Lands of Raymond Ferguson - Rear of  
Shaunslieve Apartments (568-580 Bedford Highway)**

A supplementary staff report, dated 20 August 1992, was submitted.

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the City acquire the lands of Raymond Ferguson located on the north side of the North Road and described on the assessment roll as lots 163-167 Prince's Lodge Subdivision for the price of \$75,000 with funds being made available from the Sundry Land Acquisition Account #91608.

Alderman Adams noted that several months ago an issue very similar to this (i.e., in which there had been a discrepancy between the assessed and actual value) had been debated by Council. The Alderman asked for a report from the City Manager as to the difference in the two situations.

The motion was put and passed.

**Acquisition of Parcel WD11,  
Civic No. 69 and 71 Withrod Drive**

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

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Committee, Parcel WD11, as shown on Plan TT-47-31325 of the staff report dated 20 July 1992, be acquired from Mr. John Weaver for \$6,850 as settlement in full; and further, that funds be made available from Account No. 91350, the Capital Project Account for the Withrod Drive Project.

The motion was put and passed.

**Expropriation of Withrod Drive Parcels**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the remaining land parcels, set forth on Attachment "A" in the staff report of 28 July 1992, be expropriated; and that offers of compensation based on appraisals pursuant to the Expropriation Act be made to the owners, also as set forth on Attachment "A".

The motion was put and passed.

**Digital Topographic Mapping**

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to enter into an Agreement with **McElhanney Geosurveys Ltd.**, to provide Digital Topographic Update Mapping in accordance with the Specifications at a cost not to exceed \$36,467.74; and further, that and that funding be authorized from Capital Account No. 91611, Digital Mapping.

The motion was put and passed.

**Sale of a Portion of Titus Smith School Land  
to the Nova Scotia Department of Housing**

MOVED by Alderman Jeffrey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, a portion of the former Titus Smith School site as shown on the sketch attached to the staff report of 20 July 1992 be sold to the Nova Scotia Department of Housing for \$412,500.

In putting forward this motion, Alderman Jeffrey reiterated his suggestion, made during the 19 August meeting of Committee of the Whole Council, that lands adjacent to this site be restricted to R-1 or R-2 zoning and be developed for uses compatible with seniors housing.

The motion was put and passed.

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**Ordinance 43 Respecting Pawnbrokers**

MOVED by Alderman Holland, seconded by Deputy Mayor Stone that, as recommended by the Finance and Executive Committee, Council request the Province to proclaim the repeal of sections 479, 487, 488, 489(4), 491(3), 494(3), 495(4), 495A(6), 575(4), 588(2) and 588A(4) of the 1931 Halifax City Charter.

The motion was put and passed.

**Ordinance 170 Approvals**

A supplementary staff report, dated 26 August 1992, was submitted.

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

- 1) Council approve Schedules "A" and "B" as attached to the report from the Tax and Grants Committee dated 6 August 1992 and as included in the 26 August supplementary report, as follows including the following additions to Schedule "A":

Canadian Cancer Society  
5826 South Street

Halifax Tai Chi Association  
2084 Bauer Street (Parking area adjacent  
to North Park Street)  
Account #428115

**1992/93 ORDINANCE #170 - SCHEDULE "A" (50% REDUCTION)**

<u>Account #</u>	<u>Organization</u>
108716	Canadian Mental Health Association 5739 Inglis Street
406685	Canadian Red Cross Society 1940 Gottingen Street
488770	Children's Aid Society 5244 South Street
480666	Halifax Transition House 1271 South Park Street
157806	Halifax Junior Bengal Lancers 1690 Bell Road
180610	Halifax Junior Bengal Lancers Sackville and Bell Road
175286	North End Community Health Association 2230 Maitland Street

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<u>Account</u>	<u>Organization</u>
168749	North End Community Health Association 2165-67 Gottingen Street
355598	Nova Scotia Lung Association 17 Alma Crescent
169493	Salvation Army 2044 Gottingen Street
272486	Spryfield Lions Club 25 Drysdale Road
460874	Theatre Arts Guild 6 Parkhill Road
169900	Micmac Friendship Centre 2151 Gottingen Street
169924	Micmac Friendship Centre 2158 Gottingen Street
541849	Family Service of Support 2156 Brunswick Street
534833	Spryfield Lions Aquatic Centre 10 Kidston Road
534754	Golden Age Society 212 Herring Cove Road
565775	Home of the Guardian Angel 3 Sylvia Avenue
178834	Halifax Tai Chi Association 2029 North Park Street
400695	Halifax Tai Chi Association 2035 North Park Street

1992/93 Ordinance #170 SCHEDULE 'A' ADDITIONAL  
(68% OF 50% REDUCTION)

<u>Account #</u>	<u>Organization</u>
171141	Roman Catholic Episcopal Corporation Grafton Street
171165	Roman Catholic Episcopal Corporation Grafton Street

1992/93 ORDINANCE #170 - SCHEDULE 'B' (25% REDUCTION)

<u>Account #</u>	<u>Organization</u>
122816	South End Lawn Tennis Club 949 Young Avenue
420669	St. Joseph's Day Care Centre 2268 Brunswick Street
128028	Waegwoltic Club 6549 Coburg Road
460266	Spryfield Day Care Centre 6 Hayes Street
210547	Canadian Lebanon Society 2813-15 Agricola Street

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<u>Account</u>	<u>Organization</u>
491755	Senior Citizens Information Centre 5596 Morris Street
247431	Philae Temple A.A.O.N.M.S. 3530 Connolly Street
182199	Sport Nova Scotia 5516 Spring Garden Road
510786	Nova Scotia Drama League 5527 Cunard Street
530761	Gilbert and Sullivan Society Terminal Road
148763	Italian-Canadian Cultural Society 2629 Agricola Street
148738	Royal Canadian Naval Association 2623 Agricola Street
515759	Society for Art Presentation 2156 Brunswick Street
463139	Alexandra Children's Centre 2156 Brunswick Street
356591	Armdale Masonic Hall 20 Ashdale Avenue
319533	Armdale Yacht Club 40 Purcell's Cove Road
463188	Children's Co-op Centre 2156 Brunswick Street
103068	Halifax Curling Club 948 South Bland Street
415108	Children's Development Centre 5557 Cunard Street
353450	Halifax Golf and Country Club 140 Dutch Village Road
474514	Maskwa Aquatic Club Saskatoon Drive
257114	Mayflower Curling Club 3000 Monaghan Drive
180695	Neptune Theatre 5216 Sackville Street
149287	Neptune Theatre 1597 Argyle Street
293854	Royal Nova Scotia Yacht Squadron 376 Purcell's Cove Road
491767	South End Day Care Centre 5594 Morris Street
176278	Army, Navy, Air Force Veterans' Association, 2409 Maynard Street

- 2) Council approve deletion from Schedule "B" of Ordinance #170 for the following organization:

Nova Scotia Drama League, 5527 Cunard Street  
Reason: No Longer Assessed

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- 3) Council deny the following organizations requesting inclusion on Ordinance #170 due to not meeting the required criteria for inclusion:

St. Joseph's Children Centre  
1505 Barrington Street, Level B1  
1549 Lower Water Street, 2nd Floor  
5663 Cornwallis Street, 3rd Floor

Reason: Not Assessed  
Canadian Naval Memorial Trust,  
HMCS Sackville FMO

Reason: Not Assessed

St. Leonard's Society,  
2549 Brunswick Street

Reason: Assessed Residential \*\*

Unicef Nova Scotia,  
1491 Carlton Street

Reason: Assessed Residential \*\*

Halifax Adult Services Society,  
3430-40 Prescott Street

Reason: Not Assessed

- \*\* Ordinance #170 requires that the organization be assessed Commercial Realty.

- 4) Council approve changes to the following organizations already included on Ordinance #170:

Schedule "B"

St. Joseph's Day Care Centre

Change Name to St. Joseph Children's Centre

Schedule "A"

Canadian Mental Health Association

Change Name to Canadian Progress Club

The motion was put and passed.

**Settlement of Claim - Flooding  
(Tenants, 70 Thornhill Drive)**

MOVED by Alderman Adams, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council authorize the Legal Department to finalize the settlement of the claims of the tenants of 70 Thornhill Drive, as outlined in the private and confidential report dated 12 August 1992, for the sums of \$3,874.66 for Shirley Gallagher; \$1,384.99 for Michelle



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Gallagher; and \$5,609.88 being paid to EastCoast Fire & Restoration Limited on their joint behalfs.

The motion was put and passed.

**Trusts**

MOVED by Alderman Holland, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, the City approach the Minister of Community Services asking that legislation be adopted whereby the income and capital of any trust for which a person in need is a beneficiary be deemed to be vested in the person in need and, furthermore, that the municipality in which the person has a settlement or the Public Trustee have the right to demand an accounting of the trustee of his management of the trust.

The motion was put and passed.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of its Committee on Works, from a meeting held on Wednesday, 19 August 1992, as follows:

**Mainland North Traffic -  
PROPOSED PUBLIC MEETING DATE**

At Alderman Macdonald's suggestion, it was moved by Alderman Macdonald, seconded by Deputy Mayor Stone that, as recommended by the Committee on Works, a public meeting be scheduled to receive input on the traffic problems in the Bayview Road/Clayton Park area; and further, that this proposed public meeting would be scheduled for TUESDAY, 15 SEPTEMBER 1992 in the Gymnasium of the Halifax West High School, 350 Dutch Village Road, commencing at 7:00 p.m.

The motion was put and passed.

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Use of the Public Gardens

This matter was forwarded to Council without recommendation at which time Alderman Jeffrey indicated that he intended to prepare a resolution regarding the protection of the Public Gardens.

Alderman Jeffrey addressed the matter and proposed a motion that no individual group or organization be permitted exclusive use of any part of the Public Gardens without City Council's approval.

A short discussion followed and it was MOVED by Alderman Jeffrey, seconded by Alderman Adams that should any individual, group, or organization request exclusive use of any part of the Public Gardens, the request be brought before City Council for approval.

Alderman Pottie questioned whether consideration should be given to applying this motion to all City lands.

In response to Alderman Pottie's comment, the Mayor suggested that Council deal only with the Public Gardens tonight. Her Worship indicated that staff could subsequently provide information on the number of parks and requests that would need to be brought forward if Council were to apply this motion to all City lands.

The motion was put and passed.

Contract #91-19, Traffic Improvements, Bayers Road

MOVED by Alderman Crowley, seconded by Alderman Macdonald that, as recommended by the Committee on Works, City Council approve the increase of the total project cost for Standard Paving's work in contract #91-19 from \$255,000.00 to \$242,000.00, with the additional funding to come from account #91522.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee held on 19 August 1992 as follows:

Proclamation - Renewal of Canadian Federalism

MOVED by Alderman O'Malley, seconded by Deputy Mayor Stone that, as recommended by the Safety Committee, the following resolution be approved:

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Alderman Pottie questioned whether consideration should be given to applying this motion to all City lands.

In response to Alderman Pottie's comment, the Mayor suggested that Council deal only with the Public Gardens tonight. Her Worship indicated that staff could subsequently provide information on the number of parks and requests that would need to be brought forward if Council were to apply this motion to all City lands.

The motion was put and passed.

Contract #91-19, Traffic Improvements, Bayers Road

MOVED by Alderman Crowley, seconded by Alderman Macdonald that, as recommended by the Committee on Works, City Council approve the increase of the total project cost for Standard Paving's work in contract #91-19 from \$225,000.00 to \$242,000.00, with the additional funding to come from account #91522.

Motion passed.

REPORT - SAFETY COMMITTEE

Council considered the report of the Safety Committee held on 19 August 1992 as follows:

Proclamation - Renewal of Canadian Federalism

MOVED by Alderman O'Malley, seconded by Deputy Mayor Stone that, as recommended by the Safety Committee, the following resolution be approved:

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WHEREAS this year a number of critical negotiations will be undertaken with the objective of reaffirming our commitment within a renewed Canadian federalism; and

WHEREAS the achievement of such an accord will require on the part of all Canadians flexibility, tolerance, and generosity; and

WHEREAS if people who are reasonable and of good will do not express their support for Quebec and for the renewal of Canadian federalism, it is possible that only extremists will be heard;

THEREFORE BE IT RESOLVED THAT THE CITY OF HALIFAX, IN THE PROVINCE OF NOVA SCOTIA:

1. encourages all citizens to remember all that we have already accomplished and what we can accomplish in future;
2. expresses the sincere wish that the Province of Quebec will choose to remain a very important partner in this great nation that we are; and
3. conveys its best wishes and best regards to its counterparts in Quebec.

Motion passed.

**Resolution - Canadian Coalition  
for the Rights of Children**

MOVED by Alderman O'Malley, seconded by Deputy Mayor that, as recommended by the Safety Committee:

**WHEREAS**

- one in six Canadian children lives in poverty;
- poor children experience a 50 percent higher death rate from all causes;
- health conditions for aboriginal children in Canada have been compared to those in the Third World, and their average life expectancy is eight years lower than the national average;
- suicide is the second leading cause of death among Canadian adolescents;

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- the High School drop out rate, which averages about 27 percent across Canada, is over 90 percent in some areas and among some groups of young people;
- an estimated one in four girls and one in ten boys are victims of sexual abuse;
- youth leaving the Child Welfare System are 12 times more likely to be homeless within one year than other young people living at home;
- an estimated 20 percent of children in the care of child welfare agencies in Canada are aboriginal, although they are only two percent of the child population;
- an estimated three million children aged 12 and under were assumed to need child care in Canada in 1990 because their parents were in the labour force, but there were only 320,024 regulated child care spaces; and

**WHEREAS**

- the well-being of children is a social and moral responsibility of adults within our communities and Governments, and is critical to the future well-being of our country; and

**WHEREAS**

- there are no easy solutions to the problems outlined herein, and resolutions will only be discovered through an urgent national debate;

**THEREFORE BE IT RESOLVED THAT** the Council of the City of Halifax

1. ask all Federal political parties to identify, in keeping with the House of Commons resolution, how they will seek to eliminate poverty among Canadian children by the year 2000;
2. urge all political parties to outline their children's agenda;
3. urge all political parties and candidates to participate in and support leadership and candidates debates on children's issues in upcoming elections;
4. urge Governments at all levels to incorporate analysis of impact on children as an automatic feature of relevant policy and program initiatives undertaken by them; and

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5. request the Federation of Canadian Municipalities to similarly endorse this resolution.

Motion passed.

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

**1992 Recipients - Art Allocation Committee's  
Certificate of Recognition**

A report from Mr. J.D. MacCulloch, Chairman, Art Allocation Committee, was submitted.

MOVED by Alderman Holland, seconded by Alderman O'Malley that Mr. John Renouf of General Realty Group Ltd. be awarded a Certificate of Recognition by Halifax City Council for his contribution of "Figure on a Pillar" to the Halifax community.

Motion passed.

**Report - Audit Committee: Financial Statements**

The City of Halifax's audited consolidated and non-consolidated financial statements for the fifteen month period ended March 31, 1992 were submitted.

A memorandum from the City Clerk dated 27 August 1992 was also submitted.

MOVED by Alderman Holland, seconded by Alderman O'Malley that the Financial Statements for the fifteen month period ended March 31, 1992 be approved and that the Mayor and City Clerk be authorized to sign them on behalf of the City.

Motion passed.

**Proposed Amendment to Ordinance No. 17, the Junk Dealer's  
Ordinance - SECOND READING**

Consideration and Report in respect of this matter was given at the last Committee of the Whole Council meeting held on 19 August 1992.

MOVED by Deputy Mayor Stone, seconded by Alderman Macdonald that Halifax City Council give SECOND READING to amendments proposed for City Ordinance 17, the Junk Dealer's

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Ordinance, attached as Appendix "B" to the staff report dated 6 July 1992.

Motion passed.

**REPORT - PLANNING COMMITTEE**

Council considered the report of the Planning Committee from its meeting held on Wednesday, 19 August 1992, as follows:

**Case No. 6523: Development Agreement  
- 20 Dawn Street**

An information report from the City Solicitor dated 25 August 1992 was submitted.

MOVED by Alderman Macdonald, seconded by Alderman Crowley that, as recommended by the Planning Committee, the application for a development agreement to permit a new roof structure at 20 Dawn Street be referred to the Planning Advisory Committee for comment on establishing "benefits to the neighbourhood."

Alderman Macdonald referred to the report from the City Solicitor and advised that he intended to comment on this report after comments are received from the Planning Advisory Committee.

The motion was put and passed.

**Front Yard Parking in Residential Areas -  
SET DATE FOR MEETING**

Alderman Fitzgerald addressed the matter and advised that he has been talking with Alderman Meagher concerning this item. He noted that since the Planning Advisory Committee has held a public meeting on this matter, that a public hearing should be scheduled.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that a date be set for a Public Hearing on the plan and land use bylaw amendments respecting front yard parking.

Motion passed.

The City Clerk advised that the public hearing date would be scheduled for Wednesday, 23 September 1992, at 7:30 p.m. in the Council Chamber.

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**Case No. 6535: Development Agreement -  
2445 Brunswick Street**

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, Council set a date for a public hearing to consider the application for a development agreement to change the use of the registered heritage property, located at civic number 2445 Brunswick Street, from that of a Hostel plus one office to a 24 unit apartment building.

Motion passed.

The City Clerk advised that the public hearing date would be scheduled for Wednesday, 23 September 1992, at 7:30 p.m. in the Council Chamber.

**Proposed Development: Cedar/Henry/Jubilee/Robie Streets**

This matter was forwarded to Council without recommendation pending receipt of information from staff on the possible costs that may be incurred to the City if Council took action in respect of Section 91 of the Planning Act.

A supplementary staff report dated 27 August 1992 was submitted.

A letter dated 27 August 1992 from Geoff Keddy, MRAIC, was also submitted.

Alderman Fitzgerald addressed the matter and advised that, under the Planning Act, the City has the opportunity to try and correct a wrong. He went on to note that Council has determined that the proposed development in the Cedar/Henry/Jubilee/Robie Streets area is inappropriate and has corrected the loophole by requiring that 30 foot frontage for building lots now be mandatory. Alderman Fitzgerald explained that when the loophole appeared in the Municipal Development Plan, the Planning Act enabled the developer to take a section of land which was completely surrounded by homes and build a development. The Alderman added that under Section 91 of the Planning Act, Council can amend the law and stop the development in question from proceeding. Alderman Fitzgerald went on to express the opinion that 40 to 50 homes would be adversely affected by the proposed development and that the area would be greatly crowded.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that City Council proceed under Section 91 of the Nova Scotia Planning Act to revoke the development and building permits in connection with the seven lots that are proposed in the area bounded by Cedar/Henry/Jubilee/Robie Streets.



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Ms. Mildred Royer, Acting City Manager, addressed the matter and brought forward what she regarded as very critical information with respect to the implications of the motion from both a legal and financial point of view. Referring to the supplementary staff report of August 27th, Ms. Royer advised that the cost estimates in this report are very conservative estimates. Reiterating the points in the August 27th report, Ms. Royer added that the fact remains that a residential development can go on the site in question as of right and meet all the requirements of the existing bylaws and planning legislation. She cautioned Council that, if Council chooses to buy back the permits, it would be expending a sum of money that it is not in a position to assess at this time and could still end up with at least four to five residential houses on the lot.

A discussion followed with Alderman Pottie noting that since he had just received the supplementary staff report this evening, he has not had the opportunity to review all of the information on this item in detail. Therefore, he suggested that the matter should be deferred to the next Committee of the Whole Council to afford Council the opportunity to review all of the information submitted in depth. MOVED by Alderman Pottie that this matter be deferred to the next Committee of the Whole Council meeting. **There was no seconder to Alderman Pottie's motion.**

The discussion continued with Alderman Fitzgerald expressing the view that the more preferable option would be for the developer to build five houses on the site with a full size cul-de-sac. He noted that this might not be an ideal situation but would alleviate traffic, garbage, police, and community problems.

The motion was put and defeated.

Alderman Hanson suggested that the developer be approached to consider the option suggested by Alderman Fitzgerald to develop five lots with a cul-de-sac.

**Case No. 6501: Cancellation of Public Hearing -  
1572-88 Barrington Street and 1569-81 Argyle Street**

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Planning Committee, the public hearing scheduled for 23 September 1992 in relation to 1572-88 Barrington Street and 1569-81 Argyle Street be cancelled.

Motion passed.

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Case No. 6585: Dakin Drive - Petition for Rezoning to R-1

This matter was forwarded to Council without recommendation.

Deputy Mayor Stone addressed the item and MOVED, seconded by Alderman Jeffrey that the request to rezone all the properties on Dakin Drive from R-2 to R-1 be referred to the Planning Advisory Committee for a public meeting.

Motion passed.

Case No. 6545: MDP Amendment: Lands Adjacent to Bayers Lake Area

Deputy Mayor Stone addressed the matter and advised that he was making an addition to the recommendation from the Planning Committee.

MOVED by Deputy Mayor Stone, seconded by Alderman Hanson that, as recommended by the Planning Committee, the following actions be taken by Council:

1. Direct the Halifax Industrial Commission to undertake a specific environmental study for the lands identified in their request, the purpose of which would be to determine if it can be developed for business purposes without detrimentally affecting the Susie Lake area. This study should be made available before any recommendation is made by the Planning Advisory Committee;
2. Refer the request to the Planning Advisory Committee for public meeting and advice; and
3. Refer the request to the Lakes and Waterways Advisory Committee for comment through the PAC, and, further
4. Direct staff to proceed with a proposal call for a study of the larger Holding Area for an environmental assessment impact study with costs to be included in the 1993 fiscal budget.

Deputy Mayor Stone referred to the information report of August 12th indicating that a public hearing was held by the County of Halifax on the lands abutting the Susie Lake area. He noted that the County is proposing a mixed resources area which includes a variety of uses ranging from family dwellings to salvage yards. The Deputy Mayor expressed concern about this matter and emphasised the need for an environmental assessment study of this sensitive area.

The motion was put and passed.

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**Mainland Common Master Plan - Staff Review**  
**Mainland Common - Acquisition of Additional Land**

Deputy Mayor Stone addressed the matter and advised that the public want to be assured that after the detailed plan is established that there be an opportunity for further public input.

He went on to note that he is particularly concerned with the south east corner of the Mainland Common where staff is recommending there be active recreation because of the topography of the land. The Deputy Mayor advised that the only problem he had with this recommendation was that there are a number of residents with homes close to the proposed active recreation area who want to be consulted before this is actually started. He added that the consultant has indicated that this area should be retained for active recreation with no lights and an increased buffer width between this and the adjacent local residents and that the specific activity should be decided by the City in consultation with the public and, in particular, the residents of Birkdale Crescent. Deputy Mayor Stone advised that it was his hope that staff would include this in the plan when they actually establish the details. He further added that it is also indicated that this area have a buffer with trees planted and a fence to protect the residents from short-cutting.

MOVED by Deputy Mayor Stone, seconded by Alderman Jeffrey that, as recommended by the Planning Committee, Council approve the staff recommendations as follows:

**Mainland Common Master Plan - Staff Review**

1. Council adopt the Mainland Common Master Plan as a basis for detailed capital proposals within the capital budget and as a basis for evaluating submissions from outside organizations;
2. The City prepare detailed designs for playing fields, roads, paths, facilities and important landscape features to be done through the capital budget as phased development proceeds over several years;
3. The City prepare a capital and operating plan and budget for the Mainland Common. These would normally be done through the capital budget as part of the development cost of facilities. This will take the form of a staff report and then be implemented in the normal budget approval process each year;

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4. Appropriate measures be taken to ensure fire protection for the forested areas as well as for the major developments in the Common;
5. There be no special arrangements for management of the Common;
6. The southeast corner of the Mainland Common be retained for active recreation and that further investigation on the specific activity for that area, lighting, and the need for more buffering be carried out in conjunction with a detailed design. Public consultation could occur when detailed design is undertaken should Council determine that this is desirable;
7. Council accept the recommendation of the consultant to retain the layout of the ball fields;
8. A detailed design be done for the multi-purpose field, indoor soccer facility, and the youth soccer field to accommodate soccer, track and field and any other appropriate activities;
9. Some of the less costly developments in Phases 2 and 3 be included in the early years of development and brought forward in capital budget submissions.

**Mainland Common - Acquisition of Additional Land**

1. Council acquire the 14.5 acre parcel from Clayton Developments Ltd., shown as Parcel A on the map attached to the staff report of 17 August 1992, for \$2,270,000;
2. Council authorize payment in four equal annual instalments, with interest on the outstanding balance at 6 percent;
3. Council declare the 5.52 acre parcel, shown as Parcel B on the map attached to the staff report of 17 August 1992, (surplus to Common requirements), for sale at some future time for commercial use at full market value, giving Clayton Developments Ltd. right of first refusal.

Motion passed.

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Rockingstone Road - Rezoning

A staff report dated 21 August 1992 was submitted.

This matter was forwarded to Council without recommendation pending receipt of information from staff on the merits of the petition to rezone civic numbers 12, 14, 16, & 16 1/2 Rockingstone Road from RC-1 (Neighbourhood Commercial Zone), to R-2 (Two-family Dwelling Zone), in keeping with the other homes in the area.

MOVED by Alderman Adams, seconded by Alderman Hanson that City Council set a date for a public hearing to consider the proposed rezoning of 12, 14, 16 and 16 1/2 Rockingstone Road from RC-1 (Neighbourhood Commercial Zone), to R-2 (Two-family Dwelling Zone).

Motion passed.

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. 6540: Proposed Development Agreement -  
2086 Maynard Street

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, the report from staff dated 18 August 1992 be tabled and considered in connection with the item which is the subject of a public hearing scheduled for 9 September 1992.

Motion passed.

MOTIONS

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

No action was taken in respect of this matter as a result of Council's decision on item 15.4 (Proposed Development: Cedar/Henry/Jubilee/Robie Streets).

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QUESTIONS

Question Alderman Fitzgerald Re: Report by Gerald Reagan  
on the Port of Halifax

Alderman Fitzgerald noted that the report on the Port by the Group headed by Gerald Regan has been submitted and questioned whether the City has any involvement in the matter. The Mayor indicated that arrangements could be made to have the report circulated to City Council.

Question Alderman Fitzgerald Re: the Gospel Festival

Alderman Fitzgerald noted that the City had developed a new policy to help organizations get established and he question the costs to the City in connection with the Gospel Festival.

Question Alderman Fitzgerald Re: Connaught Avenue

Alderman Fitzgerald noted that he saw a notice on Connaught Avenue indicating that the street from Bayers to London would be closed both ways for a period of 12 weeks beginning August 24th.

Mr. Bill Sullivan, Chief Engineer, addressed Council and advised that he was not fully aware of what was happening in respect of Connaught Avenue noting that he had just returned from vacation. However, Mr. Sullivan guaranteed that both sections of the street will not be closed at the same time explaining that one half will be open while the other half is closed.

Question Alderman Fitzgerald Re: Motion of Reconsideration

Alderman Fitzgerald questioned whether he could ask for reconsideration of Council's decision with respect to item 15.5 pertaining to the proposed development on Cedar/Henry/Jubilee/Robie Streets.

The City Solicitor advised that a motion of reconsideration only applies to a motion that has been resolved in the affirmative. He added that the rule that would apply is rule 46 of Ordinance 103 which states that when a motion has been resolved in the negative, it shall not be brought again before Council except by the approval of two thirds of the Council and until two months have elapsed.

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**Question Alderman Jeffrey Re: Civic Arena Lands**

Alderman Jeffrey noted that a few months ago Council approved the purchase of the Civic Arena lands from the Federal Government. The Alderman asked for a report on the status of this decision.

