

**SPECIAL CITY COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
19 May 1993  
7:30 p.m.

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

After the meeting was called to order the members present joined in a recitation of the Lord's Prayer.

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

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

**ADDED ITEMS**

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

**Award of Tender 93-04: Sidewalk Renewal**

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

MOVED by Alderman Holland, seconded by Alderman Macdonald that, as recommended by the Works Committee, items 1 and 2 of Tender #93-04 (Sidewalk Renewals) be awarded to Armdale Construction at a bid price of \$83,280.20 and a project cost of \$100,000:

Robie Street (W) - Coburg to University  
Edward Street (E) - Binney to Jubilee

and further, that Items 3 and 4 be awarded to G. & R. Kelly at a bid price of \$83,760.66 and a project cost of \$101,000:

Wellington Street (E) - South to Tower Terrace  
Tower Road (W) - Inglis to Tower Terrace

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for a total combined project cost of \$201,000 (funds to be authorized from Account Numbers 92724, 92705, 92730, and 92729, with \$3,000 being transferred from Account Number 92730 to 92705).

Motion carried.

**Quotation 913270 - Type I and Type II Catchbasins,  
Grates and Curbs - Engineering and Works Department**

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

MOVED by Alderman Stone, seconded by Alderman Macdonald that, as recommended by the Works Committee, Quotation #913270 for Type I and Type II catchbasins, grates and curbs (Engineering and Works Department) be placed with **Canada Iron Casting** for a period of two (2) years (funds to be made available from various account numbers).

Motion carried.

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

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

MOVED by Alderman Macdonald, seconded by Alderman Meagher that, as recommended by the Planning Committee, with regard to the property located at 3763-71 Dutch Village Road (Case No. 6431), the following options be referred to the Planning Advisory Committee for review and report:

Option (1). That appropriate amendments to the Municipal Development Plan and Land Use Bylaw be approved to allow a residential-commercial development on the site to include the construction of six apartment units and the following commercial uses (including accessory uses), the latter at ground level fronting on Joseph Howe Drive:

- (a) stores for the purpose of retail trade and rental excluding motor vehicle dealers; motor vehicle repair shops (providing that such shops are not

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- primarily engaged in the provision of service station facilities); and adult entertainment uses;
- (b) radio, television and electrical appliance repair shops;
  - (c) watch and jewellery repair shops;
  - (d) stores for the purpose of personal service including shoe repair shops, barber and beauty shops, and dry cleaners; and excepting massage parlors, adult entertainment uses, and amusement centers;
  - (e) offices;
  - (f) banks and other financial institutions;
  - (g) restaurants, including coffee shops and cafes, but excluding pizza take-out, beverage rooms, lounges, fast-food establishments, and drive-through restaurants;
  - (h) community facilities; and
  - (i) commercial recreation uses.

Option (2). That appropriate amendments to the Municipal Development Plan and Land Use Bylaw be approved to allow a residential-commercial development on the site to include the construction of six apartment units and the use of the ground floor level fronting Joseph Howe Drive for commercial (office only) use.

Motion carried.

**Case No. 6666: Development Agreement -  
6151 Lady Hammond Road**

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

MOVED by Alderman Downey, seconded by Alderman Crowley that, as recommended by the Planning Committee, a date for a public hearing be set to consider the application

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for a development agreement at 6151 Lady Hammond Road, lands of B. & G. Innkeepers Limited (Case No. 6666):

- (a) to permit a 36 ft. by 8 ft. (approximate) addition;
- (b) to permit the existing restaurant to be granted a lounge license.

Motion carried.

The City Clerk advised that the date for the Public Hearing was set for **Wednesday, 9 June 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

**Camp Hill Medical Centre/New Infirmary**

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

MOVED by Alderman Adams, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, a commitment of \$1 million dollars to the Camp Hill Medical Centre/New Infirmary be approved and, further, that the payment framework as shown on Schedule 'B' of the confidential staff report of 18 May 1993 be adopted.

Motion carried.

**Award of Tender #93-80: Renovations - North Branch Library**

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

MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee,

1. authority be granted to award tender 93-80 with respect to renovations to the North Branch Library to the lowest bidder meeting specifications - Blunden Construction Limited for a tendered amount of \$106,300.00;



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2. funds be approved from account number 22502.98003 titled North Branch Library Upgrading.

Motion carried.

**Interim Funding for Student Employment for  
Government Assisted Programs**

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

MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, an expenditure of \$20,747.25 be approved as interim financing for the Federal Challenge '93 Summer Employment/Experience Development (SEED) and the Provincial Community Employment Opportunities/Primary Resource Employment Programs.

Motion carried.

**Award of Tender #93-84: Supply of Hot Dense Graded  
Asphaltic Material**

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

MOVED by Alderman Adams, seconded by Alderman Stone that, as recommended by the Works Committee,

1. authority be granted to issue a Price Agreement to Municipal Contracting Ltd., the lowest bidder meeting specifications, for the supply of hot dense graded asphaltic material (\$52.75/tonne);
2. funds be made available in various account numbers.

Motion carried.

**Bedford Highway Improvements**

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

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MOVED by Alderman Stone, seconded by Alderman Holland that, as recommended by the Works Committee,

- a) Council appoint Servant Dunbrack McKenzie & MacDonald Ltd. to prepare legal plans and descriptions for 15 properties affected by the widening of the Bedford Highway Phase I from Bayview Road to Tremont Drive, and,
- b) approve funds in the amount of \$11,717 including G.S.T. from Capital Account No. 91508 Bedford Highway Improvement.

Motion carried.

**Price Agreement #913232 - Supply of Topsoil -  
as and when required**

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

MOVED by Alderman Meagher, seconded by Alderman Macdonald that, as recommended by the Works Committee, authority be granted to award tender 913232 to the lowest bidder meeting specifications - Elmsdale Landscaping Ltd. at a tendered price of \$9.50/cu. yd.

Motion carried.

**Recommendations - Tax Concessions and Grants Committee**

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

MOVED by Alderman Meagher, seconded by Alderman Macdonald that, as recommended by the Finance and Executive Committee, an amount of \$3,000.00 be made available from the Tax Concessions and Grants Committee budget to assist in the mounting of the display "Barrington Street - A Walk Through Time".

Motion carried.

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Council then continued with its regular agenda as follows:

**Public Hearing: Case No. 6714: Peninsula North - Area 2:  
Corrections to Resolution**

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

A supplementary staff report dated 21 April 1993 was submitted.

A letter dated 18 May 1993 from Peter M. Connor, Principal, CBCL Limited, 1489 Hollis Street, Halifax, N. S., B3J 2R7 was submitted.

Mr. Angus Schaffenburg, Planner II, addressed Council and, using diagrams, outlined the proposed amendments to the Municipal Development Plan and Land Use Bylaw of the Peninsula North Area, Area 2, as contained in the supplementary staff report of 21 April 1993. He noted that this area is outlined by Robie Street, North Street, Young Street, and the West Side of Windsor Street.

Ms. Dawna Ring of Buchan Derrick & Ring, Barristers and Solicitors, addressed Council and advised that she was representing Acadia Lines Limited.

In her presentation, Ms. Ring advised that Acadia Lines Limited was supportive of the proposed amendments, adding that these amendments will provide encouragement to the business community. Noting that Acadia Lines has been a long standing business in the City of Halifax, Ms. Ring advised that the amendments will assist other commercial businesses to grow and prosper and they will not have to look elsewhere for commercial support.

In concluding her remarks, Ms. Ring pointed out that the process has been very long and she expressed her appreciation to the Planning Advisory Committee, Alderman Meagher, and Deputy Mayor Fitzgerald, and she requested Council's support of the proposal.

Mr. Douglas Bundy addressed Council and advised that he was employed with Sobeys Lease Properties, and noted that his company owned the Sobeys shopping centre and a medical centre in the area in question.

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Mr. Bundy advised that he was very pleased with the proposal, noting that the proposed zoning was much more appropriate for the area, and he thanked Council and staff for their diligence on this matter. Mr. Bundy pointed out that the market place was ever changing and, in this regard, he advised that, sometime in the future, he may come before Council with a request for a broadened zoning. He advised at this time, his company had no immediate plans, but at some point he may come back to Council with respect to a request for a warehouse.

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

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

Motion carried.

**Public Hearing: Case No. 6715: Peninsula North - Area 3:  
Corrections to Resolution**

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

A supplementary staff report dated 7 May 1993 was submitted.

Mr. Angus Schaffenburg, Planner II, addressed Council and, using diagrams, outlined the proposal to amend the Municipal Development Plan and Land Use Bylaw for the Peninsula Area, Area 3, as contained in the supplementary staff report dated 7 May 1993. Mr. Schaffenburg noted that Area 3 is bounded by Cunard Street, Chebucto Road, Oxford Street, North Street, and Robie Street.

Mr. Lloyd R. Robbins of Quackenbush, Thomson & Robbins, Barristers and Solicitors, 2571 Windsor Street addressed Council and noted that he had made a submission to Council in 1990 with respect to the block between North Street and Willow Street on the East side (2569, 2571, 2581, 2583, 2585, and 2587 Windsor Street).

Mr. Robbins then submitted a letter dated 19 May 1993 with his original submission of 1990 attached.