**Question Alderman Jeffrey Re: Permit for a Party  
Main Avenue**

Alderman Jeffrey advised a permit was issued to a family on Main Avenue for a party on August 22nd. The Alderman asked for a report on why a permit of this nature was issued by the Police Department. He noted that the residents in the area were disturbed by the noise from speakers, etc.

**Question Alderman Jeffrey Re: School Avenue**

Alderman Jeffrey noted that he had moved a motion a couple of weeks ago pertaining to School Avenue and the unsightliness of grass growing through the sidewalks. He noted that he requested at that time that staff investigate the situation and have the grass cut. Alderman Jeffrey added that the grass was cut but that a mess remains. He went on to ask that the Engineering and Works Department send one of its sweepers into this area and also see if some substance could not be poured onto the sidewalk to prevent the grass from growing. Alderman Jeffrey advised that it was also his understanding that the Department of Highways will be fixing the manholes in the area.

**Question Alderman Downey Re: Sidewalks - Northwood Terrace**

Alderman Downey noted that he had received a report concerning Northwood Terrace in front of Northwood Manor where there are sidewalk slabs in poor condition. He added that the report advised that on August 19th staff used some asphalt to level some of them off. However, Alderman Downey expressed concern that an unsafe situation remains for the seniors. He further noted that staff have recognized that the sidewalks in this area should be included in the 1992 budget for replacement and, therefore, requested that consideration be given to replacing these in 1992.

**Question Alderman Downey Re: Alexandra Centre**

Alderman Downey advised that it was his understanding that the Alexandra Centre is now entirely vacated and a demolition call for demolishing the building

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has proceeded. Alderman Downey went on to ask for a report on the status of the demolition of this building.

**Question Alderman Downey Re: Crime Statistics**

Alderman Downey noted that Council used to receive a report on crime statistics for each ward. He went on to request that a report showing crime statistics on a ward by ward basis throughout the City be provided to all members of Council.

**Question Alderman Downey Re: Sunrise Manor Bus Service**

Alderman Downey noted that it was his understanding a letter had been forwarded to the City Clerk from the residents of Sunrise Manor concerning bus service to the manors. The Alderman explained that as a result of the re-routing by Metro Transit, it is difficult for seniors at the Sunrise Manor to go to the shopping centres. He went on to request that this matter be forwarded to the Transit Advisory Committee with the request that consideration be given to rerouting the bus that serves both manors. Alderman Downey noted that a meeting of the Transit Advisory Committee will be held on September 1st.

**Question Alderman O'Malley Re: Highland Park Bantam B  
All Star Team**

Alderman O'Malley informed Council that the Highland Park Bantam B All Star Team had recently won the Nova Scotia Provincial Softball Championship. Alderman O'Malley asked that Council join with her in expressing congratulations to the All Star Team and their coaches, Dennis Jenkins and Mike Rogers.

**Question Alderman O'Malley Re: Truck Turn-Off on  
Barrington Street**

Alderman O'Malley indicated that she would like to know the owner of the truck turn-off on Barrington Street because of the lack of maintenance to this property. She explained that this turn-off was established in order to enable very large trucks to make a turn to go to the Richmond Terminals. Noting that she had made some inquiries concerning the party responsible for this turn-off, Alderman O'Malley advised that she was unable to determine the owner. However she noted that some repairs have been made to property since she began inquiring about the owner(s).



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The City Solicitor advised that the property belongs to the City and agreed to provide a written report in this regard.

**Question Alderman O'Malley Re: Canteens on Private Property**

Alderman O'Malley questioned whether canteens that operate on private property in the City of Halifax are required to have the necessary health permits that apply to other mobile canteen operators that operate on City streets.

In response, the City Solicitor advised that they require the same health permits but do not require the permits under the section of the Streets Ordinance that deals with mobile canteens.

Alderman O'Malley questioned whether there are any checks made to see that canteens operating on private property do have the necessary health permits. She noted that it has been brought to her attention that some of them do not.

The City Solicitor advised that the inspection is done by the Atlantic Health Unit. He indicated that he would refer to them to see what their procedures are with respect inspecting these canteens. The City Solicitor noted that he would subsequently provide information on the matter.

**Question Deputy Mayor Stone Re: Susie Lake**

Referring to an information report of August 12th concerning lands adjacent to the Bayers Lake Area (Case 6545), Deputy Mayor Stone noted that the report makes reference to the fact that a public hearing had been held by the County of Halifax on August 10th regarding land in the Susie Lake area. He went on to note that the report indicates that the lands bordering the Susie Lake area are of primary interest to the City of Halifax because of their sensitive environmental nature. The Deputy Mayor asked that staff provide a report on the outcome of this public hearing and whether there had been any representation of City staff at the meeting.

**Question Alderman Holland Re: Bedford Highway**

Alderman Holland noted that members of Council received correspondence from the Insurance Bureau of Canada concerning the widening of the Bedford Highway from four lanes to three lanes. He advised that the Insurance Bureau is concerned about the safeness of the three lanes. Alderman Holland went on to suggest that if the tolls are raised for trucks crossing the bridges, more trucks will be using the

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Bedford Highway as a result. He suggested that staff contact the Insurance Bureau of Canada in this regard and determine what effect this will have on the number of incidents of accidents and loss of life in that area.

**Question Alderman Holland Re: CNR Lands**

Alderman Holland advised that there were some CNR lands across from 840 MacLean Street which are in an unkept condition. He explained that there are weeds surrounding a fire hydrant which at times cannot be seen. The Alderman indicated that he would like to find out why the CNR is not cleaning this area and living up to their responsibilities.

**Question Alderman Holland Re: Fall by a Resident**

Alderman Holland advised that a resident in his Ward had written the City Clerk sometime ago concerning a fall. The Alderman questioned when a response to this letter might be received.

**Question Alderman Macdonald Re: Viaduct -  
Lacewood Drive Area**

Alderman Macdonald advised that it appears as though there is a large pile of sediment being cleared along Lacewood Drive below Dunbrack Street. He noted that he has received telephone calls from area residents recently concerning the manmade viaduct in this area which also contains waterfowl and vegetation. Alderman Macdonald advised that the residents are wondering when the area will be restored and whether it will continue to hold an adequate supply of water.

Alderman Macdonald advised that he has been in touch with the Engineering and Works Department concerning this matter who have advised him that the principal use of the viaduct facility is to act as a holding pond providing temporary storage so as not to overload the storm sewers below this location. The Alderman indicated that the citizens would like to see the water set high enough when the viaduct is restored in order for it to attract waterfowl and vegetation once again. He asked that a report on the situation be provided.

**Question Alderman Adams Re: Hartlen Playground -  
Request for a gate at Feldspar Crescent**

Alderman Adams indicated that he would like to know what plans staff have for the Hartlen Playground which is

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located off St. Michael's Avenue in Spryfield. He questioned whether there were any plans for the expansion of the grounds and the existing facilities.

Alderman Adams noted that there has also been an on-going issue in Spryfield with regard to a gate at Feldspar Crescent. He advised that he has contacted both the Fire and Police Departments who have indicated that they have no problem with the placement of a gate in this area. Alderman Adams noted that one of the concerns raised by Parks and Grounds staff was the question of an appropriate time to open the gate and close it so that people would not get locked inside. He went on to request information from Parks and Grounds staff as to the estimated cost of having this gate opened at 7:00 a.m. and closed at 7:00 p.m. or an appropriate time when it would not interfere with the normal daily routine of staff. The Alderman also asked for some suggestions for solutions to the problem of people being locked inside the gate i.e. explore the area for vehicles before closing the gate, and investigate what is done in other similar situations in the City such as the Dingle.

**Question Alderman Pottie Re: Prescott Street**

Alderman Pottie indicated that he has received concerns from the residents of Prescott Street regarding the excessive speed of traffic in the area particularly during the last six months. He asked that the Police Department carry out some selective enforcement of the speed limit in this area and determine the hours during which the traffic is heaviest.

Alderman Pottie went on to advise that it was his understanding that the residents were formulating a petition concerning this matter for submission to City Council.

**NOTICES OF MOTION**

**Notice of Motion Alderman Fitzgerald Re: Section 91 of the Planning Act - Cedar/Henry/Jubilee/Robie Streets area**

Alderman Fitzgerald gave notice of motion that at the next regular meeting of City Council to be held on 17 September 1992 he intends to move a motion that, under Section 91 of the Planning Act, two building permits be revoked in relation to the development in the Cedar/Henry/Jubilee/Robie Streets area.

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

HER WORSHIP MAYOR DUCHARME  
CHAIRMAN

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

KS/MS

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**HALIFAX CITY COUNCIL  
SPECIAL MEETING  
MINUTES**

Council Chamber  
Halifax City Hall  
9 September 1992  
7:45 P. M.

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

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

**ALSO PRESENT:** Ms. Mary Ellen Donovan, representing the City Solicitor; City Clerk; and other members of City staff.

**ADDED ITEMS**

The following items had been forwarded from a regular meeting of Committee of the Whole Council held earlier in the day:-

**"Set Aside" Policy**

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Halifax City Council adopt the "Set Aside Policy" for Black entrepreneurs (as outlined in the attachment to the 31 August 1992 staff report) for a five-year period with the program being assessed by City Council at that time.

The motion was put and passed.

**Award of Tender #92-48: Kempt Road Street  
Improvement Program (Lady Hammond Road to Hood Street)**

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Committee on Works, Tender #92-48 (Kempt Road Street Improvement Program - Lady Hammond Road to Hood Street) be awarded to **Basin Contracting Limited** at a tender price of \$188,147.50 and a

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total project cost of \$226,000.00 (funding to be authorized from Account Number 91406, "Street Improvement Program").

The motion was put and passed.

**File #53909 - One (1) 30 Circuit Traffic Signal Controller  
- Engineering and Works Department (Traffic Division)**

MOVED by Alderman Meagher, seconded by Alderman Downey that, as recommended by the Committee on Works, authority be granted to place the award of File #53909 for one (1) 30 circuit traffic signal controller with **Novax Industries Corporation** for an amount of \$10,256.00 (funds to be made available from Account Number 25308.430, "Electrical Supplies - Traffic Lights Maintenance").

The motion was put and passed.

**File #1445 - One (1) 18 Circuit Traffic Signal  
Controller - Engineering and Works Department  
(Traffic Division)**

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Committee on Works, File #1445 for one (1) 18 circuit traffic signal controller be awarded to **Novax Industries Corporation** for an amount of \$8,918.00 (funds to be made available from Account Number 25308.9133.91533, "Electrical Supplies - Traffic Installation, Dresden Row").

The motion was put and passed.

**Award of Tender #92-35:  
Williams Lake Road (Sanitary Sewer)**

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

- (a) Council award Tender #92-35 to the low bidder, **Mardo Construction Ltd.**, for materials and services listed for unit prices quoted at a bid price of \$81,716.00 and a total project cost of \$98,000.00; and
- (b) the funds be made available from Capital Account No 95002.

In putting forward this motion, Alderman Hanson noted that there would be a substantial saving between what had been budgeted for this project and the actual bid price. He therefore asked if staff might consider using



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those savings in order to proceed with the project proposed for the **adjacent** site.

The motion was put and passed.

**Consultant Study and Design - Air  
Circulation (Needham Centre)**

MOVED by Alderman O'Malley, seconded by Alderman Meagher that, as recommended by the Committee on Works, Council approve the hiring of **All-Energy Engineering Ltd.** to design a new air circulation system for the Needham Recreation Centre at a fee not to exceed the \$25,000 budget (funds to be made available from Account No. 97060, "Needham Centre Air Circulation").

The motion was put and passed.

**Energy Management Consultant Study -  
Captain William Spry Community Centre**

MOVED by Alderman Adams, seconded by Alderman O'Malley that, as recommended by the Committee on Works, Council approve the hiring of **Chebucto Engineering Limited** to study the mechanical system at the Captain William Spry Community Centre for a fee not to exceed \$9,000.00 (funds to be made available in Account No. 600, "Energy Management").

The motion was put and passed.

**Award of Tender #92-32: Hilden Drive**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Committee on Works, Tender #92-32 for new paving, sidewalk and storm sewer (Hilden Drive) be awarded to **Dexter Construction Co. Ltd.** at a bid price of \$183,310.00 and a total project cost of \$220,000.00 (funds to be made available from Account No. 91353 - Hilden Drive, New Paving; and from Account No. 94027 - Hilden Drive, Sewer General).

The motion was put and passed.

**Award of Tender #92-33: Lyons Avenue**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Committee on Works, Tender #92-33 for new paving (Lyons Avenue) be awarded to **Standard Paving Maritime Ltd.** at a bid price of \$159,950.00

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and a total project cost of \$195,000.00 (funds to be made available from Account No. 91355 - New Paving).

The motion was put and passed.

**Printing Newsprint Brochures (Recreation  
Department) - Price Agreement #912525**

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, approval be granted to award the printing of the Recreation Department's programme brochures on a two-year basis to the lowest bidder, Dartmouth Free Press Limited, in the amount of \$18,000.00 - \$20,000.00 per publication.

The motion was put and passed.

**Spryfield Legion Cairn**

MOVED by Alderman Adams, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, Council refer the matter of the Spryfield Legion Cenotaph to the Art Allocation Committee for review and recommendation; and further, that, in its review, the Committee consider the feasibility of including the proposed cairn as part of the "peace park" proposal.

In putting this motion forward, Alderman Adams urged that the Art Allocation Committee make every effort to address this matter as quickly as possible as the Legion would very much appreciate having a site assigned to them in time for the 1992 Remembrance Day ceremonies.

The motion was put and passed.

**Settlement of Claim - Flooding  
(Civic No. 70 and 72 Thornhill Drive)**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council authorize the Legal Department to finalize the settlement of the claims of owners of Civic Numbers 70 and 72 Thornhill Drive (as outlined in the 12 August 1992 report from the City Solicitor) for the sums of \$1,750.00 for Stephen Keizer (70 Thornhill Drive) and \$1,500.00 for Paul McKenna (72 Thornhill Drive).

The motion was put and passed.

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PUBLIC HEARINGS

**Case No. 6566: Appeal of Minor Variance  
Refusal - 2094 Oxford Street**

A public hearing into the above matter was held at this time, with a staff report, dated 20 August 1992, being submitted.

Mr. Paul Dunphy of the City's Development and Planning Department presented a brief overview of the application for a variance of the side yard requirements at Civic No. 2094 Oxford Street, as well as the Development Officer's subsequent decision to refuse that request.

In his remarks, Mr. Dunphy noted that one of the factors which must be taken into consideration when reviewing requests for a minor variance is the **scope** of the variance in question. In this case, however, while the requested variance could not be considered to be minor in nature (involving as it does a reduction of the side yard from four feet to seven inches), Mr. Dunphy emphasized that the deck, which is the subject of this application, will merely continue the existing non-conforming side yard and will have little effect on the abutting commercial use.

Mr. Dunphy went on to point out that, the above circumstances notwithstanding, the situation prompting the variance application is general to this area of Oxford Street. He further noted that as the deck in question was constructed without an appropriate building permit, staff could only conclude that the property owners displayed an intentional disregard for the requirements of the City's Land Use Bylaw. On this basis, therefore, the request for a minor variance had been refused.

Mrs. Doris Laviolette, the owner of the property in question, briefly addressed Council to state that she had lived at 2094 Oxford Street for over 45 years and, having recently retired, wished to expand her existing deck in order to obtain a greater degree of privacy from the commercial use next door. She indicated that she had not realized before construction began that a development permit from the City was necessary and apologized for her error.

There were no further persons wishing to speak in this regard.

Noting that no objections of any kind had been received from Mrs. Laviolette's neighbors concerning the extension of her deck, it was moved by Alderman Meagher, seconded by Alderman Fitzgerald that the decision of the

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Development Officer to refuse the request for a minor variance at Civic No. 2094 Oxford Street be overturned, and that the appeal be granted.

The motion was put and passed.

**Case No. 6560: Appeal of Minor Variance  
Refusal - 5529 Falkland Street**

A public hearing into the above matter was held at this time, with a staff report, dated 27 July 1992, being submitted.

Mr. Michael Hanusiak of the City's Development and Planning Department provided Council with a brief overview of the rationale underlying the Development Officer's decision to refuse the application for a minor variance at 5529 Falkland Street.

In his remarks, Mr. Hanusiak explained that the application in question concerned the conversion of a single-family dwelling to a duplex, a process which is intended to include the construction of a dormer. Since this dormer constitutes an increase in the building's height as well as in its floor area and volume, the Development Officer had been forced to refuse the minor variance application. In addition, Mr. Hanusiak advised that the circumstances relating to this particular property are also general to the vast majority of properties in the area, constituting further grounds for refusal.

Mr. Hal Forbes, owner of the property in question, advised that he has consulted various of his neighbors on Falkland Street and that, to his knowledge, there has been no opposition to his plans for conversion of the building located at 5529 Falkland. Mr. Forbes emphasized that the size and configuration of many of the properties in this particular section of Peninsula North are such that it is often very difficult for developers to conform to existing regulations, especially in terms of building size and side yard requirements. In this context, he displayed photographs of three other properties which he has already converted to multiple-unit dwellings in the Falkland Street area, emphasizing their improved appearance and compatibility with the rest of the neighborhood.

In concluding his remarks, Mr. Forbes advised that he had elected to apply for a minor variance (rather than to seek a lot modification or a development agreement), given his time and financial constraints.

An individual who identified himself as a resident of 42 Old Ferry Road (Dartmouth) and the owner of

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a property in the Falkland Street area, addressed Council on Mr. Forbes' behalf. It was noted that Mr. Forbes has made a reputation for himself in this part of the City for superior workmanship and that, in the opinion of his abutting property owners, his plans for 5529 Falkland will definitely constitute an improvement to that site.

Mr. Bernard Davis, a resident of 5526 Falkland Street (directly across the street from the property in question), also spoke in support of Mr. Forbes' application. In his remarks, Mr. Davis pointed out that if some degree of flexibility was not permitted with regard to properties such as that at 5529 Falkland, potential developers will be discouraged from attempting improvements. He went on to note that since the dormer in question will be positioned at the back of the house, its addition will have little or no impact on the appearance of the building as viewed from the Falkland Street side.

There were no further persons wishing to address Council in this regard.

Noting that no objections had been received in this instance, it was moved by Alderman Downey, seconded by Alderman O'Malley that the decision of the Development Officer to refuse the request for a minor variance at Civic No. 5529 Falkland Street be overturned, and that the appeal be granted.

The motion was put and passed.

**Case No. 6540: Development Agreement  
- 2086 Maynard Street**

A public hearing into the above matter was held at this time with two staff reports, dated 13 July and 18 August 1992, being submitted.

Mr. Michael Hanusiak, Planner II with the City's Development and Planning Department, briefly overviewed the contents of the staff reports previously submitted.

In his remarks, Mr. Hanusiak noted that the site at 2085 Maynard Street had been occupied by a single-family dwelling until the early 1960's at which time the property was fenced in and used as open space in conjunction with the dwelling located next door (i.e., 2088 Maynard Street).

Using plans and diagrams for illustration purposes, Mr. Hanusiak advised that the development agreement now under consideration proposes to allow the

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construction of a new three-storey single-family dwelling on this site complete with an attached garage. He pointed out that the proposed structure will fill most of the lot in relation to the Maynard and Falkland Street property lines, adding that the new dwelling will also share a common side wall with the building at 2088 Maynard Street.

Mr. Hanusiak emphasized that the proposal presently before Council constitutes an infill project and, as such, the Municipal Development Plan does not concern itself with "specifics," but rather with the generalities and characteristics of the neighborhood as a whole. To that end, the MDP requires that infill projects considered by contract respect the integrity and scale of the surrounding uses.

In this context, Mr. Hanusiak went on to advise that this particular area of Peninsula North is characterized by extremely small lots (in the 1,000-2,000 square foot range); most of the properties are developed as single-family or duplex dwellings, all of which without exception abut the front property line and, for the most part, the side yards of the properties. The project under consideration also follows the existing street line and the scale of surrounding development; in addition, the habitable space will very closely duplicate that which had previously existed on the property for over 100 years -- in Mr. Hanusiak's words, "a modern-day expression of the square-box construction that is typical in the Maynard/Falkland Street area."

On a final note, Mr. Hanusiak brought to Council's attention that the front entry way and door landing of the proposed dwelling unit will, in fact, encroach on the Maynard Street street line, a circumstance which is very much the norm in this part of the City. Consequently, an encroachment license is included in this application for a development agreement.

Under the circumstances, therefore, and based on compliance with all aspects of the Municipal Development Plan, Mr. Hanusiak noted that staff is recommending approval of the development application relative to 2086 Maynard Street.

Mr. Chris Millier, a resident of 2088 Maynard Street and the owner of the property in question, addressed Council to emphasize that in drawing up the designs for his proposal, he had been very much concerned with producing an infill unit which was compatible with the Maynard Street "setting," particularly as it pertains to the two-storey cornice line which is especially characteristic of this area. He went on to note that he has discussed his proposal with many Maynard Street residents and has

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subsequently incorporated several of their suggestions into his final building plans.

Mr. Larry Lamont, a resident of 2033 Maynard Street, spoke in opposition to the proposal. Noting that the proposed structure is relatively "modern" in design, he questioned whether such a dwelling is, in fact, suitable for construction in a neighborhood in which much of the housing stock dates back to the mid-1800's. Mr. Lamont went on to express concern regarding such specifics as the developer's choice of windows, siding materials, and trim detail, and noted a particular objection to the proposal to construct a three-storey dwelling in a neighborhood in which the majority of homes are only two-storey. Under the circumstances, therefore, Mr. Lamont strongly urged that this application, affecting as it does one of the City's heritage neighborhoods, be referred to the Heritage Advisory Committee for review and recommendation.

An individual, who identified himself as a resident of 42 Old Ferry Road (Dartmouth) and the owner of a property in the Falkland Street area, concurred with the concerns raised by Mr. Lamont and joined him in requesting that Council consider referring the matter to its Heritage Advisory Committee.

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

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

The motion was put and passed.

**Case No. 6527: Amendment to Development  
Agreement - 1336-44 Hollis Street**

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

A staff report, dated 29 June 1992, was submitted, together with a report from the Heritage Advisory Committee dated 31 July 1992.

Mr. Paul Dunphy, a Planner with the City's Development and Planning Department, briefly reviewed the above-mentioned reports. In his remarks, Mr. Dunphy noted that the application now under consideration pertains to a possible amendment of an existing development agreement for the construction of an apartment building at 1336-44 Hollis Street. Mr. Dunphy went on to advise that the proposed

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amendments include the addition of one storey in height on the back portion of the building as well as a change in roof design, also on the back portion of the building, from a pitch roof design to a mansard style with dormers. It was noted that since this project is proposed for an area which contains a number of registered heritage properties, the application for amendment had been forwarded to the City's Heritage Advisory Committee for review and comment. In their response, dated 31 July 1992, the Committee recommended **refusal** of the amendment owing to its potential adverse effects on the surrounding heritage properties.

Mr. Andrew Metledge, representing Templeton Place Limited (the developer in question) addressed Council to advise that, during the excavation process in early April of this year, his company encountered various difficulties with the Department of Environment concerning the removal of shale rock from the site. While these difficulties persist, Mr. Metledge pointed out that carrying charges on this property are continuing with no income being generated.

Mr. Metledge went on to note that his company had subsequently decided to review its original plans for this property in the hopes that, given the above-mentioned difficulties, development of this site could be optimized and, in addition, that the other facades of the structure could be rendered more compatible with that facing Hollis Street. Using diagrams and photographs, Mr. Metledge reviewed the changes to the development agreement now being requested, pointing out that the addition of the mansard roof will be located on the back portion of the building only. In this context, he emphasized that the Hollis Street facade has not been changed in any way and that, in his view, the addition of a mansard roof will provide the building with a roof line which is more compatible with the buildings in the immediate area.

While acknowledging that the addition of the mansard roof **would** increase the height of the proposed structure, Mr. Metledge emphasized that that increase is fairly minimal (i.e., approximately five feet). He went on to point out that, even with the requested changes, the building's height is still less than the as-of-right requirement for this area, adding that the project continues to meet all the requirements of the RC-3 Zone in terms of height, density, parking, setbacks, angle controls and open space requirements. In this same context, it was noted that there are several other buildings in this area (e.g. Renaissance South) which are substantially higher than that under consideration.

Mr. Metledge concluded his remarks by suggesting that the completed project will add to the City's tax



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revenues and will also serve to bring more people back to live on the Peninsula. He emphasized that the changes to the development agreement are being requested not only in an attempt to offset costs, but also to render the overall building more in keeping with its Hollis Street facade.

Mr. Alan Ruffman, a resident of 202 Ferguson's Cove Road with a business address at 5112 Prince Street, spoke in opposition to the proposal, suggesting that the City has already made substantial concessions to this developer in allowing a total of 55 units in an area in which 32 units are permitted as of right. He pointed out that the developer is now seeking approval for 71 units, an increase over the as of right allowance of 122 percent. Mr. Ruffman concluded his remarks by referring to a map of the Hollis Street area and expressing his very strong concern that the project in question will be significantly incompatible with the surrounding heritage neighborhood.

Mr. Larry Smith, a resident of 1332 Hollis Street and President of the Downtown Residents Association of Halifax, spoke in opposition to the approval of the requested amendments. In his remarks, Mr. Smith emphasized that his Association did not wish to prevent all development from occurring in the downtown area, but rather wished to encourage projects which are sympathetic in design and scale to the many heritage buildings in the Hollis Street area. In this context, Mr. Smith presented a brief video tape showing the neighborhood which will be directly affected by the project proposed for 1336-40 Hollis Street, and concluded his remarks by submitting a petition containing approximately 70 signatures of area residents in opposition to the proposed changes to the existing development agreement.

Mr. Robert Doyle, a resident of 1350 Hollis Street, concurred with many of the concerns put forward by the previous speakers and emphasized that many who expressed their opposition to the original development agreement remain opposed to the project. Mr. Doyle went on to express concern that the diagrams presented to Council by the developer may not be not accurate in terms of scale and relationship to adjacent buildings, and concluded his remarks by urging Council to ensure that development on this site is in keeping with the heritage demands of the surrounding neighborhood.

A lady living at 1333 Barrington Street (directly behind the site in question) expressed concern that, with the approval of the proposed amendments, many residents of that apartment building will lose much of their sunlight as well as their view of the Halifax Harbor.

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A resident of 1346 Hollis Street (Pryor Terrace), immediately north of the property in question, presented several slides showing the vacant lot at 1336-44 Hollis as well as various other structures in the immediate neighborhood. In his remarks, the gentleman pointed out that he and his neighbors have invested a considerable amount of money in their properties, investments which are being threatened by the proposal put forward by Mr. Metledge. In this context, he went on to note that the apartment structure will have a very direct impact on his lifestyle, a series of floors complete with balconies and sliding doors will now overlook his back yard.

The gentleman pointed out that while he could accept the need for greater population densities on the Halifax Peninsula, he did not agree that the requested change from one- and two-bedroom apartments to a preponderance of one-bedroom and bachelor units would have a positive impact on the surrounding neighborhood, particularly in terms of assisting to maintain the nature and calibre of the neighborhood. He added that the excavation work undertaken to date has caused erosion in his back yard to the point where he is very much concerned about the possible loss of many of his plants and especially an elm tree whose roots have been exposed.

In conclusion, the speaker indicated that he was in complete agreement with the concerns put forward by the previous speakers, adding that he would prefer to see this section of downtown Halifax designated "Georgian" and preserved as the only example of this type of architecture in the City.

Mr. Donald B. Dorey, a resident of 5761 Point Pleasant Drive and the civil engineer whose firm (Leslie R. Fairn) had done the design work for the project under discussion, assured Council that the plans submitted to City staff had been accurate in terms of scale. Mr. Dorey went on to attempt to reassure the project's opponents that the impact of the project (particularly in terms of mass) will have minimal impact when viewed from either Bishop or Hollis Street, noting, in addition, that the proposed mansard roof can be constructed of materials compatible with adjacent structures. Mr. Dorey concluded his remarks by suggesting that the project will add a great deal in attracting people to the downtown area and to a neighborhood from which it is possible to walk to work.

Mr. Blair Beed, a resident of 5510 Spring Garden Road, spoke in opposition to the proposal and in concurrence with the concerns voiced by the previous speakers.

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Mr. Richard Collins, a resident of 5172 Bishop Street, addressed Council to argue that, in his opinion, the mass of the proposed building, when viewed from Bishop Street, "will not go unnoticed." He went on to note that, in his view and that of the Downtown Halifax Residents Association, a decrease in property values will also result if development incompatible with the neighborhood's heritage character is approved for this area. In this context, Mr. Collins referred to the "Residential Environments" Section of the Municipal Development Plan, which calls for compatible development designed to preserve the integrity of existing neighborhoods, and emphasized that, in his opinion, the proposed development is **not** compatible with the adjacent structures.

Mr. G. Duffus, a resident of 1110 Barrington Street, noted that, in his opinion, several concessions have been made to the developer of the property in question with Mr. Metledge making no concessions in return. In this context, Mr. Duffus suggested that the project is not sensitive to either the architecture or the integrity of the Hollis Street neighborhood, and urged City Council to endorse the recommendation of its Heritage Advisory Committee that the application be refused.

Mr. S. Abraham, a resident of 1332 Hollis Street (McLean House), briefly addressed Council to express his support for the concerns raised by the previous speakers.

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

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that the matter be forwarded to Council without recommendation, pending receipt of a staff report responding to the questions raised during this evening's meeting.

The motion was put and passed.

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

A public hearing into the above matter was held at this time, with a staff report, dated 10 August 1992, being submitted.

Mr. Michael Hanusiak, Planner II with the City's Development and Planning Department, briefly overviewed the contents of the 10 August report. In his remarks, Mr. Hanusiak pointed out that the current proposal represents the third development application for this site in four years. The proposal now under consideration pertains to a

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mix of residential and commercial uses and includes a community plaza, three small-scale apartment buildings and either a 100-unit motel or a three-storey office building (the latter to be located at the extreme northwest corner of the site abutting Kearney Lake Road and the on-ramp to the Bicentennial Highway).

Mr. Hanusiak went on to note four primary areas of concern identified by the Municipal Development Plan which all development in this area of the City must address, those being (1) traffic; (2) storage and landscaping; (3) relationship to residential properties; and (4) environmental protection. He concluded his remarks by noting that the developer in question has been extremely cooperative in adjusting his designs to meet those concerns, and emphasized that staff are now satisfied that the development is in keeping with the guidelines established by the MDP.

Responding to a question from Deputy Mayor Stone with regard to the feasibility of locating a park and ride facility on the site, Mr. Hanusiak advised that it was his understanding that Metro Transit staff are considering a location on the opposite side of Kearney Lake Road on property belonging to the quarry. He added that staff be providing an update on the park and ride situation in the near future.

Mr. Peter MacInroy, solicitor for the developer, Realco Management Limited, briefly addressed Council to advise that his client had decided to ask for changes to their original development agreement for this site (which had included a large retail component), given the current economic climate. He further noted that the developer has met with the Ward 12 Community Association, and has made every effort to incorporate their suggestions into his designs.

Mrs. Anne MacMillan, representing the Ward 12 Community Association, opened her remarks by expressing the Association's appreciation to Realco Management for their willingness to seek input from the neighborhood which will be directly affected by this proposal.

Mrs. MacMillan went on to make specific reference to p. 3 of the 10 August staff report regarding the installation of traffic lights and pedestrian push buttons at the corner of Castle Hill Drive, Broadholme Lane, and Kearney Lake Road. Noting that residents have long been concerned for the safety of school children and other pedestrians in this area, she urged that the push buttons be installed as soon as construction on the Realco project commences.

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On another but related matter, Mrs. MacMillan drew attention to the increase in population which will result once the project has been completed, a factor which will serve to emphasize the lack of active recreation facilities in this part of Mainland North. Under the circumstances, therefore, she strongly recommended that, during its 1993/94 budget review process, Council consider the development of the recently-acquired Hogan lands for this purpose.

Mr. Brian Gough, a resident of 53 Wedgewood Avenue, while generally supporting the development proposal, expressed some concern that a motel complex was being contemplated in such close proximity to area schools and children's play areas. He concurred with the recommendations previously put forward regarding the installation of traffic controls at the Castle Hill Drive, Broadholme Lane, and Kearney Lake Road intersection, adding that staff might also consider the installation of speed bumps in this location.

Responding to the question posed previously by Mrs. MacMillan, Mr. Hanusiak advised that the Traffic Authority is prepared to authorize the installation of traffic lights (in a flashing mode and complete with the pedestrian push buttons) as soon as staff is reasonably assured that the project will proceed.

Speaking from the Chair, Deputy Mayor Stone noted that since this particular piece of property has been an "eyesore" in the area for quite some time, he is especially pleased that the Realco project has met with the neighborhood's approval.

On behalf of Deputy Mayor Stone, therefore, it was moved by Alderman Fitzgerald, seconded by Alderman Hanson that City Council:

1. approve the entering into of 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 No. 6528; and
2. discharge the development agreement between Realco Management Limited and the City of Halifax dated 26 July 1992.

The motion was put and passed.

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There being no further business to be discussed,  
the meeting was adjourned at approximately 10:50 p.m.

DEPUTY MAYOR BILL STONE  
CHAIRMAN

EDWARD A. KERR, CMC  
CITY CLERK

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**HEADLINES**

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**PUBLIC HEARINGS**

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
17 September 1992  
8:00 P. M.

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

The meeting commenced with those in attendance joining Her Worship Mayor Ducharme in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Mr. Bernard G. Smith, Acting City Manager; City Solicitor; City Clerk; and other members of City staff.

## MINUTES

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 27 August 1992, as well as a Special Meeting (Public Hearings), held on Wednesday, 19 August 1992, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Hanson.

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

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

- 20.1 Budget - Round Table on the Environment and the Economy
- 20.2 Solid Waste Disposal Options
- 20.3 Canadian Unity

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

- 20.4 City Artifacts - Time Capsule
- 20.5 City Street Sweeper

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

20.5 Canine Unit - Halifax Police Department

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

12.1 Pan Am Games Bid (Responding to a question from Alderman Fitzgerald, the Acting City Manager advised that this item would be on the agenda for the next Committee of the Whole Council meeting to be held on **Wednesday, 23 September 1992** pending a report from staff).

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

DEFERRED ITEMS

Case No. 6540: Development Agreement - 2086 Maynard Street

A public hearing on this matter was held on Wednesday, 9 September 1992.

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

1. City Council approve the entering into of a development agreement to permit construction of a single family dwelling at 2086 Maynard Street, provided the development is in general compliance with Plan Nos. P200/19033-37 of Case No. 6540.
2. City Council permit an encroachment of the front entry landing and step on City property as generally depicted in the above mentioned plans.

The City Clerk advised that Aldermen Pottie, Jeffrey, and Macdonald were not in attendance at the public hearing and therefore should not participate in the vote.

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



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**Case No. 6527: Amendment to Development Agreement  
- 1336-44 Hollis Street**

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A public hearing on this matter was held on Wednesday, 9 September 1992.

A supplementary staff report dated 16 September 1992 was submitted informing Council that the developer has withdrawn his application to amend the development agreement and intends to proceed with construction of the building design previously approved by Council.

A letter dated 14 September 1992 from Andrew Metledge, President, Templeton Place Limited, was also submitted.

Alderman Downey addressed the matter noting that the applicant has withdrawn his application due to opposition at the public hearing. He added as indicated in the supplementary staff report that the developer intends to proceed with what was previously approved by Council.

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of its Finance and Executive Committee, from a meeting held on Wednesday, 9 September 1992, as follows:

**Seniors Shuttle Service**

MOVED by Deputy Mayor Stone, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, staff be requested to draft appropriate amendments to Ordinance 116, the Taxi and Limousine Ordinance, specifically designed to allow the continuation of the "seniors shuttle service;" and further, that a report incorporating these proposed amendments be forwarded to City Council for discussion purposes.

Alderman Adams expressed the hope that, in dealing with this matter, staff would consider the letter from the Halifax Taxi Bureau Society dated 9 September 1992 previously circulated to Council. In addition, Alderman Adams advised that it was his hope that, after discussion at the Council level, this matter will be forwarded to the Taxi Commission for discussion.

Responding to a question by the Deputy Mayor, the Chairman advised that Council will make the decision as to who this matter should be forwarded to.

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Alderman Adams indicated that he wanted to make sure that this matter is forwarded to the Taxi Commission for input.

The motion was put and passed.

**Mardi Gras Proposal**

At the last Committee of the Whole Council meeting, Mr. Dale Thompson, President, Buskers International Inc., was requested to submit a detailed proposal with regard to the 1992 Mardi Gras to the City Manager and that, pending receipt of that proposal, the City Manager make recommendation on the matter to City Council.

A report dated 16 September 1992 from Mr. Thompson was subsequently submitted.

It was noted that the previously requested report from the City Manager has not yet been received.

A letter from Annis Jones and Janet Crosbie, Unicef Nova Scotia, dated 14 September 1992, was also submitted requesting that Council not consider funding the children's entertainment event in relation to Mardi Gras since it would be in direct conflict with their own established fund-raiser.

The Chairman noted that Unicef has since withdrawn their concern about their own fund-raising campaign.

Responding to a question from Alderman Fitzgerald, a representative of Mr. Thompson's Group addressed Council and advised that the children's program was being organized in conjunction with the Halifax Downtown Business Development Commission.

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Stone that this matter be forwarded to the next Committee of the Whole Council meeting to be held on Wednesday, 23 September 1992, pending receipt of a report from the City Manager.

Motion passed.

**Annual Review of Licenses, Permits and Fees**

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council authorize the City Solicitor to seek changes to various ordinances to effect increases (as listed in the schedule attached to the 26 August 1992 staff report);

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and further, that these changes, as well as those not governed by ordinances, be increased effective 1 January 1993.

Motion passed.

**1992-1994 Approved Capital Budget - Listing  
of First Priority Items When Funds Become Available**

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

1. Council approve the Priority Listing shown on Table 1 attached to the 24 August staff report;
2. the following projects be placed in a category for later years rather than deleted from the Capital Budget: A. New Paving - Oakley Avenue (Ross Street - Existing) - Cap 72; B. New Paving - Skylark Street (Flamingo - Melody) - Cap 74;
3. Council agree to proceed with the project titled Melrose Avenue, New Curb and Gutter (both sides) (Dutch Village Road - Gesner Street) and agree to proceed without the right of petition, in accordance with Section 391 of the City Charter.

Alderman Jeffrey noted that he has consulted with staff pertaining to Melrose Avenue and the item is to be approved.

Motion passed.

**GoTime Programming**

MOVED by Deputy Mayor Stone, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, as the amount of payment with regard to the detail programming necessary to support the voice response system is in excess of the City Manager's authorization limited of \$7,500.00, Council approve payment of \$36,000 paid in progress phases (this amount will be recovered by billing the Metropolitan Authority; the scheduled completion date for this project is November 1992).

Motion passed.

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**Halifax Housing Authority  
1992-93 Operating Budget**

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Council authorize the City Clerk (on behalf of the City of Halifax) to sign the document attached to the staff report of 18 August 1992 pertaining to the Halifax Housing Authority's 1992-93 Operating Budget.

Alderman O'Malley requested that for future years the Halifax Housing Authority be requested to submit their budget to City Council during the regular budget process period.

Motion passed.

At approximately 8:30 p.m. Her Worship Mayor Ducharme retired from the meeting briefly with Deputy Mayor Stone assuming the seat of the Chair.

**Ferry Boat Lane**

This matter was forwarded to Council without recommendation.

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

- (1) authorize Payment by the City of two-thirds of the cost of major repairs to the eaves structure at Ferry Boat Lane, up to a maximum expenditure of \$25,000, unless the extent of the work is greater than presently anticipated, in which case a further report will be made to Council;
- (2) authorize the work to be carried out by MGL Investments Ltd., who will make a one-third financial contribution to the work; and
- (3) approve a 201(1) authority to overspend the 1992/93 budget of the Real Estate Division in the amount of \$25,000.

Motion passed.

**Authorization of Loss Release**

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

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Committee, Council empower the City Manager and Treasurer to execute the signing of the Property Damage Proof of Loss.

Motion passed.

**Tax Concessions and Grants Recommendations**

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, Council approve the following grants for the 1992/93 year:

Alexandra Children's Centre . . . . .	\$ 7,737.04
Children's Development Centre . . . . .	6,425.29
St. Joseph's Children's Centre . . . . .	2,177.17
South End Community Day Care . . . . .	12,780.50

Motion passed.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of its Committee on Works, from a meeting held on Wednesday, 9 September 1992, as follows:

**Appeal - Ordinance 180 - Driveway Ramp Application -  
6243/45 Watt Street**

This matter was forwarded to Council without recommendation.

Alderman Fitzgerald addressed the matter and MOVED, seconded by Alderman Downey that permission be granted for a driveway ramp at 6243/45 Watt Street and that the costs for the installation of this ramp be charged to the owner of the property.

Motion passed.

**Peace Parks**

This matter was forwarded to Council without recommendation.

Alderman Fitzgerald addressed the matter and proposed a motion that Council approve the request in principle in connection with the Peace Parks Across Canada project to plant 12 trees in a suitable location to be determined by the Parks and Grounds Division.

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Alderman Meagher suggested that each tree be donated by each member of City Council and that perhaps a plaque showing that the trees were donated by this Council could be suitably erected. He noted that this was something that could be addressed in a report from staff.

Reiterating his comments at the last Committee of the Whole Council meeting, Alderman Adams made reference to the proposal by the Spryfield Legion to erect a cenotaph, and suggested that consideration be given to making this cairn a component of the suggested "Peace Park."

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that:

- City Council endorse the request by Peace Parks Across Canada in principle to participate in the planting of 12 trees in the City;
- implementation for such a "Peace Grove" be subject to further staff investigation and recommendation with respect to siting, and that funding be included in a future Current Budget; and, further,
- staff also review the suggestion that each tree be donated by each member of City Council and that a plaque showing that the trees were donated by this Council be erected, as well as the suggestion to consider the Spryfield Legion cenotaph a component of the suggested "Peace Park."

Motion passed.

**REPORT - SAFETY COMMITTEE**

Council considered the report of its Safety Committee from a meeting held on Wednesday, 9 September 1992, as follows:

**PanAm Games Bid**

Following is the recommendation received from the 9 September meeting of the Safety Committee:

That this matter be referred to staff for a detailed report with respect to the overall financial considerations that should be given in relation to the bid proposal and any other matters the City Manager deems necessary to report on.

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This matter had been deleted during the setting of the meeting's agenda at the request of the City Clerk, who advised that the requested report was as yet unavailable (the matter was subsequently deferred to the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 23 September 1992**).

**Canadian Auto Workers Re: Airline Industry**

Following is the recommendation received from the 9 September meeting of the Safety Committee:

That this matter be forwarded to the City Manager and to Tourism Halifax for a report and comment back to Council.

Noting that the subject under discussion has now become somewhat redundant, it was moved by Alderman Fitzgerald, seconded by Alderman Adams that the matter be tabled.

The motion to table was put and passed.

**Kiwanis Club Peanut Day**

An Information Report, dated 15 September 1992, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that, as recommended by the Safety Committee, Council give permission to the Kiwanis Club to continue with their Peanut Day fund-raising event for this year, but that a full report on the matter be submitted for discussion purposes prior to the 1993 campaign; and further, that, in deference to the safety considerations referred to in the 15 September Information Report, members of the Kiwanis Club make every effort to wear distinctive vests over their clothing to provide increased visibility and protection.

The motion was put and passed.

**8:40 p.m.** - Her Worship Mayor Ducharme returns to the meeting, with Deputy Mayor Stone assuming his usual seat on Council.

**REPORT - PLANNING COMMITTEE**

Council considered the report of its Planning Committee from a meeting held on Wednesday, 9 September 1992, as follows:

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**Dartmouth Ferry Service**

MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Stone that, as recommended by the Planning Committee:

1. Halifax City Council support the Metropolitan Authority staff recommendation to approve in principle the amalgamation of the Dartmouth Ferry with Metro Transit; and that
2. the City Manager be instructed to negotiate with Metropolitan Authority officials towards achieving a cost-sharing formula which reflects the value of the service to Dartmouth and the County, rather than assuming it is the same as the bus service (it is likely that such a formula would reduce the financial commitment of the City of Halifax for the ferry system's deficit).

In putting forward this motion, however, Alderman Fitzgerald expressed concern that the term "Dartmouth Ferry" also pertained to the funding of the Woodside service, to which, in his opinion, the City of Halifax should not be expected to contribute. He therefore asked that this matter be clarified by the City Manager during the negotiation process.

On another but related matter, Alderman O'Malley made reference to remarks made by Mr. Ron Stockton during the 9 September Planning Committee meeting; namely, that despite the fact the ferry service provides the lighting for the parking lots adjacent to the terminals, it receives none of the revenues generated by those facilities. The Alderman indicated that, in her view, this was a matter which should also be addressed by Mr. Murphy as part of the negotiation process.

Closing the debate, the Deputy Mayor asked that this matter be brought back for Council's consideration before the final agreement is signed.

The motion was put and passed.

**MOTIONS**

**Motion Alderman Fitzgerald Re: Section 91 of the Planning Act (Cedar/Henry/Jubilee/Robie Street Area)**

Notice of Motion regarding this matter had been given by Alderman Fitzgerald during a regular meeting of Halifax City Council held on Thursday, 27 August 1992.



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MOVED by Alderman Fitzgerald, seconded by Alderman Downey that this matter be deferred to a future meeting of Halifax City Council.

The motion to defer was put and passed.

**MISCELLANEOUS BUSINESS**

**Payment of Support Grants - Farmers Market**

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

MOVED by Alderman Meagher, seconded by Alderman Downey that Halifax City Council approve payment of a \$7,600 Operating Grant and a \$4,400 Market Coordinator Salary Support Grant to the Farmers Market.

Responding to a question from Alderman Pottie, the Acting City Manager advised that the required funds would be taken from the operating budget of the Development and Planning Department, rather than from that of the City's Tax and Grants Committee.

Alderman Pottie asked for information as to the amount of the grant that was paid to the Farmers Market in 1991, expressing concern that what is proposed for 1992 is actually in excess of the 4 percent increase guideline to which municipal departments were restricted.

It was therefore moved by Alderman Pottie, seconded by Alderman Jeffrey that the matter be deferred to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 23 September 1992, pending receipt of further information from staff.

On another but related matter, Alderman O'Malley asked that the requested staff report also contain information as to the length of the City's commitment vis a vis the subsidization of the Market's Coordinator's salary.

The motion to defer was put and passed.

**Letter from Mayor Lazlo Lichter, County of Halifax Re: Solid Waste Management Bylaw**

Correspondence, dated 25 August 1992, was submitted from Mayor Lazlo Lichter of the County of Halifax, together with a letter of response dated 9 September from Her Worship Mayor Ducharme. It is noted that this correspondence

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concerned the County's proposal to revoke the responsibility for solid waste management which had been granted to the Metropolitan Authority in 1974.

The City Solicitor noted that, from his reading of the Metropolitan Act, the appropriate time for the City of Halifax or any other member of the Authority to approve the type of bylaw currently being proposed by the County is **after** the proposal has actually been passed. Because it was Mr. Anstey's understanding that the County of Halifax has to date merely given this proposal First Reading, he recommended that the City of Halifax defer the matter until final approval by County Council has been received.

On the advice, therefore, of the City Solicitor, it was moved by Alderman Pottie, seconded by Alderman Adams that the matter be carried on the Committee of the Whole/Council agendas for the next several weeks or until such time as the proposal is given final approval by the County of Halifax.

The motion to defer was put and passed.

**QUESTIONS**

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

Alderman Jeffrey made reference to the concerns previously raised in Council concerning conditions on School Avenue, particularly with regard to the fence and catchpits adjoining the Bicentennial Highway. The Alderman went on to note that, in response to a written request from Council, the Department of Transportation has finally begun to make repairs (in the form of a fresh coat of paint) to the fence, and expressed his appreciation to the Province in that regard.

**Question Alderman Jeffrey Re:**  
**Crossing Guards**

Noting that he had received a number of requests for a crossing guard at the intersection of Sunnybrae Avenue and Alex Street, Alderman Jeffrey advised that he had initially approached the Halifax Police Department, who had indicated that this matter was no longer within their jurisdiction.

Alderman Jeffrey made reference to the fact that school crossing guards are now managed by Pinkerton's, but

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added that he was unsure as to how requests for additional guards are to be processed.

The Alderman therefore asked that this matter be placed on the agenda of the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 23 September 1992**, and that a staff report be submitted in this regard.

**Question Alderman Adams Re:**  
**Protection of Young Children**

Alderman Adams made reference to the very disturbing reports of abductions and kidnappings in the Halifax area. In this context, he suggested that a pilot project through which bracelets or some other kind of tracking device could be used to identify young children might be coordinated through the Halifax Police Department, and asked for comments from Chief MacDonald as to the feasibility (including cost estimates) of such a project.

**Question Alderman Adams Re:**  
**Development Project - Feldspar Crescent**

Alderman Adams noted that some 3-4 years ago the residents of Rockingstone Road had been advised that Phases II and III of the Feldspar Crescent development would be commencing shortly. Emphasizing that there has been no action in this regard to date, the Alderman asked for information as to when the continuation of this development project can be expected.

**Question Alderman Adams Re:**  
**Traffic Movement - Leiblin Park**

Alderman Adams asked for a report from the Traffic Authority as to the feasibility of instituting one-way traffic flows on certain of the crescents in the Leiblin Park area. In his comments, the Alderman suggested that such a change might help to diminish certain of the snow removal problems experienced by Park residents and would, as well, facilitate traffic movement. Alderman Adams went on to emphasize that, aside from the requested report, no action is to be taken in this regard unless and until the residents are consulted.

**Question Deputy Mayor Stone Re:**  
**Rosebushes - Dunbrack Street**

The Deputy Mayor asked to have his compliments conveyed to staff of the Parks and Grounds Division for their work in trimming back the rosebushes in the Dunbrack Street area.

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**Question Deputy Mayor Stone Re:**  
**Bicycles on Sidewalk - Dunbrack Street**

Deputy Mayor Stone reported that he had received a number of calls from pedestrians, many of whom are senior citizens, who are concerned about the number of youths riding their bicycles on the sidewalks abutting Dunbrack Street. The Deputy Mayor went on to note that most of these incidents appear to be happening between the hours of 9:00 a.m. - 12:00 Noon, and asked that the Police Department monitor the situation.

**Question Deputy Mayor Stone Re:**  
**Sheffield in the Park Sportsfield**

Deputy Mayor Stone made reference to the area between Bridgeview South and Knightsridge Road referred to as the "Sheffield in the Park Sportsfield." In his comments, the Deputy Mayor noted that while many people (particularly senior citizens) like to walk in this area, there are no benches of any kind on which to rest. He therefore suggested that staff consider levelling a small piece of land abutting the sportsfield and installing a bench or benches for the public's use. In this same context, the Deputy Mayor recommended that a litter basket might also be provided.

**Question Deputy Mayor Stone Re:**  
**Appointment of Manager - Management Information Systems**

Deputy Mayor Stone noted that, some time ago, he had received a report with regard to the manager of the City's Management Information Services. He went on to request an update on that report to include such information as the name of the new appointee, the date of his appointment, the consultants who were hired to undertake the hiring process, and the procedures that were used.

**Question Alderman Fitzgerald Re:**  
**Reagan Report on the Port of Halifax**

Alderman Fitzgerald made reference to the Reagan Report on the Port of Halifax which had recently been distributed to members of Council, and asked that consideration be given to adding this matter to the agenda of a future Committee of the Whole meeting.

Her Worship concurred with the Alderman's suggestion, adding that perhaps staff of the City's Development and Planning Department could be asked to provide a brief presentation on the matter.

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

Alderman Fitzgerald requested a staff report regarding the status of the Carleton Hotel.

**Question Alderman Fitzgerald Re:**  
**Old Halifax Infirmary Building - 1546 Barrington Street**

Alderman Fitzgerald made reference to an Information Report dated 9 September 1992 concerning the Former Infirmary Annex at 1546 Barrington Street, noting that the owner still wishes to reserve his right to demolish the building. Under the circumstances, the Alderman asked for a further report on the matter.

**Question Alderman Fitzgerald Re:**  
**Installation of Four-Way Stop Sign**

Alderman Fitzgerald asked that staff be asked to comment on the installation of a four-way stop sign at the intersection of Vernon and Watt Streets. In his comments, the Alderman noted that the area is heavily travelled, especially given its proximity to the universities and hospitals.

**Question Alderman Fitzgerald Re:**  
**Railway Bridge - Jubilee Road**

Alderman Fitzgerald expressed concern regarding the condition of the railway bridge on Jubilee Road, and asked for staff comment on the matter.

**Question Alderman Fitzgerald Re:**  
**Construction Delays - Robie Street**

Alderman Fitzgerald made reference to the street construction which was commenced some weeks ago on Robie Street between Quinpool and Jubilee Road, noting that for some reason the work appears to have stopped. The Alderman expressed concern about this state of affairs and requested staff comment on the matter.

**Question Alderman Fitzgerald Re:**  
**Raccoons**

Alderman Fitzgerald expressed considerable concern about the growing raccoon population on the City's Peninsula,

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and urged that some measures be taken as quickly as possible to control this situation.

**Question Alderman Fitzgerald Re:**  
**Hours of Operation - Various City Departments**

Alderman Fitzgerald noted that he has received various complaints that certain City departments are not open at times convenient for many members of the public. In this regard, the Alderman asked for information from the City Manager as to the feasibility of initiating improvements to the City's office hours, particularly for those municipal departments involved with tax collection, ticket payments or the issuance of permits.

**Question Alderman Pottie Re:**  
**Street Light - Edinburgh and Oxford Streets**

Alderman Pottie advised that there has been a street light out at the corner of Edinburgh and Oxford Streets for over three weeks, and although he had previously reported the matter to what he thought was the appropriate division, the bulb has not yet been replaced. Noting that there has already been an accident at this intersection, the Alderman asked the Director of Engineering and Works to investigate the matter as quickly as possible, and to let him [Alderman Pottie] know in writing as soon as the light is repaired.

**Question Alderman O'Malley Re:**  
**Hours of Operation - City Field**

Alderman O'Malley noted that she had had occasion to contact the City Field Division on a Friday afternoon at approximately 4:05 p.m., and was told by the Commissionaire who answered the telephone that he was the only one left on the premises.

The Alderman asked for information from the City Manager as to whether the 4:00 closing time was part of the normal procedure for the City Field Division or was it, in fact, a change instituted only for the summer months.

**Question Alderman O'Malley Re:**  
**Collector Sewer Stack - Duffus/Barrington Streets**

Alderman O'Malley advised that homeowners in the area of the sewer stack at the foot of Duffus Street are extremely upset about the odors that are continuously being emitted from that stack. The Alderman went on to emphasize

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that at times the odors are so distressing that these residents are unable either to use their yards or to open their windows, a situation that was particularly upsetting during the recent humid weather.