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In reference to his 1990 submission, Mr. Robbins noted that all property owners along the east side of Windsor Street, between North and Willow, requested a rezoning from R2 to C-2A. He indicated that the same property owners were still requesting the rezoning, however, he pointed out that the only person he did not contact who signed the original petition was Mr. Michael Punch. Mr. Robbins added that he did not contact Mr. Punch because he was recuperating from surgery and he did not want to bother him.

Mr. Robbins noted that the area he is referring to is essentially minor commercial and that the rezoning he is requesting will not spill over into the residential area. He added that the types of businesses that exist in this area are actually a benefit to the neighbourhood.

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

Alderman Meagher indicated that he was prepared to move this matter to Council and that the issue raised by Mr. Robbins could be discussed at that time.

The Chairman advised that staff would prepare a report responding to the request raised by Mr. Robbins by the next City Council meeting, scheduled for **Thursday, 3 June 1993.**

MOVED by Alderman Meagher, seconded by Alderman Stone that this matter be forwarded to Council, pending a report from staff.

Motion carried.

There being no further business to discuss, the meeting adjourned at 7:50 p.m.

DEPUTY MAYOR WALTER FITZGERALD  
CHAIRMAN

/sm

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**HEADLINES**

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
3 June 1993  
8:00 P.M.

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

The meeting was commenced with Her Worship Mayor Moira Ducharme leading those present in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Mr. Wayne Anstey, Q.C., Acting City Manager; Mr. Barry S. Allen, Acting City Solicitor; Ms. Margaret A. Soley, Acting City Clerk.

## **PRESENTATION: City Manager's Awards of Excellence**

Mr. Wayne Anstey, Acting City Manager, introduced the following recipients of the 1993 City Manager's Awards of Excellence:

**DAVID BEANLANDS**  
Halifax Fire Department

**MICHAEL HANUSIAK**  
Development and Planning Department

**MARION FLANDERS**  
Social Planning Department

**BARBARA MACKENZIE**  
Finance Department

**PETER DOMINIX**  
**LINDA KILBY**  
**DONALD MURPHY**  
**FRED PELLERINE**  
**WILLIAM SULLIVAN**  
**KENNETH WILSON**

Representing the Snow Removal Crews,  
Parks and Grounds Division (Engineering & Works)

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In his remarks, Mr. Anstey emphasized that the Manager's Awards are presented annually to those employees who have "gone the extra mile" in the service of the City, adding that, in his opinion, the City of Halifax is indeed fortunate to have individuals of this calibre in its employ.

**PRESENTATION: City of Halifax Design Awards**

Her Worship Mayor Ducharme introduced the recipients of the City's first annual Design Awards, which will be presented on a yearly basis "to developments . . . which contribute to the overall enhancement of the Halifax urban fabric, which improve the quality of City life, and which add to the livability of the City."

The 1993 recipients of the City of Halifax Design Awards are:

**HALIFAX SHERATON HOTEL**  
ITT Sheraton Corporation  
Lydon Lynch Architects Limited

**LIBRARY, UNIVERSITY OF KINGS COLLEGE**  
University of Kings College  
Duffus, Romans, Kundzins, Rounsefell Architects Ltd.

with Honorable Mention going to:

**PERKS COFFEE SHOP/FERRY BOAT LANE**  
Michel Lindthaler  
Byrne Architects Inc.

**RESTORATION - MCCULLY HOUSE**  
Salter Street Films Ltd.  
Robert Parker Associates Ltd.

**RESTORATION - BEDFORD ROW POST OFFICE**  
Public Works Canada  
Architectural and Engineering Services Division  
of Public Works Canada

In her remarks, Her Worship noted that Halifax City Council, through this official recognition process, hopes to encourage the general public, and the design and development communities in particular, to continue their efforts to improve the quality of life throughout the Halifax community by the application of good design techniques.

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**MINUTES**

Minutes of Special Meetings of Halifax City Council as held on Tuesday, 4 May (as amended) and on Wednesday, 5 May, as well as of a regular meeting of City Council, held on Thursday, 13 May 1993, were approved as circulated on a motion by Deputy Mayor Fitzgerald, seconded by Alderman O'Malley.

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

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

- 20.1 Award of Tender #93-106: Cracksealing of Streets
- 20.2 Award of Tender #93-107: Surface Sealing of Paved Streets
- 20.3 Award of Tender #93-108: Streets Upgrading - Resurfacing
- 20.4 Reappointment of Acting City Manager

The agenda, as amended, was approved on a motion by Alderman Jeffrey, seconded by Alderman Macdonald.

**DEFERRED ITEMS**

**Case No. 6714: Peninsula North - Area 2:  
Corrections to Resolution**

A public hearing to consider this matter had been held on Wednesday, 19 May 1993.

MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that Halifax City Council adopt the Municipal Development Plan and Land Use Bylaw amendments for Peninsula North (Area 2) as found in Appendix III of the supplementary staff report dated 21 April 1993.

The Acting City Clerk advised that Aldermen Jeffrey and O'Malley had been absent from the 19 May public hearing and were therefore ineligible to vote on this matter.

The motion was put and passed with Aldermen Jeffrey and O'Malley abstaining from the vote.

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**Case No. 6715: Peninsula North - Area 3:  
Corrections to Resolution**

A public hearing to consider this matter had been held on Wednesday, 19 May 1993.

A supplementary staff report, dated 27 May 1993, was submitted.

MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that Halifax City Council adopt the Municipal Development Plan and Land Use Bylaw amendments for Peninsula North (Area 3) as found in Appendix II of the revised supplementary staff report of 7 May 1993, with the proviso that the matter concerning the east side of Windsor Street between Willow and North Streets be referred back to the Planning Advisory Committee for consideration and report.

The Acting City Clerk advised that Aldermen Jeffrey and O'Malley had been absent from the 19 May public hearing and were therefore ineligible to vote on this matter.

The motion was put and passed with Aldermen Jeffrey and O'Malley abstaining from the vote.

**MOTIONS OF RECONSIDERATION**

**Motion Alderman Hanson: Reconsideration of City Council Resolution of 13 May 1993 (Agenda Item 15.2 - "Planning Appeal: 12-16½ Rockingstone Road")**

Alderman Hanson had give Notice of Motion of Reconsideration with regard to the above-mentioned matter during the last regular meeting of Halifax City Council held on Thursday, 13 May 1993.

Alderman Hanson advised that it is his understanding that there are "positive negotiations" now underway involving City staff, the property owner in question, and area residents.

Under the circumstances, therefore, it was moved by Alderman Hanson, seconded by Alderman Adams that the Motion of Reconsideration concerning "Planning Appeal: 12-16½ Rockingstone Road" be deferred to the next regular meeting of Halifax City Council **scheduled for Thursday, 17 June 1993.**

The motion to defer was put and passed.

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**PETITIONS AND DELEGATIONS**

**Petition Alderman Jeffrey Re:  
Dunbrack Street Bog**

Alderman Jeffrey presented a petition signed by approximately 108 individuals supporting the concept of the establishment of a natural protected monitoring site at the Dunbrack Street Bog. Also submitted was a letter, dated 6 May 1993, to Her Worship Mayor Moira Ducharme from Messrs. David Messenger and Chad Isnor, two Grade Ten Students at Halifax West Junior High School, enclosing a proposal for the creation of a natural monitoring site at the Dunbrack Street Bog.

Alderman Jeffrey asked that the matter be referred to staff for review and recommendation.

**Petition Alderman O'Malley Re: Four-Way  
Stop - Intersection of Robie and Leeds Street**

Alderman O'Malley submitted a petition signed by approximately 103 residents in support of the establishment of a four-way stop sign at the intersection of Robie and Leeds Streets.

Emphasizing that several motor vehicle accidents have already occurred at this site, the Alderman requested that the matter be forwarded to the City's Traffic Authority as quickly as possible for his consideration and report.

**Petition Alderman Hanson Re: Request  
for Sidewalk - Colindale Street**

Alderman Hanson submitted a petition signed by 10 residents of Colindale Street requesting that the sidewalk proposed for the east side of Colindale Street (from McLennan Avenue to Redwood Avenue) be extended to the right-of-way opposite Pearl Street and adjacent to 29 Colindale Street.

The Alderman asked that this matter be referred to staff for review and recommendation.

**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report of its Finance and Executive Committee from its meeting held on Wednesday, 19 May 1993, as follows:



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Habitat for Humanity

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

That

- (a) staff be requested to work with Habitat representatives concerning a proposal for the possible donation of one (1) parcel of land at this point in time and its impact on the City's Operating Budget; and further, that
- (b) an amendment to the City Charter of the City of Halifax be pursued with the Province of Nova Scotia with regard to Section 401(1) which prevents Council from selling or otherwise disposing of City-owned land at less than its actual value.

An Information Report, dated 31 May 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that the matter be deferred pending receipt of a further report from staff.

The motion to defer was put and passed.

**Request from Eaton's (Halifax Shopping Centre)  
Re: Midnight Madness (2 July 1993)**

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

That City Council amend Ordinance 121, "Respecting the Closing and Observation of Holidays of Certain Classes of Shops in the City of Halifax," in order to enable stores to remain open an additional two hours beyond the normal allowable time, until midnight, one day in July; and, further, that staff provide a report outlining how this can be achieved.

A staff report, dated 21 May 1993, was submitted.

Deputy Mayor Fitzgerald observed that while he had no difficulty in supporting the request from Eaton's for extended store hours on 2 July 1993, it appeared to him that applications of this nature have become more frequent over the last several years. He therefore suggested that a method be identified to revise Ordinance 121 so that Council would not be required to undertake a lengthy



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amendment process each time a local store owner wishes to extend his hours for a limited period of time.

It was therefore moved by Deputy Mayor Fitzgerald, seconded by Alderman Holland that:

- (1) Halifax City Council accommodate the request recently received from Eaton's by approving the amendments proposed for Ordinance 121, "Respecting the Closing and Observation of Holidays of Certain Classes of Shops in the City of Halifax," as contained in Appendix "A" of the 21 May 1993 staff report; and that
- (2) staff be requested to devise a method by which Ordinance 121 could be amended to provide greater flexibility in terms of Council's ability to approve requests from individual store owners for extended hours on a short-term basis.

While concurring with the motion put forward by Deputy Mayor Fitzgerald, Alderman Stone expressed concern that because this type of request usually originates with only one business, other local storekeepers may be unaware that they too are permitted to extend their hours of operation. The Alderman therefore recommended that consideration be given to requiring that all future decisions regarding extended store hours be advertised by the City of Halifax at least one month in advance of the date(s) in question so that all local businessmen might participate.

The Chairman suggested that staff might consider this suggestion in conjunction with (2) of the motion.

The motion was put and passed.

[NOTE: A Notice of Motion to amend Ordinance 121 with regard to the Eaton's request was given by Deputy Mayor Fitzgerald at a later point in the meeting's agenda.]

**Seawall**

This matter had last been discussed during the 19 May meeting of the Finance and Executive Committee under the Agenda Item "Floating Restaurant - Ferry Terminal."

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

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- (i) funds remain in the 1993-94 capital budget for the rebuilding of the seawall and boardwalk, as identified, and not be allocated for other purposes;
- (ii) staff prepare terms for the appointment of an engineering consultant to prepare all necessary drawing and specifications for the construction of a seawall and boardwalk between Ferry Terminal and Cable Wharf, with the understanding that construction will start in the Fall of 1993, and
- (iii) the engineering consultant be appointed early in June 1993, regardless of whether an agreement on an exchange of land between the City, the Fisherman's Market and the Waterfront Development Corporation has been arrived at by that date or not.

Alderman Downey spoke in opposition to the motion, emphasizing that, in his opinion, this work should be delayed until after the 1993 tourist season and until decisions pertaining to the possible relocation of the Fisherman's Market are made known. The Alderman also suggested that the funding for this project could be taken from the City's 1994-95 budget and that this year's allocations be used instead for street improvements.

The motion was put and passed with Alderman Downey voting in opposition.

**Lands of Park Projects Limited**  
**(Rear of 517 Herring Cove Road)**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, Mr. Nolan be advised to seek redress through the proper legal channels.

It was further suggested that the individual in question might also wish to contact the Provincial Ombudsman with regard to his concerns in this matter.

The motion was put and passed.

**Halifax Welfare Rights Coalition**

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

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That staff provide a full report on the situation with respect to the Halifax Welfare Rights and that June's money be put on hold until receipt of this report.

An Information Report, dated 1 June, was submitted together with a supplementary staff report dated 3 June 1993.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that funding be continued pending a staff report on the results of mediation in two months' time.

The motion was put and passed.

**Follow-Up Re: Metro Transit I.D. Cards  
(Residents of Seniors Manors)/Subsidy on  
Transit Tickets for Those on Disability Pensions**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that, as recommended by the Finance and Executive Committee, the City of Halifax maintain its current level of support to those 65 years and over and eligible students, and does not expand the eligibility criteria nor underwrite the cost of any additional subsidies for Metro Transit tickets and passes.

In seconding the motion, Alderman Meagher emphasized that the City is currently operating under serious financial constraints and is therefore unable to accede to requests for further subsidies at this time. The Alderman emphasized, however, that he continues to believe that this matter should be revisited, particularly in the context of subsidies for those on disability pensions, and suggested that, once the new Provincial Government is in place, staff be asked to make inquiries in this regard.

The motion was put and passed.

**Union of Nova Scotia  
Municipalities Group Benefit Program**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, City Council approve the participation of the City of Halifax in the Union of Nova Scotia Municipalities Group Benefit Program.

The motion was put and passed.

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Farmers Market

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council authorize payment of the \$7,600 operating grant and \$4,400 Market Co-ordinator salary support grant to the Halifax Farmers Market Vendors Association for 1993.

The motion was put and passed.

Spring Garden Road B IDC - 1993-94 Budget

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, Council approve the Spring Garden Road B IDC operating budget and the parking budget for 1 April 1993 to 31 March 1994, as attached to the staff report of 6 May 1993, and the following tax rates:

Commercial Realty Rate  
per \$100 of assessment..... 0.013950

Business Occupancy Rate  
per \$100 of assessment..... 0.327275

The motion was put and passed.

Price Club - Indemnity Agreement

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to execute on behalf of Halifax an indemnity agreement in favour of Price Club of Canada Inc. in a form as attached as Appendix "A" to the staff report of 14 May 1993.

The motion was put and passed.

Special Election - Ward 6

A supplementary staff report, dated 3 June 1993, was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Adams that City Council:

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- (1) appoint **Edward A. Kerr, City Clerk**, as Returning Officer for the Ward 6 Special Election;
- (2) set **Saturday, 24 July 1993**, as the date for the Special Election;
- (3) set **Saturday, 17 July 1993**, as the date for the optional advance poll (a mandatory advance poll will be held on Tuesday, July 20th);
- (4) authorize the use of the last list of electors prepared for Ward 6 which will be revised in accordance with the Municipal Elections Act; and
- (5) authorize a 201(1) of the City Charter authority to overspend in the amount of \$15,000.

The motion was put and passed.

**Appointment of Royal Trust as the  
Superannuation Plan Trustee**

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that, as recommended by the Finance and Executive Committee, **Royal Trust** be appointed Trustee for the City of Halifax Superannuation Plan for a term of three years; and, furthermore, that staff be empowered to negotiate a further two years after due consultation with the market at that time.

Motion passed.

**REPORT - COMMITTEE ON WORKS**

Council considered the report of its Committee on Works from its meeting held on Wednesday, 19 May 1993, as follows:

**Report from the Lakes and Waterways Advisory  
Committee Re: Ordinance No. 186, "Respecting  
Alteration of Grades, Erosion and Sediment Control"**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Committee on Works, proposed Ordinance 186, "Respecting the Alteration of Grades, Erosion and Sediment Control," as put forward by the Lakes and Waterways Advisory Committee in their report of 11 May 1993, be forwarded to staff for review and recommendation.

The motion was put and passed.



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MOTIONS

**Motion Alderman Adams Re: Proposed Amendments to Ordinance 116, the Taxi Ordinance - FIRST READING**  
**(a) shared-ride service for seniors**  
**(b) non-emergency taxi ambulances**

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Notice of Motion regarding this matter was given by Alderman Adams during a regular meeting of Halifax City Council held on Thursday, 13 May 1993.

MOVED by Alderman Adams, seconded by Alderman O'Malley that Halifax City Council give FIRST READING to the amendments to Ordinance 116, the Taxi and Limousine Ordinance, attached as Appendix "A" to the staff report of 22 April 1993 and as outlined in the supplementary staff report of 3 May 1993; and further, that the matter be forwarded to the next regular meeting of the Committee of the Whole Council, scheduled for Wednesday, 9 June 1993 for consideration and report.

Motion carried.

**Motion Alderman Macdonald Re: Write-Off of 1992 Accounts**

Alderman Macdonald advised that he was withdrawing his motion regarding Write-Off of 1992 Accounts.

MISCELLANEOUS BUSINESS

Appointments

A report dated 2 June 1993 from Her Worship Mayor Moira Ducharme was submitted.

MOVED by Alderman Holland, seconded by Deputy Mayor Fitzgerald that Ms. Marcia Jean Meagher be appointed to the Board of Directors of Point Pleasant Park for a term to expire 31 January 1996.

Motion carried.

**File #60201 - Annual Software Support for SUN OS Operating System**

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A staff report dated 20 May 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that authority be granted to commit \$12,369.00, plus G.S.T., with Sun Microsystems for annual software support for the SUN OS Operating System (the only firm able to provide this support); with funds being



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available in the account number 25358.0050 titled Computer Software Maintenance - Operations, MIS.

Motion carried.

**Award of Tender 93-05: Sidewalk Renewals**

A staff report dated 21 May 1993 was submitted.

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that Tender #93-05 be approved for the projects, materials and services listed for the unit prices quoted at:

- item 1 to G & R Kelly Ltd. at a bid price of \$15,305.00/project cost \$19,000.00;

- items 2 & 3 to Ocean Contractors at a bid price of \$72,145.00/project cost \$87,000.00 and a total combined project cost of \$106,000.00;

Funding being available from account number 92726, 92716, and 92731 (Sidewalk Renewals).

Motion carried.