Alderman O'Malley indicated that, from her conversations with the Engineering and Works Department, she has learned that a charcoal filter has been installed in the stack and that its performance is checked frequently. She emphasized, however, that while the filter is working properly, it has little impact on the odor control problem. The Alderman acknowledged that these difficulties will supposedly be resolved once the Harbor clean-up is completed; however, she suggested that it was also important to provide area residents with some kind of temporary relief.

In this context, Alderman O'Malley asked for comments from the Director of Engineering and Works as to the feasibility of designating a staff member in that Department to research the matter further from the perspective of ascertaining whether there have been any innovations in this field that could be used to alleviate the problem.

**Question Alderman O'Malley Re:  
Street Light - Newbery/Kencrest Avenue**

Alderman O'Malley reported that the first light at the intersection of Kencrest Avenue and Newbery Street (on the Merv Sullivan Park side) Street has been completely removed. Emphasizing that the absence of a light renders the area extremely dark and unsafe, the Alderman asked that the situation be investigated from the perspective of having the fixture restored.

**Question Alderman O'Malley Re:  
Tree Pruning - Newbery/Kencrest Avenue**

Alderman O'Malley asked that the Parks and Grounds Division be requested to prune the trees, where necessary, on Kencrest Avenue and Newbery Street.

**ADDED ITEMS**

**Budget - Round Table on the  
Environment and the Economy**

A staff report, dated 17 September 1992, was submitted.

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Deputy Mayor Stone expressed some concern that staff had suggested providing these funds through an over-expenditure of the General Government Account, and asked if some other means of making this contribution might be found.

The Acting City Manager advised that, to his knowledge, the only other account from which funds of this nature might be allocated was the City Manager's Contingency Account, adding that it was his understanding that that account has almost been depleted. However, Mr. Smith indicated that he would research the matter further.

It was therefore moved by Deputy Mayor Stone, seconded by Alderman Macdonald that Council give approval in principle to the request from the Municipal Round Table on the Environment and the Economy for a \$5,000 budget to be used in regard to its forthcoming public meetings; and that, if at all possible, some means other than a 201(1) over-expenditure be utilized for this purpose.

The motion was put and passed.

**Solid Waste Disposal Options**

A report, dated 15 September 1992, was submitted, together with correspondence dated 17 September 1992 from Mr. Howard Epstein, Director, Ecology Action Centre.

- (1) MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that Halifax City Council instruct its appointees to the Metropolitan Authority not to support the signing of the 800-page incinerator contract with Ogden Martin as proposed.

The motion was put and passed.

- (2) MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Stone that Halifax City Council request its appointees to the Metropolitan Authority to emphasize the need to find a solution to the metro solid waste problem which is acceptable to all members.

The motion was put and passed.

- (3) MOVED by Alderman Fitzgerald, seconded by Deputy Mayor Stone that Halifax City Council establish a committee to include the Mayor and at least two other members of Council to work together on a proposal to establish a metro-wide committee with support staff to bring forward recommendations after a full and open consideration of all alternatives, and to encourage all our sister



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municipalities to work together to find a waste management solution which is environmentally and fiscally responsible.

Responding to concerns raised by Alderman Pottie regarding the composition of the above-noted committee(s), Alderman Hanson suggested that additional information regarding a possible terms of reference might be brought back to Council in the form of an Information Report, rather than to have the matter deferred to a future meeting of Committee of the Whole Council.

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

- (4) MOVED by Alderman Hanson, seconded by Alderman O'Malley that Halifax City Council endorse the concept of business parks at Bayers Lake and Ragged Lake, and, in so saying, emphasize that it does not support a waste management system in either of those two locations; and further, that City Council encourage the Halifax Industrial Commission to proceed with its negotiations with the business community in developing the City's industrial parks as they were initially perceived.

The motion was put and passed.

Canadian Unity

A memorandum, dated 17 September 1992, was received from Her Worship Mayor Ducharme.

MOVED by Deputy Mayor Stone, seconded by Alderman Jeffrey that the Mayor, on behalf of Halifax City Council and our citizens, write to all municipalities in the Province of Quebec, assuring them that "Our Canada includes Quebec," and that Council encourage all other municipalities in Nova Scotia to do likewise.

The motion was put and passed.

City Artifacts - Time Capsule (Alderman Jeffrey)

This matter had last been discussed during the 9 September meeting of the Finance and Executive Committee at which time it had been deferred to the Committee of the Whole meeting scheduled for 23 September.

Alderman Jeffrey noted that it has been quite some time now since City's Hall time capsule had been opened,

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adding that he has received numerous calls from citizens wondering if and when the artifacts contained therein would be displayed.

Alderman Jeffrey therefore requested (and it was so agreed) that a report be submitted to the next regular meeting of Committee of the Whole Council **scheduled for Wednesday, 23 September 1992** as to when and where this display will be mounted.

**Street Sweeper**

This matter had been added to the agenda by Alderman Jeffrey, who expressed concern that street sweepers are rarely, if ever, sighted on any of the streets in Ward 9. Under the circumstances, therefore, the Alderman asked for a report from staff as to the City's street sweeping schedule (particularly with regard to Ward 9) and including such information as to the frequency of this work, and the times it is undertaken.

Deputy Mayor Stone observed that he had asked a similar question of staff some time ago and that, on the basis of the response received at that time, it was his understanding that the sweepers started at the outskirts of the City and worked their way in. Consequently, it was questionable whether it was possible to sweep all City streets on a weekly basis.

The Deputy Mayor commented that, in his opinion, weekly service was essential in this respect, and suggested that some means should be found to accommodate that requirement.

**Canine Unit - Halifax Police Department**

This matter had been added to the agenda at the request of Alderman Pottie, who announced that the City's Police Union and Great West Life have agreed to co-sponsor a campaign to raise funds for a canine unit for the Halifax Police Department.

The Alderman went on to advise that, as a start to this campaign, a "Bingo Extravaganza" will be held at the World Trade and Convention Centre on Thursday, 24 September beginning at 7:30 p.m. Alderman Pottie emphasized that this is an extremely worthwhile cause and urged as many as possible to lend their support.

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There being no further business to be discussed,  
the meeting was adjourned at approximately 9:40 p.m.

HER WORSHIP MAYOR MOIRA DUCCHARME  
AND  
DEPUTY MAYOR BILL STONE  
CHAIRMAN

MS\*K

EDWARD A. KERR, CMC  
CITY CLERK

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**SPECIAL COUNCIL  
PUBLIC HEARINGS  
M I N U T E S**

Council Chamber  
Halifax City Hall  
23 September 1992  
7:30 P.M.

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

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

**ALSO PRESENT:** Ms. Mary Ellen Donovan, Representing the City Solicitor; City Clerk; and other members of City staff.

**Public Hearing: Case 6012: Front Yard Parking in Residential Areas**

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

A report from the Planning Advisory Committee dated 16 July 1992 was submitted at the Committee of the Whole Council meeting held on 19 August 1992. A folder including numerous staff reports in relation to this item is also contained in the official file for this meeting.

Mr. Stephen E. Feist, Planner II, addressed Council and advised that front yard parking in residential areas arose as an issue as a result of concerns by residents and the Aldermen. He added that these concerns related to the following: over-utilization of front yards for parking and parking on the front lawns; encroachment of vehicles over the sidewalks; and refusal of applications for curb cuts for parking spaces for those residential places that did not have sufficient space. Mr. Feist advised that, at a special Committee of the Whole Council meeting on 28 May 1990, staff reports of 7 March and 23 February, 1990, were reviewed and referred to the Planning Advisory Committee along with specific comments and direction from Council. He noted that a Planning Advisory Committee public meeting was held on the 16 October 1990 and all submissions, staff reports and a transcript of the public meeting as well as minutes of the PAC discussions are included in the document submitted.

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Mr. Feist went on to indicate that Council's motion of intention to adopt the proposed amendments for the Municipal Development Plan and Land Use Bylaw are based on the Planning Advisory Committee's recommendation. Mr. Feist's presentation included a review of the textual amendments, a review of how these amendments may be implemented, and comments in relation to staff's report to some of PAC's recommendations as contained in the report of 6 August 1992.

Mr. Feist then responded to questions from members of Council.

Mr. Philip Pacey, Chair, Planning Advisory Committee, addressed Council and presented on the overhead monitor a review of some of the major points of the proposals as they occur to the Planning Advisory Committee. In his remarks, Mr. Pacey referred to some of the following points: one parking space required per housing unit (except as specified in detailed plans); required parking spaces not in front yards; driveway not to exceed 33 percent of front yard; 70 percent of rest of front yard landscaped with plants; temporary or additional parking allowed on driveway; exemption for existing houses with no legal parking space; garage doors; and campers treated like trailers.

Mr. Branco Mizerit, Designer, addressed Council and advised that he has designed many homes in Halifax and that he believed the driveway proposal was a very good one and will enhance the streets by removing vehicles from front yards. However, Mr. Mizerit advised that the problem exists when a property does not have the required 9 X 20 feet parking space. He agreed that regulations are very good but that they should include variances.

Mr. Mizerit went on to express the view that the proposed regulations should definitely include possibilities to park vehicles on the side of a house or dwelling and should definitely give possibilities to existing homes to park their vehicles on the side of the property even if they do not meet the 9 X 20 feet parking space. He agreed that it is very important to remove asphalt from front yards but expressed the opinion that it is just as important to remove asphalt from back yards. Mr. Mizerit added that, as a designer, he could see a very dangerous thing that could happen. He explained that when you have to change the side of the driveway because it is not 9 feet and you have to extend your driveway all the way to the back, you will have to get rid of trees and bushes in the back and have asphalt in your backyard which leaves nothing for a garden.

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Mr. Mizerit went on to advise that he had just bought a house on Liverpool Street with a small lot being 35 1/2 feet wide. He went on to note that they sent a sketch of a proposed addition in the back of their property to the Development and Planning Department. Mr. Mizerit added that their proposal was rejected because the side driveway is only 8 and 1/2 feet. Mr. Mizerit reiterated the view that there should be variances for existing homes to be able to park on the side even though their driveways are not 9 feet wide. Mr. Mizerit agreed that there should not be front yard parking but also noted that there should definitely be a flexibility in the regulations in order to enhance the property throughout.

A short discussion followed and Alderman Jeffrey suggested that staff, by the next Council meeting, provide a response to the concerns raised by Mr. Mizeritt.

There were no further persons wishing to address Council.

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

Motion passed.

**Public Hearing: Case 6505: Municipal Development Plan  
Amendment: Bicentennial Drive at Bayers Lake Interchange**

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

A report from the Planning Advisory Committee dated 27 July 1992 and a staff report of 12 May 1992 with attachments were submitted at the 30 July 1992 City Council meeting.

Mr. Austin French, Planner, addressed Council and outlined the application by Clayton Developments Limited for an amendment to the Municipal Development Plan changing the designation of a parcel on Bicentennial Drive at the Bayers Lake Interchange from "Residential Environments" to "Commercial" to permit development of an office-oriented business campus (as described in the staff report of 12 May 1992).

Mr. Bob Shaw, President, Clayton Developments Limited, and Mr. Mike Willett, Vice-President of Development, addressed Council and made a presentation on their



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application. With the use of diagrams and maps, Mr. Shaw outlined their proposal to have a plan amendment for approximately 120 of their 325 acres between the Power R.O.W. and the Bi-Hi to permit the development of an office oriented campus. In his comments, Mr. Shaw noted that, after discussion, both the Lakes and Waterways Advisory Committee and the PAC approved and recommended their application to Council. A copy of Mr. Shaw's presentation was submitted and is contained in the official file for this meeting.

Mr. Douglas Corkum, Executive Director of the Halifax Industrial Commission, addressed Council and advised that the Commission does not only support this application, but has in fact encouraged Clayton Developments to make the application because of what they have learned in the market place. He advised that the Industrial Commission, through a market survey, has determined that this area is ideally located for a combination of businesses for the City of Halifax. Mr. Corkum added that they have also learned that Bayers Lake is ideally situated for commercial and light industrial and is not ideally situated for an office park. He noted that part of the reason for that is that the mix is not compatible.

Mr. Corkum went on to advise that it was the intention of the Industrial Commission to develop Bayers Lake as a retail and light industrial operation and Ragged Lake as their business park. He advised that the business survey indicated to them that Ragged Lake was in fact too far removed from the centre of the City and from the general populous of the City of Halifax to be suitable for that type of development at this time. It is for that reason he advised that the Commission did look to the opposite side of the Bi-Hi to the interchange as an ideal situation for the purpose of developing the office park. Mr. Corkum further noted that the Commission recognized in the market survey that an office park was in fact necessary. He commented that it was obvious that the amount of business being lost from the City of Halifax to the City of Lakes Business Park in Dartmouth had to be interrupted and they had to provide places for them to locate in the City.

Mr. Corkum emphasized that the Industrial Commission's present objective is to create around this interchange a shopping area of retail and industrial as well as a business park for the Atlantic Region. In closing, Mr. Corkum strongly asked Council to support the application for the plan amendment.

Dr. Gordon Pollock, 71 Lincoln Cross, Chair of the Clayton Park Area Residents' Committee, addressed Council and commented that the proposal, in essence, is to grant a change

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in designation on a parcel of land 170 acres from residential environment to commercial. He added that the land, if the change in designation is granted, will become a business campus. Dr. Pollock advised that the phrase "a business campus" is appealing in that it conjures up an image of trees, lawns, tasteful buildings, calm serenity, etc. However, Dr. Pollock cautioned that everyone should be certain that they have caught the essence of the idea.

Dr. Pollock went on to quote responses from the developer to questions raised by Mr. Pacey during the Planning Advisory Committee public meeting. Dr. Pollock expressed the concern that there has not been a very high level of planning done to date by the developer. He suggested that Council is being wooed with the alluring concept of a business campus. However, Dr. Pollock pointed out that that is not what is being voted on tonight. Dr. Pollock expressed the concern that there is no guarantee that the developer will be constrained to provide, in physical reality, what his vision is here tonight.

Dr. Pollock noted that the Planning Advisory Committee recommended that staff refer the issue to the Lakes and Waterways Advisory Committee. He added that the Lakes and Waterways Committee heard a presentation on July 21st from staff and the developer. Dr. Pollock pointed out that, according to the minutes of that meeting, not all members of staff were as certain about the lack of impact as was portrayed here tonight. He noted that the environmental engineer stated that "long-term implications could be more serious than short-term effects and added that the long-term effects could not really be described at this stage." Dr. Pollock commented that the Committee adopted a resolution expressing general acceptance of the environmental component of the proposal. However, Dr. Pollock pointed out that the Lakes and Waterways Advisory Committee had only four members in attendance at that meeting which does not constitute a quorum. He added that this motion was accepted by the Planning Advisory Committee which he suggested contributed to PAC's decision to give a positive recommendation to Clayton Developments proposal.

As a final point, Dr. Pollock pointed out that Mr. Shaw refers to his business campus as a new front door to the City of Halifax clearly indicating the creation of a new major traffic entrance to the City through the Clayton Park area. Dr. Pollock suggested that Council has not been provided with sufficient evidence on the viability of this proposal, its economic impact, its true costs, and its potential for damaging further an already troubled community. In closing, Dr. Pollock respectfully asked that Council reject the proposed amendment.

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Dr. S. Sodhi, 22 Woodbank Terrace, Halifax, addressed Council and expressed the concern that travel flow will be worsened and doubled with this proposal. He suggested that before this proposal is approved, City staff should undertake a study and provide a report on the traffic implications of the proposal. Dr. Sodhi noted that the maps presented tonight clearly show that the traffic will be brought down Lacewood, Bayview and down to the Bedford Highway. He added that there are environmental studies going on and that Council should wait for those studies and for a study on traffic implications before making its decision in respect of the proposal. For these reason, Dr. Sodhi asked Council to reject the proposal at this time.

A resident of 36 Bayview Road addressed Council and expressed the view that traffic problems on Bayview and Lacewood should be considered before any further development in the Clayton Park area.

Mr. Russell Walker, Chairman of the Ward 10 Residents' Association, addressed Council and spoke against the proposed Municipal Development Plan amendment. He advised that the residents of Ward 10 feel that the proposed development would infringe on their right to live in the area. Mr. Walker added that the Ward 10 Residents' Association is of the view that this development would be better served in the Ragged Lake area of the business park.

Mr. Walker went on to express the concern that the present road system will not handle the traffic from the proposed development and that further traffic problems will be created by the proposed business campus. He added that the proposed development not only limits future residential neighbourhoods, but also destroys the existing neighbourhoods in Wards 10 and 12. Mr. Walker noted that when this item went to the Planning Advisory Committee, an information report was submitted outlining a solution to the traffic problems in Mainland North. He commented that this report was not available tonight.

Alderman Jeffrey asked that the report being referred to by Mr. Walker be recirculated to Council.

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

MOVED by Deputy Mayor Stone, seconded by Alderman Jeffrey that this item be forwarded to Council without recommendation pending receipt of a staff report based on the comments made at tonight's meeting.

Motion passed.

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**Public Hearing: Case 6535: Development Agreement -  
2445 Brunswick Street**

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

A report from Dr. Paul A. Erickson, Chair, Heritage Advisory Committee, dated 1 September 1992 was submitted.

A staff report dated 4 August 1992 had been submitted at the Committee of the Whole Council meeting held on 19 August 1992.

Mr. Dan Norris, Heritage Planner, addressed Council and outlined the application for a development agreement to change the use of the registered heritage property, located at civic number 2445 Brunswick Street, from that of a Hostel plus one office to a 24 unit apartment building. Mr. Norris described the proposal as outlined in the staff report of 4 August 1992. Referring to the report from the Heritage Advisory Committee, Mr. Norris noted that the applicant has agreed to the requests made by the HAC to restore the windows to their historic appearance and to design the stairway to a more appropriate period styling. In conclusion, Mr. Norris advised that staff are recommending approval of the application.

In response to a question from Alderman Downey, the Architect for the project addressed Council and advised that he could provide information to the Alderman on the estimated restoration costs of the project.

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

Motion passed.

**Public Hearing: Case 6559: Amendment to Development Agreement  
- 2650 Dublin Street (6333-37 Seaforth Street)**

A staff report dated 2 July 1992 was submitted at the Committee of the Whole Council meeting of 22 July 1992.

Mr. Gary Porter, Planner, addressed Council and outlined the application from Mr. Steve Rajendram to amend the existing development agreement respecting 2650 Dublin

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Street (as described in the staff report of 2 July 1992). In his remarks, Mr. Porter noted that the purpose of the amendment is to allow a second storey addition to the rear of a four unit building in order to enlarge the owner's unit.

In conclusion, Mr. Porter advised that staff are recommending approval of the application.

In response to a question from Alderman Meagher, Mr. Porter advised that he could provide information showing the percentage of the property that will be covered by the proposed development. Responding to a further question from Alderman Meagher, Mr. Porter advised that four parking spaces will be required for the property. He added that he could provide a sketch showing the proposed parking spaces.

Ms. E.B. Kelly, abutting property owner, addressed Council and spoke in opposition to the proposed addition. Ms. Kelly expressed the concern that the neighbours in the area have had to suffer with disturbances from the rooming house. She further expressed concern about fire safety and questioned what precautions were being taken for fire protection of the property. Ms. Kelly also indicated that she was concerned that the proposed addition will turn into another rooming house.

In response to a question from Alderman Jeffrey, Mr. Porter advised that, in the event that the owner sells the property, it cannot become a rooming house. He advised that a rooming house is not a permitted house in an R-2 zone.

A gentleman residing at 2658 Dublin Street addressed Council and spoke in opposition to the proposed development expressing concern about the disturbances to the neighbourhood caused by this property.

Mr. Brian Church addressed Council and advised that he has been the lawyer for Mr. Rajendram since 1988. Mr. Church went on to provide information on the background of the property. In his comments, Mr. Church advised that prior to the previous owner entering into a development agreement, the building in question had been used as a corner grocery store. He advised that in 1981 the owner applied to the City for a development agreement to allow him to have three units. Mr. Church noted that that development agreement was entered into and was subsequently amended to permit an extension.

Mr. Church advised that Mr. Rajendram did not construct the building and had acquired the property in 1985. He further noted that it is Mr. and Mrs. Rajendram's intention to remain in the community and to allow their children to attend the local schools. Mr. Church indicated

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that the Rajendram's want to make changes to the building to allow for a more functional use of their property. He added that in 1988/89, Mr. Rajendram attempted to persuade Council to allow them to raise the level of their house to a height which would permit them to have bedrooms on their top level, a kitchen, dining room and a living room on their second floor, and a family room in the basement. Mr. Church advised that that approval for this was not given by Council. He went on to note that Mr. Rajendram again made an application to the previous Council for alterations and was turned down.

Mr. Church noted that Mr. Rajendram has modified his previous applications and that the application before Council is in essence an addition for less than 5 feet. He further noted that the application is merely an application by Mr. and Mrs. Rajendram to improve their home for the betterment of themselves and their family. Mr. Church commented that to his knowledge there have not been any ordinance violations or ordinance prosecutions in respect of the property.

Ms. Joyce Keeping, 2658 Dublin Street, addressed Council and spoke against the application for an amendment to the development agreement. Ms. Keeping noted that the residents have had to endure disturbances from this property i.e. the squealing of tires, foul language, and drinking. She expressed the concern that the addition will add to the neighbours' misery.

Ms. E.B. Kelly addressed Council again and noted the fire escape for this property was enclosed within the two houses and questioned if that is permitted by the Fire Department.

In response, the Chairman advised that an answer could be provided by the next meeting of City Council.

Alderman Meagher submitted a petition at this time containing 82 signatures of residents in the area registering their opposition to the proposed amendment of the existing development agreement respecting 2650 Dublin Street.

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

Motion passed.

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The following correspondence was submitted in opposition to the proposed rezoning (copies of which can be found in the official file for this meeting):

- A letter dated 9 September 1992 from J.C. Tanner, 2661 Dublin Street;
- A letter dated 8 September 1992 from E.B. Kelly and Mary C. MacDonald, 2654 Dublin Street;
- A letter from Mr. and Mrs. Myril Keeping, 2658 Dublin Street, dated 14 September 1992;
- A letter dated 7 September 1992 from Mrs. M. O'Sullivan, 2639 Dublin Street.

**Public Hearing: Case 6582: Proposed Rezoning -  
12, 14, 16 and 16 1/2 Rockingstone Road**

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

A staff report dated 21 August 1992 was submitted at the 27 August 1992 City Council meeting.

Mr. J. Michael Hanusiak, Planner II, addressed Council and outlined the proposed rezoning of the properties at 12, 14, 16, and 16 1/2 Rockingstone Road from the current RC-1 (Neighbourhood Commercial) Zone to R-2 (General Residential) Zone. Mr. Hanusiak noted that the matter comes before Council as a result of a petition from area residents which requested the rezoning of the property. He indicated that Council requested staff to prepare a report on the merits of that rezoning request which is the subject of the August 27, 1992, staff report. Mr. Hanusiak went on to describe the rezoning as outlined in the report from staff dated 27 August 1992.

Ms. Jasmine Ghosn, daughter of the owner of the property at 12-16 1/2 Rockingstone Road, addressed Council and advised that they are basically attempting to re-do what has already existed for a number of years. Ms. Ghosn submitted a copy of her presentation dated 7 September 1992 (a copy of which is included in the official file for this meeting). A petition containing approximately 100 signatures of property owners in support of the construction of a building according to plans presented by the co-owners, Jasmine and Peter Ghosn was also submitted.

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In her remarks, Ms. Ghosn admitted that the property has been in disrepair and that it is structurally beyond repair. Ms. Ghosn also admitted that the property has not been managed well in the past. She went on to note that her family became quite concerned when the ad for this rezoning appeared in the newspaper because a lot of their family resources are invested in this project. Ms. Ghosn advised that if this property is down-zoned, the land value will decrease. She added that they have already invested almost \$10,000 to develop a new project. Ms. Ghosn indicated that she sympathized with the concerns of the neighbours and pointed out that, now that she and her brother are responsible for the property, they intend to improve the situation.

In closing, Ms. Ghosn expressed concern about not being properly informed of the proposed rezoning and indicated that she did not believe it was fair to rezone a property based on poor maintenance.

Mr. Brian MacKay-Lyons, Architect representing the owner of the property in question, addressed Council and spoke about urban planning issues. A letter dated 4 September 1992 from Mr. MacKay-Lyons was submitted along with the presentation from Ms. Ghosn. In his remarks, Mr. MacKay-Lyons advised that, from what he has heard from recent discussions from those people who have been against the project, the planning issues are being confused with issues about specific design of the proposed project and with issues of property management.

Mr. MacKay-Lyons went on to describe the design of the proposed building for the property. He presented a drawing showing a scheme for a low rise semi-detached style of town-housing for the property. Mr. MacKay-Lyons noted that the plans illustrate that the proposed building will have adequate storage for garbage. He expressed the view that a project of this scale and quality, from an architectural point of view, will actually enhance the neighbourhood.

Alderman Adams questioned if the proposed development for the property as presented tonight will meet the requirements of the existing RC-1 zone.

In response, Mr. Hanusiak advised that the proposed development cannot be permitted under the RC-1 zone. He explained that the RC-1 zone only allows one main building on a lot noting that the proposal is in fact for three buildings and that the parking arrangement was not satisfactory as presented.



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Mr. MacKay-Lyons advised that his clients have not yet applied for a development permit and that it would be wrong to characterize the proposal as being a long way from something that would meet the bylaw.

Mrs. Ghosn, owner of the property in question, addressed Council and commented on the poor management issue. She advised that poor management came from the destruction of the building. Mrs. Ghosn commented that they had asked the City if they could wait until they demolished the building and then clean up the property and the City said yes over the telephone. She noted that the City then sent their staff out to demolish the garage without letting them know and left the garbage.

A gentleman addressed Council and spoke about the garbage that came as a result of the store that had existed on the property in question. He also expressed concern about the rats and mice that entered onto his property when the garage had been demolished. The gentleman indicated that he was not in support of the proposed development for the property in question.

Mr. Bob Dunsworth, a resident of Rockingstone Road, addressed Council and advised that he lives down the street from the store in question. He noted that the store has been vacant for some time and that the property has been in disrepair for a number of years. Mr. Dunsworth spoke in favour of the proposed rezoning from RC-1 to R-2.

Ms. Marion MacLeod, 11 Rockingstone Road, addressed Council and advised that she lives directly across the street from the property in question. She noted that she has lived at this location for 47 years. Ms. MacLeod advised that the store in question began as a very small grocery store and that the need it served at the time no longer exists. Ms. MacLeod went on to express concern about traffic as a result of the proposed project and the concern that the density would not be in keeping with the neighbourhood. She expressed the view that the density of the project would interfere with the enjoyment of the other properties in the area. Ms. MacLeod suggested that a much smaller project would be in keeping with the neighbourhood and requested that Council give favourable consideration to the petition requesting a rezoning to R-2.

Mr. Rick Grant, addressed Council and advised that he was speaking on behalf of his mother inlaw, Gladys Corvin, who resides at 25 Rockingstone Road. Mr. Grant went on to refer to the Mainland South Secondary Planning Strategy and advised that the intent for this area was low density residential. With respect to the proposed development, Mr.

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Grant pointed out that the R-2 zoning for Mainland South does not permit town-houses.

Mr. Grant advised that over the years, as the past Alderman for the area, he has had to deal with many concerns about this property. He noted that many of the concerns related to maintenance and expressed the view that Council should be informed of the exact number of violations in respect of this property. Mr. Grant suggested that there were dozens of violations. He added that a problem with respect to pit bulls also came as a result of this property. In closing, Mr. Grant advised that the neighbourhood has petitioned that this property be reduced in zoning to R-2 which he noted is consistent with the area.