**Award of Tender 93-18: Withrod Drive - Phase III:  
New Paving (Fairview Avenue to Sunset Avenue)**

A staff report dated 25 May 1993 was submitted.

MOVED by Alderman Hanson, seconded by Alderman Adams that Tender #93-18 be approved for the project, materials and services listed for the unit prices quoted at a total bid price of \$233,180.00 and a total project cost of \$280,000.00 to Standard Paving Maritime Limited; with funding being available from account number 91350 - New Paving Account.

Motion carried.

**St. Mary's Boat Club - Sailing Program**

A staff report dated 28 May 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Holland that a 201-(1) be approved in the amount of fourteen thousand eight hundred dollars (\$14,800).

Following questions to which the City Manager responded, the motion was carried.

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QUESTIONS

Question Deputy Mayor Fitzgerald Re: Road Across the Commons

Deputy Mayor Fitzgerald noted that the road across the Commons which was constructed for the Grand Prix races now has basketball posts installed. He pointed out that the posts seem to be very close to the road and suggested that this was a safety hazard because basketballs will end up rolling onto Cogswell Street. The Deputy Mayor suggested that it seems as though a fence will have to be installed to prevent this and he requested a report on the matter.

At 8:50 p.m. Alderman Jeffrey retired from the meeting.

Question Deputy Mayor Fitzgerald Re: Pre-retirement Leave

Deputy Mayor Fitzgerald questioned if staff was considering pre-retirement packages and he requested a report on this matter.

Question Deputy Mayor Fitzgerald Re: Amalgamation

The Deputy Mayor noted that a new Provincial Government was recently elected and he requested an official letter from the new government on its stance with respect to amalgamation.

Question Deputy Mayor Fitzgerald Re: Environmental Week

Deputy Mayor Fitzgerald noted that Environmental Week is scheduled for June 5th through to the 12th and he questioned what plans the City has in this regard.

Question Deputy Mayor Fitzgerald Re: Port Subsidy

Deputy Mayor Fitzgerald advised that last year the City contributed a substantial amount of money to the Port subsidy and he requested an update on whether this has had a positive effect on the Port.

Question Deputy Mayor Fitzgerald Re: Harbour Clean-up

Deputy Mayor Fitzgerald requested an update on the Halifax Harbour Clean-up. Specifically, he questioned

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if the tunnelling along the waterfront will be carried out with new tunnelling techniques.

Question Alderman Holland Re: Volunteer Organizations

Alderman Holland noted that it has come to his attention that there are some cities across the Country which have established city volunteer organizations, such as the organization that was established in Halifax for the World Skating Championships. The Alderman requested that staff give consideration to implementing something similar for Halifax, adding that there were a lot of people who are interested in helping those from out of the City to enjoy their stay here.

Question Alderman Holland Re: Taxi School

Alderman Holland noted that there were many people interested in obtaining a taxi license but were unable to do so because the taxi school was not operating. The Alderman questioned when the school would be in operation again.

Question Alderman Adams Re: Ward 7 Ratepayers Meeting

Alderman Adams advised that the Ward 7 Ratepayers will hold their initial meeting at 7:00 p.m. on 21 June 1993 at the Captain William Spry Centre. He noted that there will be some advertising, however he requested that staff provide report on how more extensive advertising for the meeting could be provided and, as well, that staff provide a suggested format for the executive of the newly formed Board.

Question Alderman Adams Re: Adopt-A-Highway

Alderman Adams advised that he has recently read articles regarding the idea of Adopt-A-Highway. He indicated that the concept is that a community adopts a portion of a highway and cleans it up. Alderman Adams questioned if the City could implement this program and perhaps extend it to the wooded areas of the City that the Parks and Grounds and City Field divisions cannot get to.

Question Alderman Adams Re: Wanderers Grounds

Alderman Adams advised that it has come to his attention that there are no lights on the Wanderer's Grounds for nighttime baseball. He questioned if and when lights will be installed.

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**Question Alderman Adams Re: Drainage Problems-Herring Cove Road**

Alderman Adams advised that the recent heavy rains have caused further drainage problems and has washed away driveways on Herring Cove Road at Chambers Hill.

Alderman Adams pointed out that around the Province there are small drainage ditches which take the water from the street and divert it into a culvert or a larger ditch. He added that they are approximately 1ft. - 15" wide and 2" - 3" deep and are effective in draining the water. The Alderman requested a report on the cost for a trench like this on a 10ft. section basis (i.e. cost for every 10ft. of paved area).

**Question Alderman Adams Re: Seaview Road**

Alderman Adams noted that in 1986 work was carried out on Seaview Road and it was his understanding that the sodding aspect of this was not completed. He asked that the Engineering and Works Department reopen this file and he added that he would submit correspondence from the individuals involved with this matter within the next few days.

**Question Alderman O'Malley Re: Wastebasket Northridge Road**

Alderman O'Malley requested a report from staff with respect to placing a wastebasket at the bus stop on Northridge Road near the Richmond Manor. She explained that this bus stop was used by quite a number of people and has resulted in a lot of garbage around the premises.

**Question Alderman O'Malley Re: Fairview Cemetery**

Alderman O'Malley noted that a resident in Ward 5 has already contacted City staff about the poor condition of the Fairview Cemetery. She added that, according to the information she received, persons paying for perpetual care are very disappointed because they feel the grave lots are not getting the attention they deserve and she requested a report from staff as to when some gardening and sprucing up might be expected.

**Question Alderman Crowley Re: Fence by Nolan Davis Building**

Alderman Crowley noted that a couple of months ago she raised a concern about a fence located by the Nolan Davis Building on Mumford Road. She advised that Sears

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keeps their transport trucks next to the Nolan Davis Building and the fence that had been there was now gone.

Alderman Crowley added that she was concerned that, without the fence, the transport trucks could end up backing onto the sidewalk, and she requested a report on the situation with respect to the fence.

**Question Alderman Crowley Re: Designated Smoking Areas - Schools**

Alderman Crowley advised that due to the School Board's regulation which prohibits students from smoking on school premises, more junior and high school students are going off the school grounds to smoke. She added that this is becoming a concern because often the students are in large numbers and are congregating in residential neighbourhoods.

Alderman Crowley noted that the residents around the Saint Agnes School have expressed concern about this and she requested a report from the School Board with respect to whether the Board would reconsider providing a designated smoking area for the students.

**Question Alderman Downey Re: Calder Cup Championship - Cape Breton Oilers**

Alderman Downey requested, **and Council agreed**, that Her Worship would extend congratulations to the Mayor of Sydney on behalf of City Council for the Cape Breton Oilers win of the Calder Cup Championship.

**Question Alderman Downey Re: Alexandra Centre**

Alderman Downey noted that Council received an information report on the Alexandra Centre and a public meeting which will take place on June 7th at St. George's Church in this regard. He noted that when Council passed a motion in October 1992 concerning the Alexandra Centre, it requested that the churches in the area be advised of the meeting, and he questioned if the churches have been notified.

The Acting City Manager indicated that if this has not already been done, it would be carried out.

**Question Alderman Downey Re: Funding for Program for Homeless Men**

Noting that there is now a new premier-elect and that Her Worship would be sending congratulations to him on



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behalf of Council, Alderman Downey requested that, in her letter to the new premier, she asked if funding could be provided for a program to assist homeless men.

**Question Alderman Stone Re: Taxi School**

Alderman Stone noted that he had previously raised a question on why a taxi school could not be set up by mid June and he has not received a response. He suggested that the taxi school is being delayed until September, however, he added that it was his view that a taxi school could be held at this time. Alderman Stone advised that some people have taken the initiative and completed the required C.P.R. course because they are eager to obtain a taxi license.

In this regard, Alderman Stone requested a report from the Taxi Commission on why a school cannot be set up prior to the end of June.

**Question Alderman Stone Re: Programs for Youth**

Referring to a report that Council received from the Recreation Department concerning "youth at risk," Alderman Stone noted that the Department will be implementing a large number of programs for the youth in the area. He added that one of the programs to be considered during the summer is the establishment of a "club" where the youth could go and listen to music and it would be alcohol free. Noting that the summer vacation time for students was fast approaching, Alderman Stone indicated that it would be more beneficial to have this program during the summer rather than afterwards, and he asked that the staff of the Recreation Department consider implementing this program prior to the summer.

**Question Alderman Stone Re: Safety Audit**

Alderman Stone advised that a safety audit was carried out in Ward 12 some time ago and he has not yet received a report on the audit. The Alderman requested a copy of the report and a further report on what plans are in place to address the concerns of the safety audit.

**Question Alderman Meagher Re: Overdue Library Payments**

Alderman Meagher advised that he received a call today from a resident who is receiving Provincial assistance and who was not able to take out books from the library because he owed 30 cents for overdue books and he did not have the money to pay the fine.



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Alderman Meagher asked staff to look into this matter and perhaps consider waiving these fines for persons on low incomes and who cannot afford to pay the fine.

**NOTICES OF MOTION**

**Notice of Motion Deputy Mayor Fitzgerald Re:  
Proposed Amendment to Ordinance 121, The Retail  
Shop Closing Ordinance**

Deputy Mayor Fitzgerald gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Thursday, 17 June 1993, he proposes to move the First Reading of an amendment to Ordinance 121, The Retail Shop Closing Ordinance, for the purpose of allowing a midnight madness day around the July 1st holiday.

**ADDED ITEMS**

**Award of Tender #93-106 - Cracksealing of Streets**

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

A staff report dated 31 May 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that Tender #93-106, Cracksealing of Streets be awarded to Reliable Road Repairs Ltd. for the unit prices as quoted in the 31 May 1993 staff report until the allocated funds of \$51,000.00 in Account No. 669 have been expended.

Motion carried.

**Award of Tender #93-107 - Surface Sealing of Paved Streets**

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

A staff report dated 31 May 1993 was submitted.

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

1. City Council approve the streets program proposed by the Engineering and Works Department shown in Appendix "A" and "B" of the 31 May 1993 staff report and funded in the 1993 Capital Budget "special program fund",

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2. Authority be granted to award Tender #93-107 to Atlantic Colas Ltd. for the unit prices as quoted in the 31 May 1993 staff report, and,
3. Authority be granted to proceed with the surface sealing of the indicated streets until allocated funds of \$140,000.00 in Account No. 91410 have been expended,
4. Authority be granted under Section 201 (1) of the City Charter to make additional expenditures for the Halifax Water Commission Work, such as the lifting of valves, which will be recovered from the Commission,

Motion carried.

**Award of Tender #93-108**

A staff report dated 31 May 1993 was submitted.

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

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

1. City Council approve the resurfacing program proposed by the Engineering and Works Department shown in Appendix "A" and "B" of the 31 May 1993 staff report and funded in the 1993 Capital Budget Special Programs.
2. Authority be granted to award Tender #93-108 to Dexter Construction Co. Ltd. for the unit prices as quoted in the 31 May 1993 staff report at a bid price of \$284,082.00 and a total project cost of \$315,000.00.
3. Authority be granted to proceed with the resurfacing of the indicated streets until the total project cost of \$315,000.00 in Account No. 91410 has been expended.
4. Authority be granted under Section 201 (1) of the City Charter to make additional expenditures for the Halifax Water Commission work, such as the lifting of valves, which will be recovered from the Commission.

Motion carried.

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Re-Appointment of Acting City Manager

This item was added to the agenda at the request of the Acting City Clerk.

Alderman Macdonald suggested that perhaps the motion could make the reappointment for 60 days or **until such time within this period that a new City Manager is appointed.**

Alderman Macdonald noted that he was suggesting this because the consultant may be able to recommend a new City Manager prior to the time of the end of the reappointment. As well, Alderman Macdonald advised that Council may receive a ruling from the Labour Standards Board which would reinstate the previous City Manager.

A brief discussion ensued and Alderman Stone indicated that he concurred with the Alderman's suggestion and advised that he would like for City Council to look at this matter again at its Thursday, 29 July 1993 City Council meeting in the event that it becomes necessary to further extend the Acting City Manager's appointment.

Deputy Mayor Fitzgerald questioned what the process was with respect to an evaluation of the City Manager.

In response to the Deputy Mayor, Her Worship indicated that she would provide him with information on this matter.

MOVED by Alderman Adams, seconded by Alderman Macdonald that beginning 9 June 1993, the appointment of the Acting City Manager be extended for a maximum of 60 days or until a new City Manager is appointed; and, if a new City Manager is not appointed by 29 July 1993 that Council reexamine the matter at the 29 July 1993 City Council meeting.

Motion carried.

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

HER WORSHIP MAYOR DUCHARME  
CHAIRMAN

SUBMITTED BY:  
MARGARET SOLEY  
ACTING CITY CLERK

\*K/sm

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**SPECIAL CITY COUNCIL  
PUBLIC HEARINGS  
MINUTES**

Council Chamber  
Halifax City Hall  
9 June 1993  
7:30 P.M.

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

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

**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 to this special meeting of City Council from a meeting of the Committee of the Whole Council held earlier in the day:-

**Repairs to Fairview Overpass Structure**

This matter had been forwarded from a meeting of the Committee on Works held earlier in the day.

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

- (1) **Beasy Nicoll Engineering Limited** be engaged to prepare the necessary tender documents, review bids received, and carry out the necessary inspection following award of tender for a fee not to exceed \$10,000 including GST; and
- (2) Council authorize funding for the Maintenance Inspection Report and the preparation of tender documents, together with site inspections as required during the contract, in the Total Amount of \$15,000.00 including GST from Capital Account No. 91506, "Bedford Highway Improvements."

The motion was put and passed.

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**Petition Re: Extension of Sidewalk,  
and Curb and Gutter (Colindale Street)**

This matter had been forwarded from a meeting of the Committee on Works held earlier in the day.

**(a) Petition - Colindale Street**

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

1. the petition of the property owners be denied and the project proceed, without the right of petition in accordance with Section 391 of the City Charter; and
2. Council amend the project description to only include sidewalk and curb and gutter on the east side of Colindale Street between McLennan Avenue and Redwood Avenue subject to Local Improvement Charges.

The motion was put and passed.

**(b) Petition - Extension of  
Sidewalk and Curb and Gutter - Colindale Street**

MOVED by Alderman Hanson, seconded by Alderman Adams that, as recommended by the Committee on Works, City Council accept the petition of the residents of Civic Numbers 25, 26, 27 and 29 Colindale Street, and direct staff to extend the limits of the approved project from McLennan Avenue to Redwood Avenue from Redwood Avenue to the walkway north of Civic Number 29; and further, that the works be approved without the right of petition in accordance with Section 391 of the City Charter.

The motion was put and passed.

**PUBLIC HEARINGS**

**Public Hearing Re: Case No. 6687 -  
Peninsula and Mainland Land Use Bylaws  
(Housekeeping Amendments #6)**

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

Mr. Paul Dunphy, Planner with the City's Development and Planning Department, briefly overviewed the staff report dated 4 March 1993.

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In his remarks, Mr. Dunphy emphasized that the primary purpose of the proposed amendments was to provide "continuous and incremental improvement to the existing bylaws so that they remain effective," and to address various definitions which may be redundant, repetitive or missing. Mr. Dunphy added that these amendments have already been approved and endorsed by the Planning Advisory Committee.

There were no further persons wishing to address Council with regard to this matter nor any correspondence received.

It was therefore moved by Deputy Mayor Fitzgerald, seconded by Alderman Stone that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 17 June 1993.

The motion was put and passed.

**Public Hearing Re: Case No. 6679 - Amendment  
to Development Agreement (Schedule "K"):  
Rockingham Ridge Plaza - 30 Farnham Gate Road**

Mr. H. F. Haliburton, Planner, with the City's Development and Planning Department provided members of Council with a brief overview of the 16 April 1993 staff report with regard to the proposal to erect a gas bar in the area of the driveway accesses to the shopping plaza located at 30 Farnham Gate Road.

Mr. Haliburton began his remarks by acknowledging that a gas bar had not been included as part of the City's original development agreement with FS Industries for the location in question. He went on to emphasize, however, that, having reviewed the application in conjunction with the relevant policies of the Municipal Development Plan and by taking other factors into consideration, it was staff's view that a facility of this size and nature would be compatible with the other Minor Commercial uses already housed in the Rockingham Ridge Plaza.

In this context, Mr. Haliburton made particular reference to the fact that, in response to staff's suggestion, the applicant has agreed to modify the exterior color scheme normally used for his gas bars to that already in use at the Plaza. He further noted that, in deference to concerns expressed by certain residents of the surrounding neighborhood, the gas bar's hours of operation would be restricted to 7:00 a.m. - 11:00 p.m.



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Mr. Haliburton advised that several abutting property owners had also expressed concern that the establishment of a gas bar at this location would lead to increased traffic volumes and congestion. He noted that the matter had subsequently been raised with staff of the City's Traffic Authority who, having reviewed the application, had indicated that, in their view, no major changes in existing traffic patterns should result. It was further noted that the traffic signals now located at the Dunbrack Street/Farnham Gate Road intersection will be computerized which should lend greater efficiency to the traffic flows in this area. Mr. Haliburton added that there had been only five traffic accidents in the vicinity of the Rockingham Ridge Plaza since 1989, with none being of a serious nature.

Mr. Haliburton concluded his remarks by noting that he had discussed this application with staff of the Provincial Department of the Environment who had advised that they had never received any complaints regarding odors emanating from gas bar/service station facilities. In terms of the potential for gas leakage and pollution, Mr. Haliburton advised that he had been assured that the installation of these facilities can be undertaken only by licensed contractors whose work is very closely monitored by the Department and who have stipulated that very stringent requirements be met.

Mr. Haliburton subsequently responded to questions put forward by Alderman Stone.

Mr. Michael Sitland, owner of the property located at 88 Donaldson Avenue, addressed Council in opposition to the application. In his remarks, Mr. Sitland pointed out that, as a homeowner whose residence is in close proximity to the site in question, he had some considerable concern about the possibility of gas leakages and resulting property damage and pollution. In this context, he made reference to the fact that there are already several gas station facilities within a two-mile radius of the Rockingham Ridge Plaza, and questioned the necessity of adding another, particularly given the potential for negative impacts on a primarily residential neighborhood.