Ms. Rhonda Jacobson, Bayers Road, addressed Council and expressed the view that, now that Jasmine Ghosn and her brother are in charge of the property, the benefit of the doubt should be extended towards them. She suggested that with new management of the property, the past problems associated with it will no longer exist or be repeated.

Mr. Peter Ghosn, son of the owners of the property in question, addressed Council and referred to the petition containing approximately 100 signatures of residents who are in support of the proposed development of a convenience store for the property.

There were no further persons wishing to address Council.

MOVED by Alderman Adams, seconded by Alderman Hanson that this matter be forwarded to Council without recommendation and that information regarding violations in respect of this property be provided at that time.

Motion passed.

The following letters were received in support of the proposed rezoning from RC-1 to R-2 (copies of which can be found in the official file for this meeting):

A letter dated 21 September 1992 from Winnie & George Joudrey, 19 Rockingstone Road;

A letter dated 16 September 1992 from Mary and Wade Smith, 52 Elgin Street;

A letter dated 15 September 1992 from Marion E. MacLeod, 11 Rockingstone Road;

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A letter dated 4 September 1992 from Eldon H. Drysdale, 164 Old Sambro Road;

The following letters were received in support of the Ghosn's plans for the property (copies of which can be found in the official file for this meeting):

A letter from Rev. Paul Taylor dated 22 September 1992;

A letter from L. and S. Moulton, 34 Rockingstone Road, dated 22 September 1992;

A letter from Jack Suen, 28 Rockingstone Road, dated 22 September 1992;

A letter from Paul Hunt, 7 Devon Crescent, dated 22 September 1992;

A letter from Shirley Robinson, 58 Sussex Street, dated 22 September 1992;

A letter from Marjorie Willison, 40 Rockingstone Road, dated 21 September 1992.

**ADDED ITEMS:**

The following items were considered at this time being referred from the Committee of the Whole Council meeting held earlier on this date:

**Centennial Arena Commission**

MOVED by Alderman Jeffrey, seconded by Deputy Mayor Stone that, as recommended by the Finance and Executive Committee, a grant of \$72,800 to fund operation and capital requirements for the Centennial Arena be approved by City Council.

Motion passed.

**Award of Tender #92-111: Captain William Spry Community Centre Restoration**

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

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- 1) authority be granted to award Tender #92-111 to **ECOS Construction Limited**, the lowest bidder meeting specifications; and that
- 2) Council approve an increase in the funding commitment to Account #9005 from \$1,950,000.00 to \$2,750,000.00 in anticipation that the majority of this amount will be recovered through litigation.

Motion passed.

**Solid Waste Disposal Options**

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

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that approval in principle be given for the removal of the control over the disposal of solid waste from the Metropolitan Authority and its restoration to the control of Halifax City Council, and that the approval of the participating municipalities be sought.

Motion passed.

MOVED by Alderman Holland, seconded by Alderman Meagher that Alderman Walter Fitzgerald be appointed to the Metropolitan Authority as a replacement for Alderman Macdonald for the next two weeks.

Motion passed.

At approximately 11:15 p.m. there being no further business to discuss, the meeting adjourned.

HER WORSHIP MAYOR DUCHARME  
CHAIRMAN

EDWARD A. KERR  
CITY CLERK

/MS

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
1 October 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, 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.

Her Worship Mayor Ducharme and members of Council held a moment of silence at this time in memory of Janet Wrin, Department of Engineering and Works, who passed away on this date.

## MINUTES

Minutes of the Special Meeting of Halifax City Council held on Wednesday, 9 September 1992 and of the regular meeting held on Thursday, 17 September 1992 were approved as circulated on a motion by Alderman O'Malley, seconded by Alderman Downey.

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

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

- 20.1 Referendum - October 26, 1992  
(Alderman Jeffrey)
- 20.2 Metro Transit I.D. Cards - Residents of  
Seniors Manors (Alderman O'Malley)

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- 20.3 MacLennan House - South Park Street  
(Alderman Fitzgerald)
- 20.4 X-Citement Video Quinpool Road  
(Alderman Fitzgerald)
- 20.5 Rooming Houses (Alderman Fitzgerald)
- 20.6 Solid Waste Disposal Options
- 20.7 Alexandra Centre - Interim Payment

Before starting the regular agenda, the City Manager referred to a private and confidential memorandum he had circulated to members of Council a couple of days ago on a personnel matter. He noted that he had expected to meet with Council following this meeting. However, the City Manager indicated that he did not feel it was necessary to meet with Council and that he intended to deal with the matter in such a way that it will not involve a Council decision.

**Referendum - October 26, 1992 (Alderman Jeffrey)**

This item was added to the agenda at the request of Alderman Jeffrey. Council agreed to deal with this item at this time.

Alderman Jeffrey addressed the matter and indicated that his reason for adding this item to the agenda was simply to remind Council and members of the public who might be viewing this meeting of the October 26th Referendum vote. Alderman Jeffrey stressed the importance of this Referendum and indicated that he would like Council to go on record encouraging the public to vote on October 26th.

Her Worship Mayor Ducharme and Council joined in urging the citizens of Halifax to go out and vote on October 26th.

**DEFERRED ITEMS**

**Case 6012: Front Yard Parking in Residential Areas**

A public hearing on this matter was held on 23 September 1992.

An information report dated 30 September 1992 advising that a response to the issues raised at the September 23rd public hearing will be available at the 15 October 1992 City Council meeting.

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Alderman Holland indicated that he will be out of the Country for the Council meeting on October 15th and therefore asked if this item could instead be deferred to the following one.

It was subsequently MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that this item be deferred to the next meeting of City Council to be held on 29 October 1992.

Motion passed.

**Case 6505: Municipal Development Plan Amendment:  
Bicentennial Drive at Bayers Lk Interchange**

A public hearing on this matter was held on 23 September 1992.

A supplementary staff report dated 29 September 1992 was submitted.

A letter dated 29 September 1992 from Peter J. MacKeigan, Daley, Black & Moreira Barristers and Solicitors, was also submitted.

Deputy Mayor Stone addressed the item and referred to the supplementary staff report of 29 September 1992 which he noted answered many of the concerns and questions that were put forward at the public hearing. The Deputy Mayor brought to Council's attention that this plan amendment is just the beginning of the first stage in this change to an office oriented business campus. He added that the development agreement will be more specific in addressing what will be permitted and that many of the topics will be addressed at that time.

Deputy Mayor Stone went on to quote from various sections of the supplementary staff report addressing issues that were raised at the Public Hearing. With respect to the issue of the Lakes and Waterways Advisory Committee, the Deputy Mayor noted that staff have advised that a quorum was achieved at the Committee's 21 September 1992 meeting and that the motion of July 21 was discussed with no objections being raised. He further added that the July 21st minutes were approved at that time and also that the Planning Act does not require that Council refer Municipal Development Plan amendments to the Lakes and Waterways Advisory Committee. The Deputy Mayor added that staff further advised that the Committee was



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servicing in an advisory role to the Planning Advisory Committee.

With respect to the issue of long term implications, Deputy Mayor Stone advised that staff have noted that a more detailed analysis of the effects of the proposed business campus is required by the proposed policies as part of the development agreement process.

Deputy Mayor Stone recognized that there was a great deal of debate and discussion on this item at the public hearing. He noted that many of the concerns have been addressed or will be addressed as part of the development agreement. Deputy Mayor Stone reiterated that this development is a long term one and will develop over a number of years.

Deputy Mayor Stone referred to the letter from Mr. Peter J. MacKeigan, representing the North American Property Group, indicating that they have some difficulty with the change from residential environment to commercial to permit the development of an office orientated business campus. In response, the Deputy Mayor advised that it was his understanding that the property they are concerned about is a retail development. Deputy Mayor Stone pointed out that the proposed development is for an office type orientated business and that it should not have the kind of effect they are anticipating.

MOVED by Deputy Mayor Stone, seconded by Alderman Jeffrey that Council adopt the Municipal Development Plan and Land Use Bylaw amendments as recommended by the Planning Advisory Committee (attached as Appendix B to the supplementary staff report of 29 September 1992).

The City Clerk indicated that Alderman O'Malley was not in attendance at the public hearing on this matter and therefore should not participate in the vote.

Motion passed with Alderman O'Malley abstaining from the vote.

**Case 6535: Development Agreement - 2445 Brunswick St**

An information report dated 30 September 1992 was submitted.

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MOVED by Alderman Downey, seconded by Alderman Fitzgerald that:

- a) City Council discharge the existing development agreement that allows for the use of a youth hostel and one office only;
- b) City Council approve the substantial alteration of the registered heritage property, by allowing the enhancement of the existing addition to the south of, and the construction of a new addition to the north of the Merkel-Starr House;
- c) City Council enter into a new development agreement to permit a change of use of the property located at 2445 Brunswick Street to a 24 unit apartment building that is constructed and renovated substantially in compliance with the drawings P200 - 19020 - P200 - 19025; and
- d) the agreement be signed within 120 days, or any extension thereof granted by Council on request of the applicant, from the date of final approval by Halifax City Council and any other bodies 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 indicated that Alderman O'Malley was not in attendance at the public hearing on this matter and therefore should not participate in the vote.

Motion passed with Alderman O'Malley abstaining from the vote.

**Case 6559: Amendment to Development Agreement - 2650 Dublin Street (6333-37 Seaforth St)**

A public hearing into this matter was held on 23 September 1992.

A supplementary staff report dated 29 September 1992 was submitted.

Alderman Meagher addressed the matter and referred to the petition collected by the neighbours in the neighbourhood containing approximately 67 names

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in objection to the proposed amendment to the development agreement. The Alderman pointed out that most of the homes in this area are either single family or duplexes. He added that most of them are approximately one storey or one and a half stories high. Alderman Meagher expressed the view that the proposed addition of five feet to the building in question will actually be more than five feet.

Alderman Meagher noted that the roof is going to be flat which he commented does not fit with the character of the neighbourhood. He further noted that the neighbours in the area are concerned that the proposed addition will adversely affect their properties. Alderman Meagher commented that, with any building of this nature, it is very difficult for a landlord to keep complete control over tenants. He went on to reiterate the concern of the neighbours that the proposed addition will be out of character with the neighbourhood.

Alderman Meagher referred to a letter received from D. Antony Gillis who he noted is an architect. The Alderman advised that Mr. Gillis, in his letter, expresses the belief that the addition onto this building will be out of character with the general neighbourhood.

As a final point, Alderman Meagher referred to the issue of parking and advised that the neighbours are concerned that the parking layout might not be dealt with in the manor as proposed and that some vehicles will park on front lawns.

MOVED by Alderman Meagher, seconded by Alderman Adams that City Council reject the proposed development agreement for 2650 Dublin Street to permit a second storey addition on the rear portion of this building.

The City Clerk indicated that Alderman O'Malley was not in attendance at the public hearing on this matter and therefore should not participate in the vote.

Motion passed with Alderman O'Malley abstaining from the vote.

The following submissions were received since the public hearing on September 23rd:

- a letter dated 1 October 1992 from Mr. Steve Rajendram, applicant;

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- a letter dated 28 September 1992 from Mr. D. Antony Gillis, 6352 Summit Street, in opposition to the proposed development.

**Case 6582: Proposed Rezoning - 12, 14,  
16 and 16 1/2 Rockingstone Road**

A public hearing on this matter was held on 23 September 1992.

A supplementary staff report of 25 September 1992 was submitted.

Alderman Adams addressed the matter and advised that he has been in contact with many of the neighbours regarding this rezoning. He noted that there were a couple of points requiring clarification. The Alderman noted that, as Council is aware, a number of petitions have been circulated in relation to this rezoning. Alderman Adams referred to the petition circulated by the residents in the area. He advised that this petition had 59 names, 30 of whom were in the area of notification which is about a 50 percent in favour of the rezoning. Alderman Adams then referred to the petition circulated by the owners' children. He noted that 15 of the 106 names on this petition were in the area of notification which is about 14.1 percent. Alderman Adams added that many of those people lived in different neighbourhoods and therefore might not have been aware of the circumstances of the issue.

Alderman Adams advised that there were also letters received. He noted that four letters were received from residents in favour of the rezoning (3 residents were from the area and 1 was not). Of the letters received in opposition to the rezoning, Alderman Adams advised that one was from the area and five were not. Alderman Adams noted that there was also information from the previous Alderman from this area in support of the down-zoning.

With the use of the overhead monitor, Alderman Adams presented some pictures at this time of the neighbourhood and the property in question.

Alderman Adams indicated that while he could understand what the new managers of the property want to do, he was still concerned that effort had not been made to clean up the property. He noted that concern at the public hearing was raised about costs being incurred by the owners in relation to new plans for the

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property. Alderman Adams pointed out that those plans were not in keeping with the RC-1 zone.

Referring to the supplementary staff report of September 25th, Alderman Adams noted that the report indicates that the owner has been sited on eleven separate occasions for violations of Ordinance 157 regarding minimum standards. He added that the report further states that, since 1976, there have been approximately 95 individual infractions of the Ordinance. Alderman Adams went on to advise that there was also a non-response to an order of April 29th regarding the garage that was demolished and the removal of debris. He noted that there has also been a number of occasions where the City has ordered work to be done to secure vacant buildings, to demolish the storage shed and remove an illegal sign.

As a final point, Alderman Adams advised that he is concerned that the proposal for this property is not in keeping with the neighbourhood noting that the proposal is for four units plus a store. He further commented that the owner of the property has not changed. Alderman Adams also made reference to the fact that the staff report of August 21st states that Council is in a position to act in accordance with the residents' request.

MOVED by Alderman Adams, seconded by Alderman Meagher that Civic Numbers 12, 14, 16 and 16 1/2 Rockingstone Road be rezoned from RC-1 (Neighbourhood Commercial) Zone to R-2 (General Residential) Zone.

Alderman Downey indicated that he could not support the motion. He noted that, as on previous occasions, he cannot support down-zoning of property.

Alderman Pottie indicated that he had difficulty with the motion. He expressed the view that he had faith in the owners' children that what they are proposing will be better for the neighbourhood. Alderman Pottie went on to express concern with respect to the cost implications to the owners if the down-zoning is approved. He went on to note that the violations in respect of this property are a separate issue from the actual rezoning. Alderman Pottie also suggested that the proposed building for the property could be modified quite easily to fit on the lot.

Alderman Crowley indicated that she agreed with Alderman Pottie with respect to the expense that could be incurred by the owners. She added that she also believes that the younger family members are

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sincere and that the new building will enhance the area as well.

Alderman Hanson advised that it is most unfortunate that the owners have let the property deteriorate to the point it has. However, he expressed his difficulty with down-zoning the property and indicated therefore that he could not support the motion.

Alderman Fitzgerald referred to the number of violations in respect of this property and the number of neighbours concerned about the state of this property. The Alderman indicated that he would be supporting the motion.

A discussion ensued with Alderman Jeffrey suggesting that a development agreement process might accommodate the residents and the developer.

Following a debate, it was MOVED by Alderman Jeffrey, seconded by Alderman Hanson that this matter be deferred for two weeks and that, in the meantime, staff provide a report on options that are available to Council that might accommodate the residents and the developer.

The City Clerk indicated that Alderman O'Malley was not in attendance at the public hearing on this matter and therefore should not participate in the vote.

The motion to defer was put and defeated.

Following a further short discussion, the motion was put and passed with Alderman O'Malley abstaining and with six (6) voting for it and (4) voting against it as follows:

**FOR:** Aldermen Holland, Fitzgerald, Meagher, Adams, Jeffrey, and Deputy Mayor Stone.....6

**AGAINST:** Aldermen Downey, Pottie, Hanson, and Crowley.....4

**Payment of Support Grants - Farmers Market**

This item was deferred to this meeting from the Council meeting held on 17 September 1992.

An information report dated 23 September 1992 was submitted.

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MOVED by Alderman Pottie, seconded by Alderman that:

- 1) the City agree in principle to the hiring of a Market Manager to perform the tasks identified in the marketing plan prepared by Deloitte & Touche;
- 2) the City agree to cost share 20 percent or a maximum of \$4,400 for a three year development period subject to Agriculture Canada, the Farmers' Market Association, Norpen Realty, and the County of Halifax contributing the same share, and that the Association approach the County to confirm same.

Motion passed.

**PETITIONS AND DELEGATIONS**

**Petition Alderman Meagher Re: Parent Teachers' Association of Sir Charles Tupper School - X-Citement Video, 6434 Quinpool Road**

Alderman Meagher presented a petition circulated by the Parent Teachers' Association of Sir Charles Tupper School in relation to X-Citement Video, 6434 Quinpool Road. The Alderman noted that this item will be raised later in the agenda under 20.4 (added at the request of Alderman Fitzgerald).

Alderman Meagher requested that this item be placed on the agenda for the Committee of the Whole Council meeting for **Wednesday, 7 October 1992**, under the Safety Committee, and that a response to this petition be provided at that time. He also asked that representation from the Halifax Police Department, the Development and Planning Department, and the Legal Department be present.

**Petition Alderman Crowley Re: Huron Street (presence of crows, pigeons and seagulls)**

Alderman Crowley presented a petition with approximately 41 names of residents in the area of Huron Street concerning the presence of crows, pigeons, and seagulls who have nested in the trees surrounding Huron St., Micmac St. and Micmac Court. The Alderman asked for a report from staff in response to this petition.

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**Petition Alderman Pottie Re: Closure of Monastery Lane**

Alderman Pottie presented two petitions at this time: one on behalf of the shoppers and the owners of Shoppers Drug Mart; and one circulated by Canada Trust. The petitions were in objection to the partial closure of Monastery Lane.

For the information of Council, Alderman Pottie noted that Mr. Kevin Quigley, lawyer for Canada Trust, has applied for a Court injunction to have the closure of Monastery Lane delayed.

**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:

**City Artifacts from Time Capsule**

An information report dated 1 October 1992 was submitted.

Alderman Jeffrey spoke in support of the information report from staff of October 1st, and MOVED, seconded by Alderman Crowley staff proceed with the implementation and cataloguing and display of artifacts from the contents of the City Hall cornerstone and that they be made available for public viewing by 6 December 1992.

Deputy Mayor Stone spoke in support of this display and suggested that it receive some publicity to make the public aware that they have the opportunity to come and view the artifacts.

Her Worship Mayor Ducharme noted that part of the intent of using the December 6th date is that City Hall will be open to honor the survivors of the Halifax Explosion. She added that the whole promotion could be done together.

Motion passed.



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**Sale of Parcel E-1, Birchwood Drive**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the City's interest in Parcel E-1, Birchwood Drive, be sold to Mr. Fern Tardif for \$760.

The motion was put and passed.

**Civic Hospital Funds**

MOVED by Alderman Holland, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Council consider its options with respect to the replacement of the Civic Hospital Funds (as outlined in the staff report dated 11 August 1992).

The motion was put and passed.

**Mardi Gras Proposal**

A report from the City Manager dated 30 September 1992 was submitted advising that Mr. Dale Thompson has informed the City that he is withdrawing his proposal for the 1992 Mardi Gras.

**PamAm Games Bid**

This matter was forwarded to Council without recommendation pending receipt of a further report from the City Manager concerning the outcome of the IOC meeting on Monday, 28 September.

A supplementary report dated 29 September 1992 was submitted.

A letter dated 22 September 1992 from the Honourable Don W. Cameron, Premier, was also submitted.

Alderman Holland indicated that he had been led to believe that the Governments at senior levels, both the Federal and Provincial, were going to be supportive of amateur athletics at this level. The Alderman noted that the Games would create a lot of employment, would leave a legacy in the region, and would be a great opportunity for the governments to show some leadership. Alderman Holland expressed his

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disappointment with the fact that neither level of Government (provincial or federal) have shown any leadership by committing to funding. He suggested that this was an opportunity for the City to show some leadership.

MOVED by Alderman Holland that City Council provide \$150,000 to the Pan American Games Bid Committee and encourage contributions from other groups and organizations.

There was no seconder to Alderman Holland's motion.

Alderman Fitzgerald indicated that he would like to see the games go forward. However, Alderman Fitzgerald expressed concern with a number of points contained in the report from the Manager dated 29 September 1992 as follows: that the host City is responsible for all deficits of the games operation, and that all profits arising out of the games are shared by the Canadian Olympic Association and the Pan American Sports Association. He added that the report also mentions the fact that the City would have to come up with an amount of money which is substantially in excess of what it would spend on capital costs over a period of time, well in excess of \$20,000,000.

Alderman Fitzgerald further noted that the report indicates that the information received by staff from the Secretary of State for Culture and Physical Fitness is that there will be no money available to the successful bid city for capital projects or site improvements. Quoting from other statements in the report, Alderman Fitzgerald expressed the concern that ACOA has said that financial assistance of this type is no longer within the scope of their range, and that the Provincial Government has not given a firm commitment.

Alderman Fitzgerald commented that the City of Halifax could not proceed with the Bid without some financial commitment from the other levels of government. He noted that the financial projections for the year 1992/93 show that it is going to be an extremely tough year for the City of Halifax. The Alderman noted that, while he concurred that the Games would be of a tremendous benefit to the City, he did not believe that the City had the financial capability to carry it out.

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MOVED by Alderman Fitzgerald, seconded by Alderman Jeffrey that City Council regretfully refuse the expenditure of an additional \$150,000 to perfect the bid for the 1999 Pan American Games, and that a letter be forwarded to each member of the Bid Committee thanking them for their dedication and efforts on behalf of the City of Halifax.

Alderman Adams commended the work and efforts of the Pan Am Games Bid Committee. He went on to note that it is unfortunate that this Committee, a group of true professionals, fell victim to budgetary constraints. Alderman Adams expressed the view that the City cannot go forth with the Bid if the monetary support cannot be guaranteed from other levels of government.

A discussion ensued and the City Manager indicated that he too would like to join with members of Council in thanking the Bid Committee for the work they did on behalf of the City. He noted that in order to develop the Bid to the point where the Committee has already proceeded, involved a great deal of hard work. The City Manager added that it deserves to be mentioned that the one business that did come forward and volunteer \$10,000 towards the Bid was Mike Wheatley of Wacky Wheatley's. He suggested that Mr. Wheatley should be thanked for his offer. The City Manager also noted that it should be recognized that the Hotel Association, as well, was going to make a contribution had the Bid been successful.

Her Worship noted that the following members of the Bid Committee were present: Frank Garner, Elizabeth Chard, Roy Busche, and Graham Gallant. Mayor Ducharme thanked the four of them for their very hard work and for the many hours they spent in planning for this Bid.

Following a further discussion, Alderman Jeffrey suggested that the matter be deferred for one week. He suggested that, in the meantime, corporate sponsorship might come forward for the Bid. Alderman Jeffrey added that perhaps the City could find a way of securing funding from other sources to accommodate this Bid.

MOVED by Alderman Jeffrey, seconded by Alderman Holland that this matter be deferred to the next Committee of the Whole Council meeting to be held on Wednesday, 7 October 1992, to provide additional time for possible funding to come forward which might accommodate this Bid.

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A discussion followed and Mr. Frank Garner, member of the Pan Am Bid Committee, addressed Council and, in his remarks, asked that the City Manager confirm in writing the information from the Secretary of State for Culture and Physical Fitness that there will be no money available to the successful bid city for capital projects or site improvements.

In response to Mr. Garner's request, the City Manager advised that staff had hoped to have that information available for tonight's meeting.

Responding to a question from the City Manager, Mr. Garner advised that, while it is not desirable, a one week delay would not be fatal to the Bid.

Alderman Jeffrey suggested that additional information was required and the City Manager advised that staff would attempt to obtain more information.

Alderman Fitzgerald, in referring to the deferral motion, suggested that staff should further pursue the availability of Federal and Provincial funding, and questioned if the City Manager was prepared to change his recommendation should funds become available.

Following further comment, the motion to defer was put and passed.

At approximately 9:40 p.m. Her Worship Mayor Ducharme retired from the meeting briefly with Deputy Mayor Stone taking the seat of the Chair.

**Acquisition of Parcel H-226, 132 Herring Cove Road**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, Parcel H-226, 132 Herring Cove Road, be acquired from Mrs. Veronica Auby for \$54,690.41 (funds to be made available in Account #CK019, the Sundry Land Acquisitions capital account).

The motion was put and passed.

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**Guarantee of Borrowing - Metro Transit**

MOVED by Alderman Fitzgerald, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, Council guarantee the temporary borrowing of the Metropolitan Authority with respect to Metro Transit operations in an amount of \$2,149,900, and authorize the Mayor and the City Clerk to sign the appropriate documentation.

The motion was put and passed.

**Encroachment License - Civic No. 5516 Spring Garden Rd**

MOVED by Alderman Downey, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, an encroachment license be approved for the construction of an encroaching canopy over the entrance doorway and store-front windows on the building known as Civic No. 5516 Spring Garden Road.

The motion was put and passed.

**Alexandra Centre**

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

- 1) award the contract for the demolition of the Alexandra Centre and the clearance of the site to **Redden Brothers Ltd.**, for \$86,028, including all taxes;
- 2) declare the site surplus to City requirements, to be sold or leased for the private development of market rental residential units or condominiums; and
- 3) authorize staff to appoint a consultant to prepare a design envelope for the residential development of this site.

Motion passed.

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**Expropriation of Estate - Rachel  
Shofer, 2378 Gottingen Street**

MOVED by Alderman Downey, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the expropriation of the right of way described in a deed between Beulah Marie Groves and Rachel Shofer, dated the 30th day of August, 1948 and shown on a plan titled "Plan of Survey of Lands of the Estate of Rachel Shofer, Gottingen Street, City of Halifax, Province of Nova Scotia," dated April 26, 1948, signed by Harold S. Lively and identified as City of Halifax Plan TT-35-27919, be and is hereby abandoned.

The motion was put and passed.

**Regulation of Reptiles - City Charter Amendment**

MOVED by Alderman Holland, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, City staff put forward an amendment to the City Charter as outlined in Appendix "A" attached to the 10 September report from the City Solicitor for adoption by the Nova Scotia Legislature at the earliest opportunity.

The motion was put and passed.

**School Age Children - Entrance to School System**

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Finance and Executive Committee, City Council send a request to the Halifax District School Board asking for an explanation as to why the cut off date for school enrolment should not be December 31st rather than October 1st in keeping with the other Provinces.

Motion passed.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of the Committee on Works from its meeting held on Wednesday, 23 September 1992, as follows:

**Award of Consultant Services -  
New Paving, Lower Water Street**

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

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- 1) Council approve the appointment of **CBCL Limited** for the preparation of engineering design, tender engineering drawings and specifications;
- 2) the compensation to CBCL Limited be made in accordance with guidelines as recommended by APENS estimated at \$25,000.00; and
- 3) funding for payment to the consultant be authorized from Capital Account No. 91354, "New Paving - Lower Water Street."

Motion passed.

Engineering Investigation - Law Courts Area Boardwalk

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

- 1) Council approve the appointment of **Whitman Benn and Associates Limited** for engineering investigation of the Law Courts Area Boardwalk at a cost not to exceed \$25,000.00, and that the Mayor and City Clerk be authorized to sign the Agreement;
- 2) Council increase funding in Capital Account No. 91648, "Court House - Design and Repair Boardwalk (Back of Court House)," to \$25,000 by transferring \$5,000.00 from Capital Account No. 91601, "Retaining Walls - New Construction;"
- 3) funds for this project be authorized from Capital Account No. 91648, "Court House - Design and Repair Boardwalk (Back of Court House)."

Motion passed.

Award of Tender #92-142: Bulk and Bagged Highway Salt

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Committee on Works, authority be granted to award Tender #92-142 for bulk and bagged highway salt to the **Canadian Salt Company Limited** at the tender prices listed in the staff report of 16 September 1992 for a two (2) year period.

The motion was put and passed.

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**REPORT - SAFETY COMMITTEE**

Council considered the report of the Safety Committee from its meeting held on Wednesday, 23 September 1992, as follows:

**Nova Scotia Council on Smoking and Health**

MOVED by Alderman Meagher, seconded by Alderman Pottie that, as recommended by the Safety Committee, Council request the City Manager to provide a report on Dr. Taylor's request to promote either of the following two steps that municipalities have taken part in other municipalities: to promote parallel ads promoting nonsmoking beside tobacco sponsorship posters as required by the City of Toronto; or to ban all tobacco ads within the City during sporting events.

Motion passed.

**REPORT - PLANNING COMMITTEE**

Council considered the report of the Planning Committee from its meeting held on Wednesday, 23 September 1992, as follows:

**Report from the Heritage Advisory Committee Re:  
Awnings and Signs on Registered Heritage Properties**

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Planning Committee, Council approve the guidelines regarding signage on heritage properties as appended to the report dated 1 September 1992 from Dr. Paul A. Erickson, Chair, Heritage Advisory Committee.

Motion passed.

**Recommended Heritage Property:  
1328 Robie Street - SET DATE FOR HEARING**

MOVED by Alderman Holland, seconded by Alderman Meagher that, as recommended by the Planning Committee, a date be set for a public hearing with regard to the designation of Civic No. 1328 Robie Street as a registered heritage property.

Motion passed.



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The City Clerk advised that the recommended date for a public hearing would be scheduled for Thursday, 12 November 1992, during the regular meeting of City Council under the Public Hearing section of the agenda.

**Case No. 3744: Discharge of Agreement -  
1685 Preston Street**

MOVED by Alderman Hanson, seconded by Alderman O'Malley that, as recommended by the Planning Committee, City Council discharge the agreement for 1685 Preston Street dated 5 February 1979 between Murray McIsaac and the City of Halifax, filed at the Registry of Deeds in Book 3385 at Page 273 (this discharge will allow Mr. McIsaac to make certain renovations without the necessity of amending the above agreement).

Motion passed.

**Case No. 6283: Knightsridge Subdivision**

This matter was forwarded to Council without recommendation.

MOVED by Alderman Jeffrey, seconded by Alderman O'Malley that City Council approve the execution of the amending Stage II, Schedule "K" agreement for the Knightsridge Subdivision, as attached to the staff report of 11 September 1992.

Motion passed.

**MISCELLANEOUS BUSINESS**

**Award of Tender 92-24: Fleming Park - Upgrade Boat Launch**

A staff report dated 24 September 1992 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Fitzgerald that:

1. Tender 92-24 for the project, materials and services listed for the unit prices quoted be awarded to Maritime Excavators at a bid price of \$28,077.12 and a total project cost of \$34,000.00;

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2. Funding be authorized from Account number 91649 - Fleming Park - Upgrade Boat Launch.

Motion passed.

**File # 1469 Supply 33 Actuation Packages with DIFU Cards,  
Thirty 4-Channel Loop Detectors**

A staff report dated 21 September 1992 was submitted.

MOVED by Alderman Holland, seconded by Alderman Fitzgerald that:

1. Authority be granted to purchase Supply Thirty-Three (33) Actuation Packages with DIFU Cards, Thirty 4-Channel Loop Detectors and Eleven (11) Two Channel Loop Detectors from Novax Industries Corp. at a cost of \$31,504.01;
2. Funding be authorized from account # 22399.9133.91518 titled Transportation - Traffic Loop.

Motion passed.

**1470 Novax Local Setup Software for L7E1 Traffic Controller**

A staff report dated 21 September 1992 was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Holland that:

1. Authority be granted to purchase software fro L7E1 Traffic Controller from Novax Industries Corp. at a cost of \$8,870.00;
2. Funding be authorized from account 22399.9133.91518 titled Transportation - Traffic Loop.

Motion passed.

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**QUESTIONS**

**Question Alderman Holland Re: Volunteer Seniors for Schools**

Alderman Holland advised that he has received a number of phone calls regarding problems within the School System, particularly the overcrowding of classes and where there are a large number of children with ESL problems. He added that he has visited a number of seniors manors and has found out that there are a significant number of retired teachers and other professionals who are willing to volunteer their expertise to the School Board. Alderman Holland requested that staff investigate ways in which qualified seniors could be organized to assist the School Board on a volunteer basis in the various problem areas.

**Question Alderman Adams Re: Large Granite Rock - Acorn Road**

Alderman Adams noted that the sidewalk at the end of Acorn Road at Williams Lake Road is interrupted by a large granite rock. He requested that, if a staff report had been prepared in the past on this matter that it be brought forward or, if not, that a report be prepared on how the rock could be removed.

**Question Alderman Adams Re: Derelict Vehicle - 55 Elgin St**

Alderman Adams indicated that the property at 55 Elgin Street has had a derelict car in the yard for two years. Alderman Adams requested staff investigate the matter and report back on what could be done about the situation. The Alderman asked that the report include the definition of a derelict vehicle.

**Question Alderman Adams Re: Minor Baseball Facilities**

Alderman Adams advised that he recently learned that there were no baseball facilities in Spryfield for boys and girls, age 14 to 16 years old. He requested a report on the cost estimates for such facilities and on a Spryfield location to accommodate this age group.

**Question Alderman Adams Re: "Lobsters Ahoy"**

Alderman Adams requested an update on the situation with the restaurant "Lobsters Ahoy" located on the waterfront.

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**Question Alderman Jeffrey Re: Sidewalk - Adelaide Avenue**

Alderman Jeffrey advised that the sidewalk on Adelaide Avenue between Alex Street and Hillcrest Street (on the north side) has grass growing up through the sidewalk. Noting that it was very unsightly, Alderman Jeffrey requested that staff address the matter.

**Question Alderman Jeffrey Re: 105 Frederick Avenue**

Alderman Jeffrey advised that the apartment building at 105 Frederick Avenue has recently experienced a number of car break-ins and he requested that the Police Department monitor the building more closely.

**Question Alderman Jeffrey Re: Proposed Relocation of Taxi Stand - 2733 Agricola Street**

Alderman Jeffrey advised that previously he raised the issue of a problem pertaining to a taxi stand which abuts a business on Agricola Street. He noted that it has been quite some time since the matter was last dealt with and the owner of the business in question was getting impatient.

Alderman Jeffrey added that when he last discussed the matter with the Chairman of the Taxi Commission he understood that a compromise was being reached, however, recently the taxi industry decided to forgo this compromise. The Alderman indicated that the problem still exists and he felt that it should be addressed as soon as possible. In this regard, Alderman Jeffrey requested that the matter be placed on the agenda of the next meeting of the Committee of the Whole and that Mr. B. N. Kennedy, Supervisor of the City's Traffic Authority, and the owners of the businesses of the area in question attend the next meeting of the Committee of the Whole Council (**scheduled for Wednesday, 7 October 1992**) in an attempt to resolve the situation.

**Question Alderman O'Malley Re: Pollution Control Account**

Alderman O'Malley noted that in May and in July she asked various questions on the pollution control account and has not yet received a response. The Alderman requested that the report be forthcoming.

**Question Alderman O'Malley Re: Kencrest Avenue**

Alderman O'Malley advised that she had previously reported to staff that the pavement in front of 3789 Kencrest Avenue had dropped. She went on to add that, initially, it was thought it was a Water Commission problem, however, the

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Water Commission determined it was a City problem. The Alderman added that she received a report indicating that the matter would be placed in the budget for repaving. She pointed out that during the last two weeks there was patching on the street to the left and right of 3789 Kencrest Avenue, however, in front of 3779, 3789, and 3795 there isn't any patching. Alderman O'Malley requested that staff review the situation and report back.

At approximately 10:00 p.m. Her Worship returned to the meeting with Deputy Mayor Stone taking his usual seat on Council.

**Question Alderman Fitzgerald Re: Status Report -- Victoria General Incinerator, Cruise Ship Dock, Khyber Club and City Club, Conversation Study of Public Gardens, City Hall Clock**

Alderman Fitzgerald requested a status report on the Victoria General Hospital's incinerator, cruise ship dock, Khyber Club and City Club, the conservation study to be carried out on the Public Gardens in conjunction with the Federal Government, and the City Hall Clock. With respect to the City Hall Clock, the Mayor advised the matter has been referred to the Restoration Committee and that an update could be requested.

**Question Alderman Fitzgerald Re: Police Statistic - Provincial Statutes**

Alderman Fitzgerald noted that the police statistics he received this week contained an interesting change under the heading of provincial statutes. He advised that the provincial statutes shows a decrease this year over last year, from 3900 to 2900. Noting that this was a significant drop, Alderman Fitzgerald requested a response on why this has occurred.

**Question Alderman Fitzgerald Re: Bayer's Lake Recycling Facility**

Alderman Fitzgerald indicated that he recently toured the Bayer's Lake recycling facility and found it to be a first class facility with markets for all its items, particularly paper. The Alderman requested a full report on the facility adding that he would like the report to include whether the facility was meeting its objectives.

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The Chairman advised that it would be appropriate to forward the request to the Metropolitan Authority indicating that a monthly report is issued by the Authority.

**Question Alderman Hanson Re: Salt Storage Bin**

Alderman Hanson referred to an item discussed earlier in the evening, Tender #92-142: Bulk and Bagged Highway Salt, and asked if staff would investigate the idea of acquiring a satellite salt distribution centre. He noted that at the present time, when City vehicles are on the road they have to return to the central location at City Field. The Alderman pointed out that the Province has two salt storage bins, and he suggested that staff could negotiate to purchase salt from one of the bins.

**Question Alderman Hanson Re: Video Regarding Winter Regulations**

Alderman Hanson advised that last year he questioned if it were possible for staff to put together a video outlining the City's winter regulations in terms of snow removal and sidewalk clearance. The Alderman noted that the idea has been carried out in other provinces and was very effective. He suggested that now would be a good time to prepare a video and he requested that staff report back on the idea.

**Question Deputy Mayor Stone Re: Kearney Lake**

Deputy Mayor Stone advised that during the last rainstorm red silt flowed into Kearney Lake from the vacant lot of what used to be known as the Intersupply Cement company. He requested that the appropriate member of staff examine the area after the next rainstorm and assess the situation.

**Question Deputy Mayor Stone Re: Tennis Courts**

Deputy Mayor Stone advised that as part of the development of Castle Hill, in Armstrong Court, the City has received tennis courts. He advised there were no signs to indicate this and he requested that staff erect signs to indicate that the tennis courts are for public use.

**Question Deputy Mayor Stone Re: Bus Shelters**

Deputy Mayor Stone advised that it was his understanding during capital budget deliberations that money had been included for bus shelters. He added that it has now

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come to his attention that this has not happened and there is no money to accommodate the bus shelter program. In this regard, Deputy Mayor Stone requested a full report on the matter.

**Question Alderman Crowley Re: Railway Crossing Closure**

Alderman Crowley indicated that she has received a number of complaints about the closing of the railway crossing behind Sears. She questioned if there was any way the City could discuss the matter with CN and Maritime Life to see if any arrangements can be made. Alderman Crowley indicated that she spoke with a gentleman from Maritime Life and he advised that he would be receptive to a meeting.

Alderman Crowley went on to note that the residents have indicated that other crossings in the City have not been barricaded and she questioned why this crossing had been closed.

**Question Alderman Crowley Re: Sidewalk Deficiency Rating System**

Alderman Crowley advised that she had also received a number of phone calls from residents concerning the state of the sidewalks and the black tar that is being used. She added that some residents feel that this negatively affects the assessment of their homes. The Alderman indicated that she felt a lot of the confusion was a result of public's lack of understanding of staff's deficiency rating system.

Alderman Crowley requested that staff investigate the idea of using a newspaper advertisement to explain the sidewalk deficiency rating.

**Question Alderman Meagher Re: Legislation Concerning Speed Limits on City Streets**

Alderman Meagher requested a report from the City Solicitor's Office as to whether the City could include in its legislation which will be going to the Province this year a provision regarding speed limits of 50 km on City streets and 30 km in front of the schools.

In response, the City Manager advised that he did not believe that Council could send this as part of its legislation, however, he pointed out that Council could send a recommendation that the motor vehicle act be changed.

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The Chairman advised that the matter would be examined.

**Question Alderman Meagher Re: Property Damage**

Alderman Meagher advised that previously he brought forward a concern by a woman on Moran Street who had a claim for damage resulting from a City-owned tree. He added that the repair cost was \$250 and the woman's insurance did not cover the cost. Alderman Meagher requested the Director of Finance and the City Manager look into the matter of compensation for the resident.

**Question Alderman Meagher Re: Traffic Lights - Connaught Avenue and Quinpool Road**

Alderman Meagher advised that the traffic lights at Connaught Avenue and Quinpool will not permit children attending school to walk further than halfway across the street and then they have to wait on the median until the light changes again. Alderman Meagher suggested this was not a safe situation and he requested a report on whether this can be corrected.

**Question Alderman Meagher Re: Returnable Bottles**

Alderman Meagher requested an update on the matter of legislation concerning returnable bottles.

**Question Alderman Meagher Re: Central Commons**

Alderman Meagher advised that the Central Commons appeared to be in very good shape and he added that he hoped the Recreation Department would monitor the use of the Central Commons, particularly during and after heavy rainfalls to prevent damage to the surface.

**Question Alderman Downey Re: Repaving North Street from Windsor Street to the Bridge Approach**

Alderman Downey requested a report on whether North Street from Windsor Street down to the bridge approach could be repaved and he requested, as a way of achieving this, that the potholes be fixed early in the morning before traffic gets congested.



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**Question Alderman Downey Re: Status of Seasonal Workers**

Alderman Downey requested a report on the status of employment of the seasonal workers by the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 7 October 1992.

**Question Alderman Downey Re: City's Interest Rates**

Alderman Downey requested a report on the City's interest rates on overdue taxes including the amount charged etc. As well, he asked that the report include the number of business which went out of business during the recession.

**Question Alderman Downey Re: School Board's After Hours Program**

Alderman Downey advised that he understood the School Board was cutting out the after hours programs in the Schools and he requested a report on this matter. As well, he requested an update on the "Midnight Hoops" program.

**Question Alderman Pottie Re: Minor Hockey Fees**

Alderman Pottie advised that he had not yet received a response to a question he raised several weeks ago concerning minor hockey fees for this year.

The City Manager advised that the report was circulated within the past couple of days and should be received shortly.

**NOTICES OF MOTION**

**Notice of Motion Alderman Crowley Re: License Fees and Other Charges in Various City Ordinances**

Alderman Crowley gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 15 October 1992, she proposes to introduce for First Reading a motion that the City of Halifax amend the ordinance regarding the license fees and other charges in various City Ordinances.

**Notice of Motion Alderman Fitzgerald Re: Ordinance 162, the Regional Solid Waste Disposal System Ordinance**

Alderman Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held

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on Thursday, 15 October 1992, he proposes to introduce for First Reading a motion that the City of Halifax repeal Ordinance Number 162, the Regional Solid Waste Disposal System Ordinance.

**Notice of Motion Alderman Meagher Re: Ordinance 180,  
the Streets Ordinance**

Alderman Meagher gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 15 October 1992, he proposes to introduce for First Reading a motion that the City of Halifax amend Ordinance Number 180, the Streets Ordinance. He advised that the purpose of the amendment is to incorporate into the Ordinance a Charter amendment which was enacted in the past session of the Nova Scotia Legislature which would make the cost of snow and ice removal from sidewalks by the City a lien against the abutting property and recoverable from the property owner in the same manner as property taxes.

**ADDED ITEMS**

**Metro Transit I.D. Cards - Residents of Seniors Manors  
(Alderman O'Malley)**

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

Alderman O'Malley advised that at a meeting of the Concerns of Aging Committee, held on 8 September 1992, concern was expressed that seniors living in seniors manors who were under age 65 were not eligible to receive the Federal Identification Cards. She added that the Federal I.D. cards entitle cardholders to a discount on transit fares and, noting that all seniors living in manors had financial constraints, the Alderman advised that the Committee passed a motion on the matter.

**MOVED by Alderman O'Malley, seconded by Alderman Meagher that the following motion be approved:**

**WHEREAS:** Seniors living in senior manors under the supervision and direction of the Halifax Housing Authority are selected for these manors based on age (58+), income and need. What is common with all tenants in senior manors is that they are all living on a low income. Not all seniors in manors are 65 years and older, and receiving the old age pension. There are a few who are under the age of 65 and live on a lesser pension than the old age

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pension, such as the Canada Disability Pension, and are not entitled to many seniors benefits (i.e., reduced drug costs, reduced transit costs, etc.);

Very few seniors in manors have their own transportation and rely on the Metro Transit system for their visits to the doctor, the hospital for X-rays, and other trips. These people pay the full amount of fare which is \$1.15 one way, and this amounts to a lot of money in the span of weeks and months. The price of senior tickets is \$11.00 per 20 tickets or 55 cents per trip (a savings of 60 cents). Unfortunately, however, these seniors tickets can only be used by seniors with the Federal I.D. card that proves they are 65 or older. If I.D. cards for persons under 65 years and living in seniors manors could be made available (they are but a few), allowing them to use the senior transit rates, this would be a much needed benefit to those living in seniors manors on low incomes.

**BE IT THEREFORE RESOLVED THAT** the Committee on the Concerns of Aging approach Halifax City Council to negotiate with the Metropolitan Authority (Transit Division) to permit seniors under the age of 65 years and who are living in seniors manors under the direction of the Halifax Housing Authority, to purchase and use senior transit tickets, and that these same people be issued I.D. cards to show that they are tenants of a seniors manor.

In moving the motion Alderman O'Malley requested Council's approval in principle of the motion and that it be forwarded to the Transit Advisory Committee for review and report back to Council.

Alderman Meagher advised that there were a number of individuals in his ward on disability pensions or who had low incomes and were required to make regular trips to the hospital. Alderman Meagher suggested that this matter should be examined as well and he requested that the Director of Social Planning provide a report on this situation.

The Chairman advised that Transit Advisory Committee would also be requested to comment on the matter.

After further discussion the motion was carried.

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**MacLennan House - South Park Street (Alderman Fitzgerald)**

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

Alderman Fitzgerald advised that the CBC has a permit for demolition of McLennan House, located on South Park Street. He added that the CBC had been negotiating with Atlantic Publishers to rent the house, however, those negotiations have broken down and the CBC has said it will sell the house for \$1 if it will be moved.

Noting the literary significance of the house, Alderman Fitzgerald suggested that Her Worship write a letter to the CBC on behalf of Council, encouraging them to continue negotiations with Atlantic Publishers to come to a satisfactory agreement.

The Chairman advised that she recently received a call from Atlantic Publishers and has written to CBC and spoken to CBC officials on this matter. She added that the situation will be monitored and Council will be kept informed of the proceedings.

**X-Citement Video - Quinpool Road (Alderman Fitzgerald)**

This item was added to the agenda by Alderman Fitzgerald.

Alderman Fitzgerald addressed the matter and advised that he has attended a number of meetings regarding the X-Citement Video store and that last night he met with one group who was very concerned. Alderman Fitzgerald added that he would like to have a meeting on the matter in which the Solicitor would explain the situation. He indicated that the meeting should include a representative of the Police Department, the Development Officer, and a spokesman of the group.

The Chairman advised that this matter would be forwarded to the next meeting of the Committee of the Whole Council.

**Rooming House - (Alderman Fitzgerald)**

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

Alderman Fitzgerald advised that he was receiving more complaints than ever regarding the number of homes in the university area partying on a regular basis. He added that in the past there was a noise ordinance which was effective in stopping some of this activity.

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Alderman Fitzgerald indicated that a resident called the police department to complain and was told that the ordinance wasn't effective. In this regard, Alderman Fitzgerald requested a report from the City Solicitor on the effectiveness of the Noise Ordinance.

Alderman Meagher pointed out that he has also received similar complaints and that last weekend there was a party at a home on Duncan Street which went all night. He added that he contacted the building inspector regarding this matter and, in reference to the requested report Alderman Fitzgerald, he suggested the City Solicitor contact the building inspector concerning the house on Duncan Street.

The Chairman indicated that the report would be provided for the next Committee of the Whole, scheduled for Wednesday, 7 October 1992.

**Solid Waste Disposal Options**

A staff report dated 30 September 1992 was submitted.

The Philip Environmental Inc. proposal for waste management and recycling dated 28 September 1992 was submitted.

Moved by Alderman Fitzgerald, seconded by Alderman Holland that City staff be authorized to immediately begin negotiation with the Metropolitan Authority with the view of concluding an agreement:

- (1) whereby the Metropolitan Authority would provide waste management services to the City of Halifax on a contract basis substantially the same as the current services being provided by the Metropolitan Authority until such time as the Sackville Land-Fill ceases to be operated as a sanitary land-fill or until the City of Halifax has its own solid waste management system on line whichever shall first occur; and
- (2) providing for a settlement of all financial adjustments associated with the City's withdrawal from the Authority's solid waste management system, including but not limited to the sharing of the close-out costs of the Sackville Land-Fill and compensation for residents of the Upper Sackville area who have been adversely affected by the location of the land-fill.

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Alderman O'Malley requested a report providing comparative cost analysis of the solid waste program. She advised that she would like to see the cost per ton of the garbage at curbside, the bluebag recycling program (cost per ton), the newspaper recycling program, and the cost per ton of incineration as well as any other concepts the City is considering.

Deputy Mayor Stone noted the submitted document by Philip Environmental Inc. and advising that it was a comprehensive program of integrated waste management and he suggested that it was a good possibility for Council to consider. The Deputy Mayor requested staff review the report and report back to Council.

After further discussion the motion was carried.

**Alexandra Centre - Interim Payment**

A staff report dated 1 October 1992 was submitted.

MOVED by Alderman Downey, seconded by Alderman Meagher that Council authorize the payment of \$11,223.67 to Smith and MacDonald Electrical Ltd. for work carried out in August 1992, associated with the relocation of tenants from the Alexandra Centre with funds available in Account Number 90001-Alexandra Centre.

Motion carried.

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

HER WORSHIP MAYOR MOIRA DUCHARME  
AND  
DEPUTY MAYOR BILL STONE

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

MS/SM

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
15 October 1992  
8:00 P. M.

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

The meeting commenced with those in attendance joining Her Worship Mayor Ducharme in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** City Manager; City Solicitor; Margaret Soley, representing the City Clerk; and other members of City staff.

## Moment of Silence for the Late Carmen Young

Before starting the regular agenda, Her Worship Mayor Ducharme asked Council to stand for a moment of silence in memory of Carmen Young who died last Friday after a long battle with a degenerative lung disease. On behalf of members of Council, Her Worship extended sympathy to Mr. & Mrs. Brian Young and family.

## Proclamation - Waste Reduction Week and Wasteless Wednesday

Her Worship Mayor Ducharme advised that Waste Reduction Week will run from October 24-30. She added that Mr. Jim D. Bauld, Chairman of The Clean Nova Scotia Foundation, and Mr. Martin Janowitz, Executive Director, are present to address Council in relation to this week. Mayor Ducharme went on to read the following proclamation:

WHEREAS Canada is ranked Number 1 in the World in per capita generation of waste; and

WHEREAS Nova Scotians produce 1.8 kilograms of garbage per day; and

WHEREAS the regional landfill site will be full in early 1994; and

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WHEREAS waste reduction is the first and not the last "R" in the waste management hierarchy; therefore,

I, Moira Ducharme, Mayor of the City of Halifax, do hereby proclaim the week of October 24-30, 1992 as Nova Scotia Waste Reduction Week and October 28, 1992 as Wasteless Wednesday.

Mr. Jim Bauld and Mr. Martin Janowitz, The Clean Nova Scotia Foundation, addressed Council and, on behalf of the Foundation, thanked Council for proclaiming October 24-30 Waste Reduction Week in Nova Scotia and October 28th as Wasteless Wednesday in the City of Halifax. Mr. Jim Bauld briefly highlighted the activities in connection with the week. A large Colourful Waste Reduction poster was displayed for Council at this time. It was noted that a copy of this poster will be displayed during Waste Reduction Week in all branches of banks throughout Nova Scotia, all Nova Scotia Liquor Commission Outlets, and in the B.I.D.C.'s member stores and businesses.

**Women in History Month - Catherine MacLean Sullivan**

Her Worship Mayor Ducharme addressed the matter and advised that October is "Women in History Month". She advised that October 18, 1929, marks the Anniversary of the day in 1929 when women were officially declared "persons" in this Country. Her Worship noted that a short five years later the first woman was elected to Halifax City Council. She advised that her name was Catherine MacLean Sullivan.

Mayor Ducharme provided some history on Catherine MacLean Sullivan noting that she was born in Bible Hill, N.S., on February 4, 1875, attended Mount Saint Bernard College, married Dr. Michael Thomas Sullivan (a graduate of McGill and London University who practised medicine in Glace Bay). Her Worship added that Catherine MacLean Sullivan had six children: Thomas, D'Arcy, Edmond, Victor, Gerald, and Mary (all the boys were named after Irish patriots).

Her Worship went on to note that when her husband died, Catherine MacLean Sullivan moved to Halifax in 1930, where she lived in a small subdivision on Rosebank Avenue, to further her children's education at Saint Mary's and Mount Saint Vincent University. Mayor Ducharme noted that her son, D'Arcy Sullivan, had recently returned to Halifax from Harvard where he earned his MBA and Columbia where he studied for an uncompleted Ph.D in Economics.

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Mayor Ducharme advised that Catherine MacLean Sullivan was the first woman Alderman to be elected to Office in English speaking Canada. Her Worship listed Catherine MacLean Sullivan's experience noting that she worked on Council to improve conditions in the Poor House and to improve Poor laws and introduced domestic science courses for women to improve their economic circumstances.

Her Worship advised that Catherine MacLean Sullivan died in Halifax on May 2, 1946. She noted that this information was taken from her obituary which appeared in the May 9, 1946, Antigonish Casket and has been circulated to all members of Council. Mayor Ducharme indicated that Catherine MacLean Sullivan is a woman worthy of note during October which is "Women in History Month". Her Worship advised that the foregoing information will be circulated to her descendants.

**MINUTES**

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 1 October 1992, as well as a Special Meeting (Public Hearings), held on Wednesday, 23 September 1992, were approved as circulated on a motion by Alderman Fitzgerald, seconded by Alderman Downey.

**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 92-122: Sidewalk Renewal - Oxford Street (E) Jennings to Coburg;
- 20.2 Municipal Development Plan Amendment: Lands Adjacent to Bayers Lake Area;
- 20.3 Set Aside Tenders - 92-119 - Monastery Lane - Concrete Island Realignment  
92-120 - Traffic Improvements, Clifton Street at Gerrick Lane.

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

- 20.4 Solid Waste Action Metropolitan Authority;
- 20.5 Report from Ministry of the Environment, Province of Ontario (TO BE TABLED).

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

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of the Finance and Executive Committee, from a meeting held on Wednesday, 7 October 1992, as follows:

**Pan Am Games bid**

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, the following motion made at the City Council meeting on October 1st be approved:

"That City Council regretfully refuse the expenditure of an additional \$150,000 to perfect the bid for the 1999 Pan American Games, and that a letter be forwarded to each member of the Bid Committee thanking them for their dedication and efforts on behalf of the City of Halifax."

Motion passed.

**Civic Arena - License of Occupation**

MOVED by Alderman Pottie, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council advance \$9,021.00, in addition to the \$324,000.00 already approved by City Council, for the purchase the Civic Arena lands.

Motion passed.

**City's Response - Business Occupancy Tax**

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, this matter be deferred until such time that City staff has had the opportunity to meet with the business community concerning the proposed changes to the business occupancy tax.