Mr. Sitland went on to express the view that, overall, the establishment of a gas bar at this location would not be advantageous to the surrounding residential neighborhood, and spoke of the noise, odor, and litter that would undoubtedly be created by this facility. He described the proposal as one which would prove to be essentially "disruptive" to the existing residential community and called on Council to reject the application.

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Mr. Sitland concluded his remarks by quoting from a letter (subsequently submitted to the City Clerk) which had been prepared by Reverend Greg Nicholson of the Halifax Christian Church, 51 Farnham Gate Road, outlining various concerns relating to the establishment of a gas bar at the Rockingham Ridge Plaza. In his letter, Reverend Nicholson advised that the Church would continue to oppose the application unless the following conditions were met:

- (a) that the hours of operation on Sundays be restricted to the afternoon and evening so that worship services would not be disturbed;
- (b) that a crosswalk be installed leading from the public pathway on Donaldson Avenue across Farnham Gate Road, in order to better protect pedestrians from the increased traffic destined for the Rockingham Plaza;
- (c) that the facility be restricted to the sale of gasoline only so as to reduce the potential for the generation of litter;
- (d) that any signage associated with the gas bar not be of the flashing variety so as to minimize the impact on neighboring residents; and
- (e) that no promotions or special events (such as car washes) be held at this location on Sunday mornings.

Mr. Fred Leavens, President of the Halifax County Condominium Corporation #80 Board of Directors, read from a submission dated 27 May 1993 previously distributed to members of Council. In his comments, Mr. Leavens noted that his Board of Directors are opposed to the establishment of a gas bar at the Rockingham Ridge Plaza because of its close proximity to surrounding residences and because of the increase in traffic volume and congestion that will result.

Ms. Barbara Hill, a 20-year resident of 86 Donaldson Avenue, read from a letter previously distributed to members of Council in which she expressed her opposition to the proposed gas bar facility. Ms. Hill voiced concern that an increasing number of commercial uses were being proposed for what had been "a quiet residential area," and suggested that, through approval of this application, City Council would be "adding to the ever-increasing traffic congestion, noise pollution and commercialization of a long-standing quiet residential area."

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Ms. Debbie Coles, a resident of 158 Farnham Gate Road, addressed Council in support of the application, suggesting that because the majority of gas bar clients would undoubtedly be drawn from the immediate, she could not agree that traffic volumes and congestion would dramatically increase as a result of this addition to the Plaza. Ms. Coles also emphasized that it was her understanding the gas bar would be owned by independent operators who have contributed greatly in recent months to the decrease in gas prices and who should therefore, in her opinion, be given every encouragement.

Mr. David Collins of 5 Robert Allen Drive addressed Council as one of the principals in the Wilson Fuel Company, the owner of the proposed gas bar facility. In his remarks, Mr. Collins agreed with the previous speaker that independent operators, through their ability to offer competitive prices, have indeed contributed to recent reductions in gasoline prices. He emphasized, however, that these operators frequently encounter a variety of difficulties in their attempts to find suitable locations for their facilities, not the least being the restrictions inherent in municipal zoning laws.

With regard to the application under discussion, Mr. Collins concurred that, in locating a gas bar at the Rockingham Ridge Plaza, the owners primarily hope to benefit from the local traffic that is destined either for the Plaza itself or for the residential neighborhoods in the immediate vicinity. On that basis, therefore, he expressed the view that traffic volumes would not be increased to an extent that might cause concern.

Mr. Collins went on to refer to the concerns that have been raised regarding the possibility of gas spillages and/or leakages, emphasizing that his company is taking more than the required precautions to ensure that these kinds of incidents do not occur.

Responding to questions put forward by Alderman Stone, Mr. Collins advised that, if his company's application for this site is approved, he would be interested in meeting with property owners in the immediate vicinity of the Plaza to discuss options with regard to shrubbery, vines, etc. that might be installed as a buffer along the gas bar's Farnham Gate Road facade. He went on to emphasize that Wilson Fuel would have no difficulty with having their hours of operation written into the development agreement with the City, adding that they would be more than willing to accede to the Church's request regarding Sunday hours. With regard to another point of concern, Mr. Collins advised that, apart from gasoline, there will only be a limited number of products available for sale, thus diminishing at least in small part the potential for debris. Acknowledging that neighborhood

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residents are understandably concerned about the amount of litter that might be generated by a facility located in some close proximity to Farnham Gate Road, Mr. Collins also indicated that he would ensure that there are an ample number of waste receptacles in and around the gas bar and that the premises are kept as litter-free as possible.

Mr. Hugh Smith, representing FS Industries Limited (owners of the Rockingham Ridge Plaza) addressed Council in support of the proposal. In his remarks, Mr. Smith emphasized that Farnham Gate Road was designed and constructed as a collector roadway on which it was anticipated considerable volumes of traffic would travel.

Mr. Smith went on to refer to the Wilson Fuel Company as "a very responsible local corporate citizen," whom, he hoped, would be given an opportunity by Council to locate in the Rockingham Ridge Plaza. In this context, reference was made to the several letters of support previously forwarded to Council from existing tenants of the Plaza.

Responding to a question from Alderman Stone, Mr. Smith advised that, should this application be approved and the gas bar constructed, steps will be taken to improve vehicular exit and egress from the Plaza to facilitate traffic movement.

Mr. Ian Wilson, also representing the Wilson Fuel Company, emphasized that his company appreciated the anxiety expressed by area residents with regard to the gas bar proposal, and would welcome the opportunity to dialogue with those residents regarding an appropriate solution to their concerns.

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

MOVED by Alderman Stone, seconded by Alderman Crowley that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 17 June 1993.

In putting forward this motion, Alderman Stone asked that staff review the comments put forward during tonight's public hearing and, where appropriate, respond in the form of a supplementary report prior to the 17 June City Council meeting.

The motion was put and passed.

The following submissions are recorded:-

- Correspondence, dated 27 May 1993, from Mr. Fred Leavens, President of Halifax County Condominium

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Corporation #80 Board of Directors, 63-203 Farnham Gate Road, Halifax, B3M 4A7

- Correspondence, dated 31 May 1993, from Ms. Barbara Hill, 86 Donaldson Avenue, Halifax, B3M 3B5
- Correspondence, dated 8 June 1993, from Mr. Kevin E. J. Casey, Allstate Neighborhood Agent, 30 Farnham Gate Road, Halifax, B3M 3W8
- Correspondence, dated 8 June 1993, from Ms. Paula Williams, Paula's Tailor Shop, 30 Farnham Gate Road, Halifax, B3M 3W8
- Correspondence, dated 8 June 1993, from J. D. H. Duvar, 56 Remington Court, Halifax, B3M 4G9
- Correspondence, dated 8 June 1993, from Mr. Allan H. Bowes, Director - Property Management, Nova Scotia Liquor Commission, P. O. Box 8720, Station "A," Halifax, B3K 5M4
- Correspondence, dated 8 June 1993, from Mr. Brian L. Berkman, proprietor of Dunbrack Hardware, Rockingham Ridge Plaza
- Correspondence, dated 8 June 1993, from Mr. Dan O'Connor, 15 Knightsridge Drive, Halifax
- Correspondence, dated 8 June 1993, from Mr. Brian Ross, President, Select Roses, 30 Farnham Gate Road, Halifax, B3M 3W8
- Correspondence, dated 8 June 1993, from Farnham Court Developments Limited, 18 Broadholme Lane, Halifax, B3M 3B7
- Correspondence, dated 9 June 1993, from Mr. C. Sean O'Connor, Ronnoco Realty Limited, 15 Knightsridge Drive, Halifax
- Correspondence, dated 9 June 1993, from Mrs. Heather Arsenault, Manager, Canadian Imperial Bank of Commerce, 30 Farnham Gate Road, B3M 3W8
- Correspondence, dated 9 June 1993, from Chris Graham, M.D., Rockingham Ridge Medical Clinic, 30 Farnham Gate Road, Halifax, B3M 3W8
- Correspondence from Halifax Christian Church, dated 9 June 1993, 51 Farnham Gate Road, Halifax, B3M 3T6



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**Public Hearing Re: Case No. 6544 -  
Proposed Development Agreement, 1587-93  
Argyle Street and 1580 Barrington Street**

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

Mr. J. Michael Hanusiak, Planner II with the City's Development and Planning Department, presented a brief overview of the application by Neptune Theatre for a development agreement to permit a major expansion of the existing Theatre facilities.

Using various drawings and plans related to this application, Mr. Hanusiak noted that the project is intended to involve two properties, one of which (located at 1587-93 Argyle Street) is owned by Neptune Theatre; the other (at 1580 Barrington Street and containing the City Club Building) being jointly owned by the Province of Nova Scotia and the City of Halifax. Reference was made to the fact that the City Club facility is a registered heritage property, and that a recommendation in support, not only of the project in general but of the restoration proposed for the City Club in particular, has been received from the City's Heritage Advisory Committee (see report, dated 28 April 1993, submitted from Dr. Paul A. Erickson, Chair, Heritage Advisory Committee).

Mr. Hanusiak went on to note that a development agreement is required in this instance because the project is intended to exceed the as-of-right height limits of the Schedule "C" zone. He added that, having assessed the application in terms of the criteria provided by the City's Municipal Development Plan, staff have concluded that the proposal is in complete conformance with policies established under the following headings: "Socio-Economic," "Heritage," "Circulation," and "Scale and Design." On that basis, therefore, staff have recommended that Council approve the Theatre's request for a development agreement.