Alderman O'Malley addressed the matter and suggested that staff, when they meet with the business community, question whether the business community would

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like to have a public meeting in the Council Chamber so that Council might be able to dialogue with them and hear any concerns they may have. It was subsequently agreed that the motion be amended to include the words "and; further, that the opportunity be presented to the business community for a possible public meeting in the Council Chamber."

The motion was put and passed as amended.

**Emergency Repairs to Stone Wall - Main Branch,  
Halifax City Library**

MOVED by Alderman Downey, seconded by Alderman Fitzgerald that, as recommended by the Finance and Executive Committee, authority be granted to pay Permacrete Limited the sum of \$11,116.50 (which includes G.S.T.) to cover the cost of this requirement.

Motion passed.

**Settlement of Claim - Flooding  
(Tenants - 70 Thornhill Drive)**

MOVED by Alderman Adams, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, City Council authorize the Legal Department to finalize the settlement of the claim of 70 Thornhill Drive as outlined in the private and confidential staff report dated 02 October 1992.

Motion passed.

**Reappointment - Alderman Fitzgerald -  
Metropolitan Authority**

MOVED by Alderman Jeffrey, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, Alderman Fitzgerald be appointed to the Metropolitan Authority until Alderman Macdonald's return.

Motion passed.

The Chairman asked that the City Clerk convey this information to the Metropolitan Authority.

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**REPORT - COMMITTEE ON WORKS**

Council considered the report of its Committee on Works from a meeting held on Wednesday, 7 October 1992, as follows:

**Proposed Relocation of Taxi Stand  
- 2733 Agricola Street**

Alderman O'Malley indicated that, owing to a possible conflict of interest, she would not be participating in either the discussion or the vote on this matter.

MOVED by Alderman Jeffrey, seconded by Alderman Adams that, as recommended by the Committee on Works, the proposed relocation of the taxi stand (presently located adjacent to 2733 Agricola Street) be referred to the 19 October meeting of the Halifax Taxi Commission, and that the Traffic Authority be subsequently requested to deal with the matter.

The motion was put and passed.

**Construction Agreement No. 46 - Paving Renewal  
- Connaught Avenue from Bayers Road to London Street**

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

- (a) approve Construction Agreement No. 46 with the Nova Scotia Department of Transportation and Communications for Connaught Avenue between Bayers Road and London Street; and
- (b) authorize Her Worship the Mayor and the City Clerk to sign this agreement on behalf of the City.

The motion was put and passed.

**Award of Tender #90-117: Recycling Contract**

MOVED by Alderman Fitzgerald, seconded by Alderman O'Malley that, as recommended by the Committee on Works, Tender #90-117 (Recycling Contract with Enviro Care Services) be extended until 31 March 1993, at a monthly price of \$25,814.37 plus GST; and further, that funding be authorized from the 1992/93 Operating Budget.

The motion was put and passed.

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**Supplementary Tender #92-50: Main Artery Patching**

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

- (1) Council authorize the transfer of \$58,600.00 from the Future Settlement Account #146202 to Current Account #669, Street Upgrading/Sealing;
- (2) Council authorize the overexpenditure of Account #669 in the amount of \$8,000.00 for Halifax Water Commission utility cut repairs on a recovery basis; and
- (3) Council authorize the transfer of up to \$4,000.00 from Capital Project Account #91518, Traffic Signal Loop Detectors, to Current Account #669.

The motion was put and passed.

**Parking Meters on Sidewalks - Dutch Village Road**

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

An Information Report, dated 13 October 1992, was submitted.

Noting that the 13 October Information Report advises that the project in question will be included in the proposed 1993 Capital Budget for Council's consideration, Alderman Jeffrey expressed his appreciation to staff for their assistance in this matter.

**REPORT - PLANNING COMMITTEE**

Council considered the report of its Planning Committee from a meeting held on Wednesday, 7 October 1992, as follows:

**Case No. 6548: North West Arm Drive and Lands of Food City Limited**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Planning Committee, letters be sent from the Mayor to the Premier and from the City Manager to the Deputy Minister of Transportation and Communications urging the Province to ensure that the required right-of-way for the extension of North West Arm Drive is reserved.

The motion was put and passed.



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**Case No. 6577: Peninsula and Mainland Land  
Use Bylaws - Housekeeping Amendments #3  
(Referral to Planning Advisory Committee)**

MOVED by Alderman Jeffrey, seconded by Alderman Fitzgerald that, as recommended by the Planning Committee, the amendments proposing housekeeping amendments to the existing land use bylaws for the peninsula and mainland portions of the City be forwarded to the Planning Advisory Committee for their consideration and advice.

The motion was put and passed.

**Case No. 3745: Amendment to Existing  
Development Agreement - 2617-19 Windsor  
Street (SET DATE FOR PUBLIC HEARING)**

MOVED by Alderman Meagher, seconded by Alderman O'Malley that, as recommended by the Planning Committee, City Council schedule a public hearing to consider an amendment to the existing development agreement for the Sobeys Food Store at Windsor and North Streets for the purpose of allowing the rooftop air conditioner to remain.

The motion was put and passed.

The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 18 NOVEMBER 1992 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Proposed Amendment - MDP and Zoning Bylaw Re:  
Private Roads (SET DATE FOR PUBLIC HEARING)**

This matter had been forwarded to Council without recommendation.

A report, dated 5 October 1992, was submitted from Dr. Philip Pacey, Chairman of the Planning Advisory Committee.

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Planning Advisory Committee, Council set a date for a public hearing to consider amendments to the Municipal Development Plan and Land Use Bylaw (in accordance with Appendix "A" of the PAC's report dated 5 October 1992) with regard to permitting the development of existing lots on private roads by development agreement.

The motion was put and passed.

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The Acting City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 18 NOVEMBER 1992 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**MOTIONS**

**Motion Alderman Crowley Re: License Fees and  
Other Charges in Various City Ordinances  
(FIRST READING)**

Approval in principle regarding the above-mentioned changes had been given by Halifax City Council at a regular meeting held on 17 September 1992.

A report, dated 23 September 1992, was submitted from the City Solicitor.

MOVED by Alderman Crowley, seconded by Alderman Meagher that Halifax City Council give **FIRST READING** to the amendments proposed for various of the City's ordinances (attached as Schedule "A" to the City Solicitor's report of 23 September 1992); and further, that the matter be forwarded to the next regular meeting of Committee of the Whole Council scheduled for **Wednesday, 21 October 1992** for consideration and report.

The motion was put and passed.

**Motion Alderman Fitzgerald Re: Ordinance 162,  
the Regional Solid Waste Disposal System Ordinance  
- FIRST READING**

Notice of Motion with regard to the repeal of City Ordinance 162, the Regional Solid Waste Disposal System Ordinance, had been given by Alderman Fitzgerald during a regular meeting of Halifax City Council held on Thursday, 1 October 1992.

A report, dated 30 September 1992, was submitted from the City Solicitor.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that Halifax City Council give **FIRST READING** to the Ordinance attached as Appendix "A" to the City Solicitor's report of 30 September 1992; and further, that the matter be forwarded to the next regular meeting of Committee of the Whole Council scheduled for **Wednesday, 21 October 1992** for consideration and report.

The motion was put and passed.

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**Motion Alderman Meagher Re: Ordinance 180,  
the Streets Ordinance (FIRST READING)**

Notice of Motion with regard to the above-mentioned matter had been given by Alderman Meagher at a regular meeting of Halifax City Council held on Thursday, 1 October 1992.

A report, dated 28 September 1992, was submitted from the City Solicitor.

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that Halifax City Council give FIRST READING to the amendments proposed to Ordinance 180, the Streets Ordinance, attached as Appendix "A" to the City Solicitor's report of 28 September 1992; and further, that the matter be forwarded to the next regular meeting of Committee of the Whole Council scheduled for Wednesday, 21 October 1992 for consideration and report.

The motion was put and passed.

**MISCELLANEOUS BUSINESS**

**Appointments**

A memorandum, dated 15 October 1992, was submitted by Her Worship Mayor Moira Ducharme.

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

- (1) **Nominating Committee - Halifax Housing Authority**  
Mr. Randy Dewell (Term to expire 31 January 1995)
- (2) **Halifax Hakodate Committee**  
Mr. H. P. (Bill) Schiebel  
(representing the Halifax Industrial Commission)

The motion was put and passed.

- (3) **Terms of Appointment - Aldermanic Appointees to Boards, Commissions and Committees**

After a brief discussion, and on the recommendation of Alderman Hanson, it was agreed that this matter would be deferred to the next regular meeting of the Committee of the Whole Council scheduled for **Wednesday, 21 October 1992.**

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**Design and Preparation of Plans and  
Specifications - Bedford Highway**

A staff report, dated 5 October 1992, was submitted.

Noting that he was putting forward this motion at the request of Deputy Mayor Stone, Alderman Jeffrey MOVED, seconded by Alderman Hanson that:

- (1) the firm of O'Halloran Campbell Consultants Ltd. be commissioned to proceed with the design and preparation of plans and specifications for reconstruction of the Bedford Highway in accordance with the resolution of City Council at its regular meeting of 16 July 1992; and
- (2) expenditures for this work, including design costs, geotechnics, disbursements, allowance for contingencies, GST, etc., be set at \$300,000 with 50 percent of this amount to be recovered from the Province (funding for this work to be made available from Account No. 91506, Bedford Highway Improvements, Bayview -Kearney Lake).

Alderman Fitzgerald spoke in opposition to the motion, making reference to the public meeting held on 15 September regarding traffic problems in the Mainland North area and noting that it had been his understanding at that time that Council had made a commitment to reviewing its current stance on the widening of the Bedford Highway. Under the circumstances, therefore, the Alderman expressed the view that it would be inappropriate to proceed with the motion presently on the floor, and MOVED that the matter be deferred to the next regular meeting of Committee of the Whole Council (scheduled for 21 October 1992) at which time Alderman Macdonald would be present.

There was no seconder for the motion of deferral.

The motion was put and passed with Alderman Fitzgerald voting in opposition.

**NOTE:** Later in the meeting under "Notices of Motion", Alderman Fitzgerald gave Notice of Motion that at the next regular meeting of City Council to be held on **Thursday, 29 October 1992**, he proposes to introduce a Motion of Reconsideration with regard to this item.

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**QUESTIONS**

**Question Alderman Adams Re: Leaf Composting Program**

Alderman Adams asked for information with respect to this year's leaf composting program and how residents' can arrange to have their leaves picked up.

In response to the Alderman's question, Mr. Peter S. Connell, Director of Engineering and Works, addressed Council and advised that the program will start as soon as all the leaves have fallen. He advised that the Engineering and Works Department are arranging to have the pick-up expanded. Mr. Connell informed Council that, in addition to responding to requests, they intend to combine the program with their normal refuse pick-up day. Mr. Connell added that the program will be advertised in the paper and that information will be circulated to Council.

**Question Alderman Adams Re: Surplus from Tenders**

Alderman Adams noted that it was his understanding that a few of the tenders that have been awarded this year have been under budget. The Alderman indicated that he would like to know the surplus as a result of these tenders that have come in under budget.

**Question Alderman Adams Re: Manhole Covers -  
Herring Cove Road**

Alderman Adams advised that some residents in his Ward have raised concerns with respect to the manholes on the Herring Cove Road which are an inch and a half to two inches below surface. The Alderman indicated that he would like to know whether something will be done to rectify the situation by bringing them flush to the pavement.

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

Alderman Adams advised that there was a large pile of pyritic slate last Spring on North West Arm Drive. He noted that it was his understanding that this slate was to be removed by the middle of September as backfill for the new Halifax Infirmary. Alderman Adams commented that the slate is still in this location and indicated that he would like to know when it will be removed and an explanation as to why it has taken longer than the estimated time to have it removed.

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**Question Alderman Fitzgerald Re: Vehicle Break-Ins**

Alderman Fitzgerald requested a report from the Chief of Police with respect to the break-in of vehicles at Point Pleasant Park. The Alderman noted that a number of people have approached him concerning the number of break-in of cars at Point Pleasant Park.

**Question Alderman Fitzgerald Re: Date of Mardi Gras**

In response to a question from Alderman Fitzgerald, the Chairman advised that Mardi Gras is scheduled for October 31st.

**Question Alderman Fitzgerald Re: Up-date on the  
the Carleton Hotel**

Alderman Fitzgerald requested an up-date on the Carleton Hotel by Wednesday, October 21. He noted that he has heard rumours that a demolition permit is pending and that an agreement has not been reached.

**Question Alderman Fitzgerald Re:  
the Old Halifax Infirmary Building**

Alderman Fitzgerald requested a status report with respect to the old Halifax Infirmary Building by Wednesday, October 21st.

**Question Alderman Hanson Re: Intersection at North West Arm  
Drive and Cowie Hill Road**

Alderman Hanson noted that he has not yet received a response with respect to the question he raised at Council on July 16th regarding the intersection at North West Arm Drive and Cowie Hill Road. Alderman Hanson advised that it has been brought to his attention that there were several accidents that had occurred in this area with one resulting in a death. Expressing his concern with respect to this intersection, the Alderman therefore asked that the Department of Transportation for the Province be asked to comment on this intersection.

**Question Alderman O'Malley Re:  
Market for Recyclables**

Referring to a resolution approved earlier in the meeting with regard to the extension of the City's recycling contract with Enviro Care Services, Alderman O'Malley asked for information from staff as to whether there is now a

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steady market for recyclables. The Alderman also asked for staff comment as to the future of this market after 31 March 1993.

**Question Alderman Meagher Re:**  
**Summit Street Between Windsor and Gladstone**

Alderman Meagher noted that that portion of Summit Street between Windsor and Gladstone Streets had recently been repaired using asphalt fill, much to the concern of area residents. The Alderman went on to emphasize that this route is very heavily used by individuals destined for the Canadian Institute of the Blind and should therefore, in his opinion, be maintained in what he termed "first-rate condition."

Alderman Meagher also noted that for the last five years he has unsuccessfully attempted to have the curb and gutter on this street renewed and the broken slabs replaced. He therefore asked for an explanation from staff of the Engineering and Works Department as to why the decision had been made to use asphalt fill on this particular section of Summit Street.

**Question Alderman Meagher Re:**  
**Vacant Lot - Corner of George/Barrington Streets**

Alderman Meagher made reference to the vacant lot at the corner of George and Barrington Streets, and emphasized that, in his opinion, the general appearance of the property was inappropriate, particularly given its location in the City's Central Business District.

Alderman Meagher therefore recommended that staff contact the current owners of this property with a request that some effort be made to beautify the lot, perhaps by filling in the area and removing the fence.

**Question Alderman Meagher Re:**  
**Parking Lot - Corner of Sackville/Hollis Streets**

Alderman Meagher made reference to a Provincially-owned parking lot at the corner of Sackville and Hollis Streets (the former site of the General Electric building), emphasizing that, in his view, this property is not in an appropriate condition in terms of landscaping and other considerations, given its location in an historic section of the City.

The Alderman therefore asked that a letter be written to the Province requesting that action be taken to improve the appearance and general condition of this site, if not in 1992, then in 1993.

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**Question Alderman Meagher Re:  
Repairs - North Street**

Alderman Meagher asked for information from staff as to whether any street repairs (i.e., patching) are being contemplated for North Street before the onset of winter.

**Question Alderman Crowley Re:  
Hours of Operation - Price Club**

Responding to a question from Alderman Crowley regarding the Price Club's hours of operation, Mayor Ducharme advised that she had recently received a letter from the company's vice president on this matter which she would undertake to have circulated to all members of Council.

**NOTICES OF MOTION**

**Notice of Motion Alderman Fitzgerald Re:  
Reconsideration of Council Resolution of 15 October  
1992 - Agenda Item 17.2, "Design and Preparation  
of Plans and Specifications - Bedford Highway"**

Alderman Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council to be held on **Thursday, 29 October 1992**, he proposes to introduce a Motion of Reconsideration with regard to Agenda Item 17.2; namely, that the design and preparation of plans and specifications for the Bedford Highway be reconsidered.

**Notice of Motion Alderman Meagher Re: Proposed  
Amendments to Ordinance Number 170, the  
Tax Concession Ordinance**

Alderman Meagher gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on **Thursday, 29 October 1992**, he proposes to introduce for First Reading amendments to Ordinance 170, the Tax Concession Ordinance.

The purpose of these amendments is to designate the properties entitled to tax concessions under Ordinance 170 for the 1992-93 fiscal year.



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ADDED ITEMS

Award of Tender #92-122: Sidewalk Renewal  
- Oxford Street (E), Jennings to Coburg

A staff report, dated 9 October 1992, was submitted.

MOVED by Alderman Fitzgerald, seconded by Alderman Hanson that Halifax City Council award Tender #92-122 (Sidewalk Renewal - Oxford Street (E), Jennings to Coburg) to Ocean Construction Ltd. at a bid price of \$43,349.00 and a total project cost of \$52,000.00 (funding to be authorized from Account Number 92694, Sidewalk Renewal).

The motion was put and passed.

Municipal Development Plan Amendment:  
Lands Adjacent to Bayers Lake Area

This matter was last discussed during a regular meeting of Halifax City Council held on Thursday, 27 August 1992.

A supplementary staff report, dated 8 October 1992, was submitted together with an Information Report of the same date.

MOVED by Alderman Fitzgerald, seconded by Alderman Meagher that Council request the Planning Advisory Committee and the Lakes and Waterways Advisory Committee to give priority to the consideration of Case No. 6545 ("Municipal Development Plan Amendment - Lands Adjacent to Bayers Lake Area") so that advice can be provided to Council as expeditiously as possible.

The motion was put and passed.

Set Aside Tenders

(1) Tender #92-119: Monastery Lane  
(Concrete Island Realignment)

A staff report, dated 14 October 1992, was submitted.

Alderman Meagher brought to Council's attention that, owing to a forthcoming judicial hearing on this matter (scheduled for early November), staff have recommended deferral of this award of tender.

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**(2) Tender #92-120: Traffic Improvements  
(Clifton Street at Gerrick Lane)**

A staff report, dated 14 October 1992, was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that Halifax City Council award Tender #92-120 (Traffic Improvements - Clifton Street at Gerrick Lane) to **Lincoln Construction Limited** at unit prices quoted for materials and services, and a total project cost of \$13,000.00 (funds to be authorized from Capital Account #91541, these funds to be transferred from Capital Account #92999, "Unused Funds").

The motion was put and passed.

**Solid Waste Action - Metropolitan  
Authority (Alderman Fitzgerald)**

This matter had been added to the agenda by Alderman Fitzgerald who made reference to a request put forward by the City Solicitor to members of Council in a private and confidential report, dated 13 October 1992.

MOVED by Alderman Fitzgerald, seconded by Alderman Pottie that:

- (1) City Council instruct the City Solicitor to use all legal avenues open to the City to defend the legal action the Metropolitan Authority intends to commence against the City in respect of solid waste management, and to insist that all legal steps are followed by the Metropolitan Authority in the pursuit of its action;
- (2) City Council instruct the City Solicitor to refuse the request of the Solicitor for the Metropolitan Authority that the City waive the notice period required to be given prior to the commencement of such action against the City;
- (3) City Council instruct the City Solicitor to require the Metropolitan Authority to commence its proceedings in the normal manner; i.e., in the Trial Division of the Supreme Court, and refuse its request to have the City consent to the Metropolitan Authority commencing proceedings at the Appeal Court level;
- (4) in taking this position, it is the desire of the City to utilize the time available to it during the legal proceedings to pursue all avenues of

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compromise which may be available in arriving at a solution to the metropolitan solid waste disposal problem which is in the best financial and environmental interests of all of the citizens of the metropolitan area.

The motion was put and passed.

Report from Ministry of the Environment, Province of Ontario - TO BE TABLED (Alderman Fitzgerald)

This matter had been added to the agenda at the request of Alderman Fitzgerald who drew Council's attention to a 11 September 1992 news release published by Ontario's Ministry of the Environment and circulated by Alderman Adams.

In his remarks, Alderman Fitzgerald emphasized that the Province of Ontario has "outlawed" future municipal solid waste incinerators and has also placed stringent performance requirements on existing facilities of that nature.

It was subsequently moved by Alderman Fitzgerald, seconded by Alderman Meagher that Halifax City Council table the 11 September 1992 news release from the Province of Ontario's Ministry of the Environment; and further, that copies of this information be forwarded to the Chairman of the Metropolitan Authority (with a request that it be distributed to concerned members) as well as to the Authority's Executive Director.

The motion was put and passed.

There being no further business to be discussed, the meeting was adjourned at approximately 9:15 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

MARGARET A. SOLEY  
ACTING CITY CLERK

MS\*K

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
29 October 1992  
8:00 P.M.

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

Her Worship Mayor Ducharme opened the meeting by introducing Rabbi Jacob Chinitz, who after a few brief remarks on the theme "in praise of politicians," concluded his comments with a prayer.

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

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

## Swearing-In Ceremony - Constable Floyd Williams, Halifax Police Department

Police Recruit Floyd Williams was escorted into the Council Chamber by Inspector Lowell Meisner and Sergeant Frank Beazley of the Human Resources Division, Halifax Police Department, where he was administered the Oath of Office by Her Worship Mayor Moira Ducharme.

Constable Williams was subsequently presented with his badge and officially welcomed as a member of the Halifax Police Department by Inspector Meisner on behalf of Chief Vincent MacDonald.

## 1992 Halloween Masquerade

Her Worship Mayor Ducharme read from a brief press release concerning the 1992 Halloween Masquerade scheduled for Saturday, 31 October in the City's downtown area. In her remarks, Mayor Ducharme asked for the cooperation and understanding of both participants and the public in upholding the City's national reputation for being the site of Canada's largest outdoor celebration,

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while at the same time adhering to responsible, law-abiding behavior.

**Letter of Thanks - Mr. Arthur Donahoe**

MOVED by Alderman Meagher, seconded by Alderman Fitzgerald that a letter of thanks and best wishes be forwarded by Her Worship Mayor Ducharme on behalf of all members of Halifax City Council to Mr. Arthur Donahoe, former Speaker of the Legislative Assembly and MLA for Halifax Citadel, on his departure for London, England, where he will take up a new position as Secretary-General of the Commonwealth Parliamentary Association.

The motion was put and passed.

**MINUTES**

Minutes of the last regular meeting of Halifax City Council, held on Thursday, 15 October 1992, were approved as distributed on a motion by Alderman Downey, seconded by Alderman Fitzgerald.

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

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

- 20.1 Carleton Hotel (Alderman Fitzgerald)
- 20.2 Youth Gangs (Alderman Fitzgerald)
- 20.3 Harbour Clean-Up: Sludge to Oil  
(Alderman Fitzgerald)

At the request of Her Worship Mayor Ducharme, it was agreed that Item 17.1, "Appointments," would be dealt with as the first matter of business on the Agenda.

**Appointments**

MOVED by Alderman Pottie, seconded by Alderman Hanson that Alderman Walter Fitzgerald be appointed as Deputy Mayor of the City of Halifax for the 1992/93 year.

The motion was put and passed.



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In commending former Deputy Mayor Stone for his contribution over the past year, Mayor Ducharme offered her personal thanks for his assistance and support during the time of her illness and subsequent hospitalization.

Alderman Stone expressed his appreciation to his colleagues on Council for their assistance and cooperation over the last twelve months, adding that he was confident that the same consideration would be extended to his successor.

Newly-appointed Deputy Mayor Fitzgerald expressed his thanks for the honor bestowed on him by his colleagues, emphasizing that he would do his best to be a credit to the position over the coming months.

**DEFERRED ITEMS**

**Case No. 6012: Municipal Development Plan  
and Land Use Bylaw Amendments Re: Front  
Yard Parking in Residential Areas**

This matter had been deferred from a regular meeting of Halifax City Council held on Thursday, 1 October (a public hearing into the matter had been held on Wednesday, 23 September 1992).

A supplementary staff report, dated 30 September 1992, was submitted.

The City Manager advised that staff have identified certain difficulties with the proposed amendments, particularly as they would apply to various development situations now in progress. He therefore suggested that the matter be deferred so that staff might prepare a presentation on the matter.

It was therefore moved by Alderman Holland,  
seconded by Alderman Jeffrey that the matter be deferred to the next regular meeting of Committee of the Whole Council (**scheduled for Wednesday, 4 November 1992**) at which time staff will make a presentation regarding their concerns in this regard.

The motion to defer was put and passed.

**Motion Deputy Mayor Fitzgerald - Reconsideration of Council  
Resolution of 15 October 1992 Re: Design and Preparation  
of Plans and Specifications - Bedford Highway**

Notice of Motion with regard to this matter had been given by Deputy Mayor Fitzgerald at a regular meeting of Halifax City Council held on Thursday, 15 October 1992.

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Deputy Mayor Fitzgerald addressed the matter, making particular reference to the comments received from residents of the Mainland North community at a public meeting held on 15 September, as well as to the recommendations previously submitted from the Task Force on City Traffic pertaining to the proposed widening of the Bedford Highway.

The Deputy Mayor emphasized that he personally concurred with both groups in that, in his view, the Bedford Highway should be modified to include **four** lanes, rather than three. He went on to point out that Mainland North is continually expanding, not only in terms of residential uses, but also with respect to commercial enterprises, many of which will be located in the City's Industrial Parks. While acknowledging that something must also be done to improve the bottleneck at the Fairview Overpass, Deputy Mayor Fitzgerald emphasized that great care must be taken to ensure that arteries such as the Bedford Highway, which lead to the downtown area, are properly designed in order to guarantee the continued economic stability of the City's Central Business District.

The Deputy Mayor suggested that in these difficult economic times it would be particularly unwise for Council to expend a large sum of money on roadway improvements that, in the long term, would prove to be ineffectual. He also pointed out that, despite Council's current stance on the matter, members had never been given the opportunity to review the actual plans for the three-lane Highway.

Under the circumstances, therefore, it was moved by Deputy Mayor Fitzgerald, seconded by Alderman Macdonald that Halifax City Council reconsider its resolution of 15 October 1992 with regard to "Design and Preparation of Plans and Specifications - Bedford Highway."

The motion was put and defeated with seven (7) members voting in opposition and four (4) voting in favor as follows:

- FOR:** Deputy Mayor Fitzgerald, and Aldermen Holland, Adams and Macdonald . . . . . (4)
- AGAINST:** Aldermen Downey, Meagher, Pottie, Hanson, Jeffrey, Crowley and Stone . . . . . (7)

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**PETITIONS AND DELEGATIONS**

**Information Package Alderman Downey  
Re: Incineration**

Alderman Downey submitted a package of information consisting of an extract from the 15 October 1992 edition of the Toronto Star and entitled "Tests Give Incinerator Green Light." The Alderman asked that the material be circulated to members of Council and also referred to staff for their comment.

**Petition Alderman Adams Re:  
Derelict Vehicles**

Alderman Adams submitted a petition containing approximately 30 signatures, asking that Halifax City Council pursue the development of a definition vis a vis "derelict vehicles" or "wrecks."

The Alderman asked that this matter be referred to staff for review and recommendation, adding that he would appreciate a response 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, 21 October 1992, as follows:

**Appointments: Trade Centre Limited AND  
Terms of Appointment - Aldermanic Appointees  
to Boards, Commissions and Committees**

An Information Report, dated 29 October 1992, was submitted by Her Worship Mayor Ducharme.

Alderman Jeffrey referred to the fact that Deputy Mayor Fitzgerald is being proposed as a replacement for Alderman Macdonald as one of Council's representatives on the Metropolitan Authority. Taking this proposal into consideration, therefore, the Alderman recommended that Alderman Crowley be selected to replace Deputy Mayor Fitzgerald on the Recreation Committee.