In concluding his remarks, Mr. Hanusiak drew attention to the draft development agreement appended to the 20 April staff report, noting that, if the project is approved and a final copy of the agreement is prepared, the appropriate corporate name for Neptune Theatre will be substituted throughout that contract.

In this same context, it was noted that with reference to Section 4 of the draft agreement, Neptune has asked Council to consider extending the standard completion time for the entire project from two years to four in order to allow sufficient opportunity for negotiations regarding the City Club facility and for the necessary fund-raising process. Mr. Hanusiak emphasized that staff do not oppose

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this request, providing that the contract also include the stipulation that construction of the project be commenced within 18 months and be completed within four years.

Mr. Roy Willwerth, Project Architect, made a brief presentation concerning the design and use of the expanded Theatre facility. In his remarks, Mr. Willwerth emphasized that every effort has been made to ensure that the new building is completely compatible in terms of design and materials with its Barrington Street neighbors, and that the heritage character of the area is maintained.

Ms. Linda Moore, Neptune's Artistic Director, spoke briefly in support of the application, outlining the potential for expanded theatre programs and facilities that will result from the proposed development. In her remarks, Ms. Moore referred to Neptune as a "local cultural institution," and remarked that, after 30 years of operation, it seemed only fitting that the Theatre should be embarking on a project which will ultimately allow it to reach its full potential.

Ms. Janice Manders, Executive Director of the Downtown Halifax Business Improvement District Commission, briefly addressed Council, emphasizing that the BIDC fully supports the application put forward by Neptune Theatre. Ms. Manders expressed the view that the project will not only benefit the Theatre and its patrons, but will also result in badly-needed improvements to the Barrington Street area, improvements which, she suggested, will act as a catalyst for increased activity in this section of the City's downtown.

Mr. Blair Beed, a resident of 5510 Spring Garden Road, briefly addressed Council in support of the project, and particularly commended the efforts that will be made to preserve the existing heritage facades of the Barrington Street streetscape.

Mrs. Shirley Marriott also spoke in favor of the project and commended Neptune Theatre for its efforts to improve what she referred to as "the disgraceful condition" of the City Club property on Barrington Street.

MOVED by Alderman Holland, seconded by Alderman Downey that City Council approve the entering into of a development agreement to permit construction of a theatre complex at 1581 and 1587-93 Argyle Street and 1580 Barrington Street, provided the development substantially complies with Plan Nos. P200/19286-89 and P200/19366 of Case 6544.

In putting forward this motion, Alderman Holland complimented Neptune Theatre on its proposal and its

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contribution towards the revitalization of the City's downtown.

Alderman Crowley, a member of the Neptune Theatre Board, also praised the project and those who had worked so diligently to develop it.

The motion was put and passed with unanimous support.

The following submissions are recorded:-

- Correspondence, dated 14 April 1993, from Ms. Patricia Barnes, Coordinator, Spring Garden Road BIDC, #104, 5436 Spring Garden Road, Halifax, B3J 1G1
- Correspondence, dated 15 April 1993, from Mr. Roderick L. Kerr, Chairman, Construction Association of Nova Scotia, Box 47040, Halifax, B3K 5Y2
- Correspondence, dated 27 April 1993, from Ms. Janice Manders, Executive Director, Downtown Halifax BIDC, #301, 1668 Barrington Street, Halifax, B3J 2A2
- Correspondence, dated 4 June 1993, from Ms. Heather E. MacLellan, Director of Marketing, Mills Brothers, P. O. Box 9194 - Station "A," Halifax, B3K 5M8
- Copy of a letter, dated 1 June 1993, from Ms. Mary Clancy, M.P. to Ms. Ginette Chaisson Baldwin, Manager, Cultural Programs and Policies (Government of Canada)
- Correspondence, dated 2 June 1993, from Mr. Lawrence Green, La Cave Restaurant, 5244 Blowers Street, Halifax
- Correspondence, dated 2 June 1993, from Dr. Robert E. Fredrickson, M.D., 1486 Queen Street, Halifax, B3J 2H7
- Correspondence received on 9 June 1993, from Centennial Realities Ltd.
- Correspondence received on 9 June 1993 from Alessandra Investments Limited, Argyle Street, Halifax
- Correspondence received on 9 June from Mr. Rodolph Delphi, 1574 Argyle Street
- Correspondence received on 9 June 1993 from Beadworks, 1567 Grafton Street
- Correspondence received on 9 June 1993 from Ms. Sue Kapsalis, Blowers Street PaperChase, 5228 Blowers Street, Halifax, B3J 1J7

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- Correspondence received on 9 June 1993 from Mr. William Miller and Ms. Kathi Robb, Proprietors, Aspirations Hair Design, 1472 Queen Street, Halifax, B3J 2B2
- Correspondence, dated 9 June 1993, from Mr. Bernard Riordon, Director, Art Gallery of Nova Scotia, P. O. Box 2262, Halifax, B3J 3C8

**Public Hearing Re: Case No. 6683 - Development Agreement (Lot Modification): 24 Tremont Drive**

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

Mr. Gary Porter, Planner with the City's Development and Planning Department, provided Council with a brief overview of the 16 April 1993 staff report concerning this application.

In his remarks, Mr. Porter noted that a request has been made for a lot frontage modification which, if approved, will permit the resubdivision (into Lots A and B) of the property located at Civic No. 24 Tremont Drive and the landlocked parcel to the rear. He went on to point out that, should this approval be granted, it is intended that a single-family dwelling be constructed on Lot B. Mr. Porter added that the proposal includes the removal of a 10 foot piece of land from 24 Tremont Drive to provide Lot B with street frontage as well as access to water and sewer services. Vehicular access to Lot B is proposed as the existing right-of-way to the west which also serves 26A Tremont Drive. Mr. Porter indicated that the requested lot modification would reduce the frontage for Lot B from 50 feet to 10 feet, and the east side yard requirement for 24 Tremont Drive from 8 feet to 2.8 feet.

Council was advised that staff has found the application to be consistent with the relevant provisions of the Land Use Bylaw with regard to lot modifications and are therefore recommending approval. In conjunction with that recommendation, staff have noted the following:

- the parcel of land in question appears to have originated in the 1940's prior to the adoption of subdivision planning and control;
- the property is in excess of twice the minimum lot area required for this section of the City;
- services for this property are both available and adequate, meeting the requirements of the Municipal Development Plan in this regard;

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- only a single-family dwelling will be permitted on Lot B, consistent with the zoning of the site and the predominant land use in the area (lots of a similar size have been approved throughout the City and particularly in this portion of Mainland North).

In concluding his remarks, Mr. Porter advised that a petition and several letters had been received in opposition to this application. He noted that staff have reviewed these objections and note the following:

- (1) Lot B has been referred to in various pieces of correspondence as a "green belt" or "buffer area." In actuality, this property has no official status as such and is merely considered to be an undeveloped, privately-owned piece of land;
- (2) any development agreement proposed for Lot B will require that the R-1 provisions of the Bylaw apply. However, Council has the option of including additional requirements such as those necessitating greater setbacks from abutting properties, or protection for certain trees;
- (3) any damage done to abutting properties during the construction process is normally a matter between the two parties and does not involve the City of Halifax. Contractors are required to carry insurance to cover potential problems of this nature;
- (4) potential drainage problems will be addressed during the building permit stage of this application. It is emphasized that, at that point, staff will review the plans in terms of the need for possible alterations to existing drainage patterns so as to avoid damage to abutting properties; recommendations will subsequently be made concerning any remedial action deemed appropriate.

Mr. Douglas A Nicholson, a resident of 26A Tremont Drive, read from a letter dated 1 June 1993 which had previously been distributed to members of Council.

With the aid of photographs, Mr. Nicholson advised that traffic volumes on Tremont Drive are already a matter of some concern, particularly given the presence of a large number of children who attend Rockingham School. In this same context, he pointed out that access to the single-family dwelling proposed for resubdivided Lot B is



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intended to be the same right-of-way now utilized by residents of 24 and 26A Tremont Drive. Mr. Nicholson emphasized that, in his view, this proposal is problematical, particularly given the topography of the area in question.

Mr. Nicholson went on to express concern that construction on Lot B will result in damage to abutting properties from surface water and other drainage problems. In this context, he suggested that either the City or the developer of Lot B be required to rectify these drainage problems, erect retaining walls to support existing right-of-way embankments, and repair or replace any damage done to existing right-of-way pavement. On a further note, Mr. Nicholson strongly recommended that the City assume responsibility for snow removal on this right-of-way to ensure year-round fire protection for the residences in this neighborhood.

Ms. Catherine Hicks, a resident of 22 Tremont Drive, read from a letter (also signed by Mr. Stephen Newson) dated 31 May 1993 and previously forwarded to Council. In her remarks, Ms. Hicks emphasized the uniqueness of the Lot B site, noting its growth of pine, oak and birch trees and its similarity to Point Pleasant Park and Hemlock Ravine. Given what she referred to as the site's "natural beauty," Ms. Hicks expressed the hope that, in reaching an agreement with the property owner, Council will take steps to preserve this setting to the best of its ability.