It was subsequently moved by Alderman Jeffrey,  
seconded by Alderman Holland that, as recommended by the Finance and Executive Committee:

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- (1) Deputy Mayor Fitzgerald, and Aldermen Stone, Hanson, and O'Malley be nominated for reappointment to the Trade Centre Limited for a period of one year, expiring on 1 November 1993;
- (2) all aldermanic appointments to Boards, Commissions and Committees be extended for a period of one year, expiring on November 1, 1993, with the exception of the Metropolitan Authority;
- (3) Deputy Mayor Fitzgerald replace Alderman Macdonald on the Metropolitan Authority for a term to expire November 1, 1993; and
- (4) Alderman Crowley replace Deputy Mayor Fitzgerald on the Recreation Committee.

The motion was put and passed.

Alexandra Centre - Costs of Closure

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

- (1) all expenditures associated with the removal of equipment and furniture from the Alexandra Centre, the fitting up of alternative accommodation for former tenants of the Alexandra Centre on the 13th floor of Duke Tower and at the Alexander MacKay School, and the demolition of the Alexandra Centre building, all totalling some \$145,400, be charged to the Alexandra Centre Account #90001;
- (2) all expenditures associated with the fitting up of alternative accommodation for the former tenants of Alexandra Centre at the Bloomfield Centre, totalling some \$42,300, be charged to the Bloomfield Centre Account #91635 **with the understanding that these funds will be included in the Bloomfield Centre capital account in the 1993/94 capital budget.**

Motion passed.

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**Metropolitan Authority - Guarantee Resolution**

Following is the motion forwarded from the 21 October meeting of the Finance and Executive Committee:

That, in keeping with City Council's position on incineration, this Guarantee Resolution of \$8,370,000 not be approved at this time.

A supplementary staff report, dated 28 October 1992, was submitted.

Deputy Mayor Fitzgerald addressed the matter, commencing his comments with a reference to statements recently made by the Chairman of the Metropolitan Authority; namely, that unless the City of Halifax approves the Guarantee Resolution presently before it, both transit and garbage collection services will have to be discontinued. The Deputy Mayor referred to these statements as being "irresponsible," particularly in view of the fact that the City of Halifax makes regular monthly payments toward the continuation of these services and has no intention of withholding these payments in the future.

Deputy Mayor Fitzgerald questioned how Halifax City Council, having consistently opposed the concept of incineration, could now be expected to approve funding specifically related to the proposed incinerator facility. He pointed out that, if indeed this action were taken, it would presumably place the City in a detrimental position, given the legal action now underway in opposition to the incineration option.

The Deputy Mayor made reference to the Authority's alleged financial condition, emphasizing that, in his view, the current shortfalls are a direct result of the Authority's habit of using operating funds to finance capital projects. Calling this an extremely questionable business practice, he made reference to a memorandum written several months ago by the Authority's Executive Director. In that memorandum, Mr. Jackson had specifically cautioned against this approach, particularly given the fact that certain of the capital projects in question had not been approved by all participating municipalities.

Deputy Mayor Fitzgerald also brought to Council's attention a statement recently made by the Authority's Chairman in which he suggested that the Metropolitan Authority has only one bank account on which cheques are written for all its services. The Deputy Mayor questioned the validity of this statement, particularly given the fact that Halifax City Council, for example, is asked to approve separate financial contributions for specific services. He therefore asked that the Director of Finance be asked to

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submit his comments on the Authority's alleged accounting practices for Council's reference.

It was therefore moved by Deputy Mayor Fitzgerald, seconded by Alderman Holland that Halifax City Council approve funding to the Metropolitan Authority for the following items in the amounts stated (those amounts representing current estimates), as contained in the attachment to the 28 October 1992 staff report:

(1)	Improvements to Leachate Treatment to reduce ammonia	. . .	\$ 1,340,000
(8)	Household Hazardous Waste Environmental Assessment Study and Public Information Program	. . .	\$ 35,000
(9)	Household Hazardous Waste Depot -- Design and Construction	. . .	\$ 1,000,000
(10)	Composting Plant	. . .	\$ 150,000
(11)	Review of High Water Table in the Landfill Material	. . .	\$ 60,000
(12)	Extension - Leachate Collection System and Storm Water Network	. . .	\$ 150,000
(13)	Landfill Closeout - Phase 4	. . .	\$ 1,000,000
(14)	District 10 Refuse Depot	. . .	\$ 85,000
	<b>TOTAL</b>	. . .	<b>\$ 3,820,000</b>

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

MOVED by Alderman Pottie, seconded by Deputy Mayor Fitzgerald that funding for the following items (as outlined in the attachment to the 28 October 1992 staff report) be **refused** by Halifax City Council:

(2)	Waste-to-Energy Plant Environmental Assessment Study: Public Information Program	. . .	\$ 750,000
(3)	Landfill Environmental Assessment Study: Public Information Program	. . .	\$ 500,000
(4)	Purchase of Land for Waste- to-Energy Plant	. . .	\$ 550,000

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(5)	Purchase of Land for new landfill (including access road)	. . .	\$ 1,500,000
(6)	Landfill Design	. . .	\$ 750,000
(7)	Waste-to-Energy Plant (Professional Services)	. . .	\$ <u>500,000</u>
	<b>TOTAL</b>	. . .	<b>\$ 4,550,000</b>

The motion was put and passed.

MOVED by Alderman Pottie, seconded by Alderman Holland that a letter be forwarded on behalf of Halifax City Council requesting the Minister of Municipal Affairs to investigate the accounting practices of the Metropolitan Authority with specific regard to the practice of using current/operating revenues to fund capital projects which have not been guaranteed by the participating municipalities.

The motion was put and passed.

**Title Search**

This matter had been forwarded to Council without recommendation.

Alderman Jeffrey made reference to a complaint he had recently received from a resident of Central Avenue concerning the manner in which the City undertakes and charges for title searches. In his remarks, the Alderman noted that the gentleman in question, having received new sidewalks as well as curb and gutter, had remitted payment in full for the bill initially forwarded to him by the City. Unfortunately, however, a title search was subsequently undertaken and a bill relating to that action and amounting to \$200.00 was then forwarded to the resident.

Alderman Jeffrey expressed concern about the manner in which this matter had been handled and the procedure by which title searches are undertaken. He therefore asked that the information submitted to him by the resident in question be forwarded to the appropriate staff members for review and comment, and also requested that the gentleman's letter of 15 October be copied to members of Council.

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**Age of Admission - School Age Children**

This matter had been forwarded to Council without recommendation.

Alderman Jeffrey noted that he had initially brought this matter forward during a regular meeting of Halifax City Council held on Thursday, 1 October 1992, at which time the following motion had been approved:

That . . . City Council send a request to the Halifax District School Board asking for an explanation as to why the cut-off date for school enrolment should not be December 31st, rather than October 1st, in keeping with the other Provinces.

Alderman Jeffrey made reference to a letter subsequently received from Dr. Gordon L. Young, Director of Education, in which Council was advised that "the Halifax School Board has supported a change in the age of admission over the past number of years and submitted a resolution to the Nova Scotia School Boards Association in 1988." Dr. Young had gone on to emphasize that a resolution pertaining to this matter had in fact been approved by the Nova Scotia School Boards' Association at its Annual Conference in March of 1988.

On the basis of the information received from Dr. Young, it was moved by Alderman Jeffrey, seconded by Alderman Adams that the following resolution, as previously approved by the Nova Scotia School Boards Association, be forwarded to the Minister of Education for the Province of Nova Scotia with a request that he give this recommendation every consideration:

THAT the Nova Scotia School Boards Association request the Minister of Education to amend the Regulations pursuant to the Education Act, Section 4(i) so as to allow a child, who has attained the age of five years on or before the thirty-first day of December, to be deemed a child over five years of age for the purpose of Section 2 of the Education Act and thereby eligible for school entry.

The motion was put and passed.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of its Committee on Works from a meeting held on Wednesday, 21 October 1992, as follows:



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**St. Margaret's Bay Road Off-Ramp**

This matter had been forwarded to Council without recommendation.

Alderman Adams addressed the matter, noting that because the off-ramp in question had been accomplished in large part through the efforts of former Alderman Albert J. Walker, he had originally felt that perhaps the structure could be named in Mr. Walker's memory. The Alderman emphasized, however, that he had since been led to believe that there would be other, more appropriate methods by which to commemorate Mr. Walker's contribution to the community and, in that context, asked to receive direction in the matter from City staff.

**Award of Tender #92-121: Highland  
Park School Multi-Purpose Courts**

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

- (1) Council award Tender 92-121 for the project, materials and services listed for the unit prices quoted at a total bid of \$36,121.00 and a total project cost of \$43,350.00 to **Ocean Contractors Ltd;**
- (2) funding be authorized from Account Number 97052;
- (3) funding transfers, if applicable, be approved from Account Number 92999, Unused Funds (\$20,000.00).

The motion was put and passed.

**Tender 92-114: One 1993 Model 4 X 4 Dump Truck -  
10,500 G.V.W. (Engineering and Works - City Field)**

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

- (1) Council award Tender 92-114 for one 1993 model 4 X 4 Dump Truck to **Bob McDonald Chev Olds**, the lowest bidder meeting specifications;
- (2) the proceeds from the insurance settlement (\$29,793.94) for the similar unit destroyed by fire be applied toward this replacement and the balance (\$4,498.66) be made available from

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Account Number 26104.8300.80000, titled  
"Motor Equipment Asset - Equipment -  
Vehicles (Engineering and Works)."

The motion was put and passed.

9:20 p.m. - Her Worship Mayor Ducharme retires from  
the meeting, with Deputy Mayor Fitzgerald assuming the Chair.

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

**Proposed Amendments Re: License Fees and Other Charges to  
Various City Ordinances - SECOND READING**

Consideration and report of with respect to this  
matter was given at the last meeting of the Committee of the  
Whole Council held on 21 October 1992.

MOVED by Alderman Crowley, seconded by Alderman  
Stone that Halifax City Council give **SECOND READING** to the  
amendments proposed for various of the City's ordinances  
(attached as Schedule "A" to the City Solicitor's report of  
23 September 1992).

Motion passed.

**Proposed Amendment to Ordinance 162, the Regional Solid Waste  
Disposal System Ordinance - SECOND READING**

Consideration and report of with respect to this  
matter was given at the last meeting of the Committee of the  
Whole Council held on 21 October 1992.

MOVED by Alderman Crowley, seconded by Alderman  
Stone that Halifax City Council give **SECOND READING** to the  
Ordinance (Ordinance 162, the Regional Solid Waste Disposal  
System Ordinance) attached as Appendix "A" to the City  
Solicitor's report of 30 September 1992.

Motion passed.

**Proposed Amendment to Ordinance 180, the Streets Ordinance  
- SECOND READING**

Consideration and report of with respect to this  
matter was given at the last meeting of the Committee of the  
Whole Council held on 21 October 1992.

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MOVED by Alderman Meagher, seconded by Alderman Stone that Halifax City Council give **SECOND READING** to the amendment to Ordinance 180, the Streets Ordinance, attached as Appendix "A" to the City Solicitor's report of 19 October 1992.

Motion passed.

**REPORT - PLANNING COMMITTEE**

Council considered the report of the Planning Committee from its meeting held on Wednesday, 21 October 1992, as follows:

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

MOVED by Alderman Downey, seconded by Alderman Meagher that as recommended by the Planning Committee, Council approve the staff report of 22 June 1992 and the accompanying report entitled "Population and Housing Report of June 1992" and, further, that staff come back to Council with a detailed plan for residential intensification including proposed costs.

Motion passed.

**Case No. 6551: Development Agreement for Senior Citizens Apartment Building - Ford Street and Main Avenue, Former Titus Smith School Site - SET DATE FOR PUBLIC HEARING**

MOVED by Alderman Jeffrey, seconded by Alderman Adams that, as recommended by the Planning Committee, City Council set a date for a public hearing to consider the proposed development agreement with the Nova Scotia Department of Housing and Consumer Affairs to permit construction of a seniors apartment building on a portion of the former Titus Smith School site.

Motion passed.

The City Clerk advised that the recommended date for a public hearing would be set for Wednesday, 18 November 1992, beginning at 7:30 p.m. in the Council Chamber.

**Employment Support Centre - Proposed Rental of Space at West End Mall**

This matter was forwarded to Council without recommendation.

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Alderman Downey addressed the matter and indicated that he would like Mr. H.D. Crowell, Director of Social Planning, to address some concerns he had in relation to this item. Alderman Downey advised that his concerns related to the proposed location of the Employment Support Centre to the West End Mall. He expressed the view that this office should not be removed from the downtown area of the City because of the number of people in the downtown area who visit this facility. Alderman Downey further commented on the length of time that the social assistance office has been in the Gottingen Street area and he noted that this facility worked hand in hand with the Employment Support Centre.

Mr. Crowell addressed City Council and responded to the concerns raised by Alderman Downey. In his comments, Mr. Crowell indicated that he shared the Alderman's concern for the area that he serves and his concern for the economic and well-being of the people living in this area. Mr. Crowell went on to bring Alderman Downey and the rest of Council through the scenario of why the offices were moved and staff relocated and re-organized. Mr. Crowell then responded to various questions from members of Council.

Alderman Jeffrey raised a question with regard to relocating the Centre in the St. Andrew's School. He questioned if this possibility had been pursued or whether any other City owned property was considered.

Mr. Crowell suggested that the Real Estate Division could more appropriately address Alderman Jeffrey's question. He pointed out that there was no space available in the Bloomfield Centre. Mr. Crowell went on to emphasize the importance of having the services located close to each other so that staff can communicate with each other.

Alderman Jeffrey asked that staff report on available City owned space for these services. He suggested that St. Andrew's School might be a possible location.

Alderman Downey noted that the Gottingen Street Area Merchants' Association is desirous of having these offices located in the Gottingen Street area. He went on to express his difficulty with paying the proposed amount of rent to the Mall as opposed to putting the money in the Gottingen Street area.

Responding to a question from Alderman Downey, the City Manager advised that a report on "Comfort Allowance" will be at **the Committee of the Whole Council agenda for Wednesday, 4 November 1992.**

After a further short discussion, it was MOVED by Alderman Downey, seconded by Alderman Meagher that staff attempt to authorize a two year lease (as opposed to five) at the West End Mall for the Employment Support Centre under

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the terms as attached to the staff report of 9 October 1992 and, further, an effort be made to relocating these services back to the Gottingen Street area.

The City Manager advised that there were other concerns, besides rent, that needed to be considered such as the operating efficiency of the Social Planning Department. Concurring with the concerns of Alderman Downey with respect to the Gottingen Street area, the City Manager advised that staff will be proposing, as a method to bolster the area, to call for proposals for a housing project on the Alexandra School property. He suggested that hopefully by increasing the population in the neighbourhood, the businesses in the district will be improved.

The motion was put and passed.

**MOTIONS**

**Motion Alderman Meagher Re: Proposed Amendments to  
Ordinance 170, the Tax Concession Ordinance - FIRST READING**

A report from the City Solicitor dated 8 October 1992 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Pottie that City Council approve FIRST READING of the amendment to Ordinance 170, the Tax Concession Ordinance, attached as Appendix "A" to the report from the City Solicitor dated 8 October 1992, and refer the amendment to the Committee of the Whole Council on **4 November 1992** for consideration and report.

Motion passed.

At approximately 10:05 Her Worship Mayor Ducharme returned to the meeting with Deputy Mayor Fitzgerald taking his usual seat on Council.

**MISCELLANEOUS BUSINESS**

**Appointments**

This item was dealt with at the beginning of the agenda.

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**Award of Tender 92-144: Computer Upgrades,  
SUN - 3861 (Supply Only)**

A staff report dated 20 October 1992 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by  
Alderman Downey that:

1. Authority be granted to award tender 92-144 for computer upgrades to Vertex Systems, the lowest bidder meeting specifications, in the amount of \$39,483.00;
2. Funds be made available from account number 8300.80423 titled Equipment - Sun Workstations 146350.

Motion passed.

**Award of Tender 90-130: Supplemental Requirements**

A staff report dated 26 October 1992 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by  
Alderman Holland that City Council authorize an expenditure of approximately \$20,100 for the Engineering and Works communication equipment and that the funds be made available from the Equipment Reserve Account.

Motion passed.

**QUESTIONS**

**Question Alderman Holland Re: Trees**

Alderman Holland commented on the beautiful mature trees throughout the City. He went on to express the concern that some of these trees are destroyed by people for some reason or another. Alderman Holland advised that he recently saw a picture of the City at the turn of the century which showed metal structures around trees. The Alderman commented that these metal structures appeared to be about six feet in height and suggested that perhaps they would be useful in protecting the City's trees today. He asked that staff investigate this possibility.

**Question Alderman Holland Re: Use of Natural or Propane Gas**

Alderman Holland proposed the use of natural gas or propane gas for the City's fleet of vehicles. He suggested that this would be environmentally friendly and

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would be very cost effective. In this respect, Alderman Holland asked that staff study whether or not it would be cost effective for the City of Halifax to use this type of vehicle.

**Question Alderman Holland Re: Signs**

Noting that there are a number of people in the City trying to upgrade and improve the value of their properties, Alderman Holland suggested that over-hanging signs on streets would improve the character of a neighbourhood. He noted that, at this point in time, this type of sign is not permitted in the City of Halifax.

Alderman Holland asked that staff provide a report on section 59(d)(1) of the Land Use Bylaw for which the C-2A zone (minor commercial) does not permit hanging signs which are perpendicular to the front of the building. He requested that the report address the rationale for this regulation and the steps that would have to be taken to amend this bylaw to permit such signs.

**Question Alderman Jeffrey Re: Walton Cottage**

Alderman Jeffrey advised that he had the pleasure of driving around his Ward recently with a resident who showed him some things she felt needed to be addressed.

He advised that at the entrance to Walton Cottage at 2882 Dutch Village Road, there is an historic site with a monument established by the Federal Government in 1847. He advised that this monument is called the "Down Zoological Gardens." Noting that this monument was obviously established for a reason, Alderman Jeffrey expressed the concern that the monument is hardly visible. He asked that staff determine the owner of this site and take steps to have this area enhanced.

Alderman Jeffrey also pointed out that, to the right of this monument, there is a fallen tree which is approximately 30 inches in diameter and unsightly. He asked that staff address this situation as well.

**Question Alderman Jeffrey Re: Walton Drive**

Alderman Jeffrey advised that on Walton Drive, off Dutch Village Road, from No. 4 to about No. 12, a very dangerous situation existed last year because the snow plow could not plow one side of the street due to brush and trees overhanging on the street. The Alderman asked that staff address this problem in order to prevent the same situation from occurring this year.

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**Question Alderman Jeffrey Re: Street Light -  
Coronation Avenue**

Alderman Jeffrey noted that since the bowling alley on Coronation Avenue has closed, the street light at the bottom of the street has been removed. He advised that the removal of the street light is of concern to the residents in the area particularly due to the fact that the area next to the back entrance of Halifax West School is now in darkness. Alderman Jeffrey asked that staff investigate the situation and replace the light in question.

**Question Alderman Stone Re: Seniors' Shuttle Service**

Alderman Stone advised that at a Council meeting a couple of weeks ago, there was discussion about the seniors' shuttle service. Noting that a report had been requested, the Alderman questioned when he could expect staff's report on this matter.

The City Manager advised that he would attempt to have this report come forward as quickly as possible.

**Question Alderman Stone Re:  
Leaf Collection/Composting Program**

Alderman Stone referred to the information report that had been circulated with respect to the leaf collection and composting program. The Alderman reminded the public of this special collection from November 2-13.

**Question Alderman Stone Re: Moosehead Grand Prix**

Alderman Stone brought to Council's attention and those viewers watching that the Moosehead Grand Prix, held recently in the City of Halifax, will be televised on TSN this Saturday, 31 October 1992, at 10:00 p.m.

**Question Alderman Downey Re: Paraplegic Parking  
in the area of the Metro Centre**

Alderman Downey indicated that he was concerned about the need for paraplegic parking spaces around the Metro Centre. He asked that the Traffic Authority investigate the situation particularly at the front doors on George, Brunswick, and Duke Streets.



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**Question Alderman Downey Re: Drug Awareness**

Alderman Downey noted that Dave Winfield, Toronto Blue Jays Star, will be in Kings County on November 19th to speak on Drug Awareness. He suggested that the City of Halifax should pursue having Mr. Winfield speak in Halifax during his visit. Alderman Downey indicated that the cost of having him in Kings County is approximately \$15,000 and is being sponsored by the Kings County Fire Department. He suggested that perhaps some sponsors of the Mayor's Task Force on Drugs would be willing to sponsor having him in Halifax.

Her Worship advised that she would speak to Mr. Todd Leader, Drug Awareness Coordinator, concerning the Alderman's suggestion.

**Question Alderman Adams Re: Vandalism/Theft Ward 7**

Alderman Adams advised that there was an area in Ward 7, in the vicinity of the Herring Cove Road at Chambers Hill and Lower Park, where there is youth vandalism and theft occurring. Noting that the residents are very concerned about this, he asked that the Halifax Police Department look into the situation. Alderman Adams indicated that he would submit the names of the individuals involved to the Halifax Police Department for investigation.

**Question Alderman Adams Re: Walkway on Joyce Avenue**

Alderman Adams advised that an area bordering on Ward 8 at the bottom of Joyce Avenue has a small walkway that connects to Inverness Avenue. He explained that this pathway is fenced, paved, and has barriers at each end to prevent vehicles from going through. The Alderman advised that one of the barriers has been misplaced and therefore requested that staff pursue having it put back in place. Also, Alderman Adams advised that the fence has fallen down, due in part, to some vandalism and flooding in the area that weakened the posts. He added that with any type of chain link fence, there are usually aluminum poles that go through the eyelets on top of the posts. Alderman Adams advised that these eyelets are of a very fragile material. He therefore requested staff to determine if they could be replaced with a stronger metal.

**Question Alderman Adams Re: Crosswalks  
in the Herring Cove Road Area**

Alderman Adams pointed out that there have been on-going problems with respect to the crosswalk lighting and signage in particular locations along the Herring Cove Road.

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He noted that he was concerned with the crosswalks at McMullan Street, Clovis Street and Sussex Avenue. Alderman Adams asked that the Traffic Authority investigate the situation and provide a report as to the feasibility of the RA5's, overhead flashing lights, and also increased lighting on these crosswalks.

**Question Alderman Adams Re: Lobsters Ahoy**

Alderman Adams advised that he received a report regarding Lobsters Ahoy indicating that they are no longer in business. The Alderman indicated that he realized this but wanted to know the background events with respect to Lobsters Ahoy. He added that he had heard one side of the story from the owner but wanted to hear the City's account and the reasons for the closure.

**Question Alderman Crowley Re: Letter from Norman Sabowitz**

Alderman Crowley submitted a letter she received from Mr. Norman Sabowitz, 2361 Quinn Street, regarding several items of concern. The Alderman asked that this letter be forwarded to staff for a response.

**Question Alderman Crowley Re: St. Andrew's School**

Alderman Crowley requested an up-date with respect to what will take place concerning the St. Andrew's School property.

**Question Alderman Crowley Re: Monster Mash**

Alderman Crowley reminded members of Council of the Monster Mash event, organized by the B.I.D.C., for Saturday in the Grand Parade Square. She encouraged City staff and all members of Council to attend this great event.

**Question Alderman Meagher Re: Activity Centre  
on the Central Commons**

Alderman Meagher extended his appreciation to the Halifax Recreation Department for their efforts in respect of the Activity Centre on the Central Commons. He noted that this project has been a great success.

**Question Alderman Meagher Re: 2135 Robie Street**

Alderman Meagher advised that there has been court action during the last couple of years with respect to the

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property at 2135 Robie Street. Alderman Meagher requested a memo from the City Solicitor outlining the next course of action the City should take to bring this property in order.

**Question Alderman Fitzgerald Re: Chebucto/Quinpool Roads**

Alderman Fitzgerald asked to be provided with a short report on the feasibility of having Quinpool Road going one way and Chebucto Road going the other. He noted that he was not requesting a lengthy report but just that staff provide a short response.

**Question Alderman Pottie Re: Task Force on Drugs**

At the request of Alderman Jeffrey, Alderman Pottie brought to Council's attention notice of the meeting being held by the Mayor's Task Force on Drugs at the Springvale Elementary School tomorrow evening at 7:00 p.m. He noted that all members of Council and the public were welcome to attend.

**Question Alderman Pottie Re: Toronto Blue Jays Day**

Noting that on Sunday, October 25th, Canada made history as a result of the Toronto Blue Jays winning the World Series, Alderman Pottie asked that Her Worship Mayor Ducharme, on behalf of members of Council and the City of Halifax, forward a letter to the Blue Jays extending best wishes and congratulations from the City of Halifax.

Alderman Pottie further suggested that staff consider holding a "Blue Jays Day" in the Grand Parade perhaps on a Saturday in November to honor and celebrate the Blue Jays win.

**NOTICES OF MOTION**

**Notice of Motion Alderman Macdonald Re: Rescission of City Council Motion of 16 July 1992 - Mainland North Traffic**

Alderman Macdonald gave notice of motion that at the next regular meeting of City Council to be held on 12 November 1992 he proposes to introduce a motion of rescission with respect to Council's motion of July 16, pertaining to Mainland North, recommendation 2, which states "that 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 Alderman advised that he will be recommending that Council rescind this motion.

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**Notice of Motion Alderman Hanson Re: Ordinance 112,  
the Encroachment License**

Alderman Hanson gave notice of motion that at the next regular meeting of Halifax City Council to be held on Thursday, the 12th day of November 1992, he proposes to move First Reading of the amendments to Ordinance 112, the Encroachment Ordinance, the purpose of said amendments is to clarify the section relating to cancellation of such licenses.

**ADDED ITEMS**

**Carleton Hotel (Deputy Mayor Fitzgerald)**

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

Deputy Mayor Fitzgerald addressed the item and questioned what steps the City has taken to ensure that the Carleton Hotel is not demolished. Secondly, Alderman Fitzgerald questioned the status of the situation with respect to the property.

Mr. Richard J. Matthews, Director of Development and Planning, addressed Council and informed that staff have been negotiating with the owner's agent for sometime now on the Carleton Hotel. Mr. Matthews provided background on the generality of the discussions that have taken place to date in respect of the property. He reported that there is a real possibility that there is an interested party, if discussions proceed along their most optimistic lines, that would be prepared to own the building and have it operate for a use that would be acceptable under the bylaws and acceptable to the City. In summary, Mr. Matthew's advised that meetings are scheduled on Monday with various principals and that staff has been assured by the agents for the Carleton Hotel today that nothing precipitant will take place over the weekend.

**Youth Gangs (Deputy Mayor Fitzgerald)**

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

Deputy Mayor Fitzgerald addressed the matter and noted that there have been a number of reports in the papers recently concerning problems relating to youth around shopping centres, playgrounds, and hanging out in other areas of the City throughout the day. He suggested that representatives from the Social Planning Department, the Education Department, and the Police Department, meet to

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address these problems and possibly meet with the youth for a discussion.

Alderman Crowley commented that there are some efforts underway now in respect of these problems and commended the City's various departments for continuing to address the situation.

Deputy Mayor Fitzgerald agreed that staff should be commended for their efforts. He added that he believed further consultation with members of the youth might be helpful.

**Harbour Clean-Up - Sludge to Oil (Deputy Mayor Fitzgerald)**

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

Deputy Mayor Fitzgerald advised that it has been brought to his attention by a number of citizens that the process of turning sludge to oil involves incineration. He therefore requested a report from the Halifax Harbour Clean Up Corporation outlining the process involved in turning sludge into oil.

There being no further business to discuss, the meeting adjourned at approximately 10:35 p.m.

HER WORSHIP MAYOR MOIRA DUCHARME  
AND  
DEPUTY MAYOR WALTER FITZGERALD

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

M/K

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