On another but related matter, Ms. Hicks pointed out that many of the existing residences in the Tremont Drive neighborhood are between 40-50 years old and are therefore overly prone to damage, should excavation be undertaken in close proximity. In addition, she expressed concern that changes in the amount of surface water leaving the Lot B site may very well have a negative impact on abutting properties. Using a series of photographs for illustrative purposes, Ms. Hicks concurred with the previous speaker's concerns regarding the use of the existing right-of-way, and suggested various steps which should be required of the developer before a development contract is finalized.

Ms. Hicks went on to read from a letter subsequently distributed to members of Council from Mrs. Evelyn E. Nicholson raising certain points regarding the original purchase of Lot B by the current owner and a verbal agreement which was allegedly made at that time. In addition, a letter (previously distributed to Council) was read from Ms. Karen Robinson of 13 Tremont Drive, outlining the damages incurred by her as a result of the development of a nearby property.

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Mr. Chris Tyler of 16 Tremont Drive indicated that, in his view, the area in question is a particularly difficult one to develop, given both its unique topography and its geology. As an example of the problems which could result unless these factors are given special consideration, Mr. Tyler described what he termed the "continual erosion" which has occurred since the development of another site in the Tremont Drive area. He therefore called on Council to be sympathetic to these concerns before approving the construction now being proposed for Lot B.

Mr. Richard Mont, a resident of Glenforest Drive, spoke on behalf of Ms. Wendy Luciano, the applicant in question. In his remarks, Mr. Mont attempted to clarify various points concerning the legal ownership of the property under review and emphasized that, to his knowledge, Ms. Luciano has no intention of applying to have the R-1 zoning of this property revised.

Referring to previous descriptions of Lot B as a "green area," Mr. Mont pointed out that the site in question is in fact part of a legal holding and, as such, anybody using this property without the express permission of the owner could technically be deemed to be trespassing. He went on to point out, however, that should the City wish to purchase the site and subsequently designate it as a public open space, it was his opinion that Ms. Luciano would raise no objection.

Mr. Mont concluded his remarks by emphasizing that, as it presently exists, the area proposed as Lot B is landlocked and, as such, is virtually worthless to its owner, a condition which she is attempting to rectify under the City's development agreement process.

A gentleman describing himself as a 30-year resident of Rockingham whose property abuts Tremont Drive took exception with staff's allegations that there will be no adverse effects on the area as a result of the proposed development. The gentleman made reference to the difficulties that had resulted from a development initiated several years ago at 9 Tremont Drive which he described as being both "disruptive" and "ongoing" and which, in his opinion, have led to a general deterioration of the immediate area.

The gentleman referred to the size of proposed Lot B, and suggested that two separate dwelling units could easily be accommodated. He therefore expressed concern that the property owner, having been granted permission for this resubdivision, might subsequently apply for the development of something more than a single-family dwelling at this location. Concurring with remarks made by several of the previous speakers, the gentleman indicated that he

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had strong reservations concerning the impact on existing run-offs, should additional trees and greenery be removed.

Ms. Margaret Stargratt, a resident of 26 Forrest Hill Drive, also spoke in opposition to the proposal, expressing concern that, in her view, the onus always appeared to be on existing neighborhoods to accede to the demands of incoming developers, rather than the other way around.

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

MOVED by Alderman Stone, seconded by Deputy Mayor Fitzgerald that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council **scheduled for Thursday, 17 June 1993.**

In putting forward this motion, Alderman Stone asked that staff review the comments put forward during tonight's public hearing and, where appropriate, respond in the form of a supplementary report prior to the 17 June City Council meeting.

The motion was put and passed.

The following submissions are recorded:-

- Correspondence, dated 30 May 1993, from Mr. Paul Melanson, 21 Tremont Drive, Halifax, B3M 1X7
- Correspondence, dated 31 May 1993, from Mr. Stephen Newson and Ms. Catherine Hicks, 22 Tremont Drive
- Correspondence, dated 2 June 1993, from Margaret M. and John Stargratt, 25 Forrest Hill Drive, Halifax, B3M 1X2
- Correspondence, dated 5 June 1993, from David F. and Theresa M. Smith, 23A Forrest Hill Drive
- Correspondence, dated 5 June 1993, from Ms. Karen Robinson, 13 Tremont Drive, Halifax
- Correspondence, dated 5 June 1993, from Douglas and Evelyn Nicholson, 26A Tremont Drive, Halifax, B3M 1X7 (enclosing a petition containing approximately 85 signatures in opposition to the proposal)
- Correspondence, dated 6 June 1993, from J. Vernon Maynard, Tremont Drive
- Correspondence, dated 6 June 1993, from Ms. Evelyn E. Nicholson

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- Correspondence, dated 8 June 1993, from Mr. Donald Connley Goodick, 8 Rocky Hill Drive, Halifax, B3M 2B4
- Correspondence received on 9 June 1993 from Gerald and Shirley Miller, 10 Rocky Hill Drive

**Public Hearing Re: Case No. 6666 -  
Development Agreement, 6151 Lady Hammond Road**

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

Mr. Gary Porter, Planner with the City's Development and Planning Department, briefly reviewed the 11 May 1993 staff report relating to the application for a development agreement at Civic No. 6151 Lady Hammond Road, site of the Chebucto Inn. It was noted that the application specifically concerns the construction of an 8' x 36' addition to the Inn's existing restaurant, a portion of which will be used for the sale of liquor without the necessity of purchasing food.

Mr. Porter went on to advise that the application in question has been reviewed against the requirements of MDP Implementation Policy 3.14 which, among other things, necessitates that such additions meet certain setback requirements. He emphasized, however, that Council may grant an exemption to these requirements if, in their opinion, the addition will contribute specific benefits to the surrounding neighborhood (in this context, Mr. Porter indicated that the applicant has put forward several advantages which, in his opinion, will benefit abutting property owners).

It was noted that, under the provisions of the Liquor Licensing Board, liquor cannot be sold separately unless a lounge license has been acquired by the property owner. Mr. Porter emphasized that while staff had initially raised several concerns about the possible impacts of a licensed lounge on this portion of the Lady Hammond Road community, the applicant has agreed to certain conditions which, in staff's view, will alleviate the majority of those concerns. Under the circumstances, therefore, staff are recommending approval of the application, providing that Council concurs that the proposed addition will have certain benefits for the surrounding neighborhood.

Mr. Porter subsequently responded to various questions from Alderman O'Malley regarding the area of notification relevant to this application.

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Ms. Georgina Kaupp, the owner of a four-unit rental property located directly below the Chebucto Inn at 6153-69 Lady Hammond Road, made a brief presentation.

In her remarks, Ms. Kaupp made reference to the fact that there is nothing but a retaining wall with an elevation between her property and the Inn with the result that her tenants have frequently complained about vehicles dropping over the wall, the accumulation of litter, and the unruly behavior of certain hotel patrons. Ms. Kaupp also noted that, when the hotel opened its restaurant several years ago, a rodent problem immediately developed.

Under the circumstances, therefore, Ms. Kaupp expressed concern that these problems would only be exacerbated by the Inn's expansion and particularly by the addition of a lounge area. She suggested, however, that should Council see fit to approve the application, conditions be included in the development agreement that would require the owners of the Inn to erect a solid wood fence (at least six feet high) to provide some protection for her tenants from the lights emanating from the lounge area and from any other disturbances that might be generated by the lounge operation.

Mr. James Georgantis, President of B & G Innkeepers, owners of the Chebucto Inn, began his remarks by expressing his appreciation to Mr. Porter of City staff and to former Alderman Pat Pottie for their assistance in this matter over the last several months.

Mr. Georgantis went on to refer to the fact that, under the provisions of Implementation Policy 3.14, specific permission must be obtained from City Council to allow a setback from the street of any less than 25 feet. In this context, he emphasized that he had contacted neighboring property owners, none of whom have indicated any objection to the proposed extension to the hotel's patio area.

On another but related matter, Mr. Georgantis emphasized that the proposed lounge area at the Chebucto Inn is primarily intended for the convenience of hotel patrons who merely wish to purchase a drink while watching television or having a conversation. Mr. Georgantis acknowledged that residents of the surrounding neighborhood might have cause for concern about the addition of a lounge operation to their community. He emphasized, however, that he was prepared to have various conditions included in his development agreement designed to alleviate those concerns; namely, that there be no exterior advertising, no entertainment, no dance area, and no access to the lounge from the exterior of the building.



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With reference to the concerns put forward by the previous speaker, Mr. Georgantis advised that while he had never had occasion to speak to Ms. Kaupp personally, he had met with the tenants of her building, all of whom had signed a document in favor of his application. He pointed out that while no one had ever mentioned to him the need for a fence between the two properties, he was in fact willing to erect one if deemed necessary and asked for the opportunity of meeting with Ms. Kaupp to discuss the matter further.

Mr. Blair Beed, a resident of 5510 Spring Garden Road and a possible candidate in the upcoming by-election in Ward 6, suggested that the hours of operation pertaining to the proposed lounge facility be restricted to the early evening as part of the development agreement as an additional assurance to neighboring residents.

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

MOVED by Alderman Meagher, seconded by Alderman Downey that the matter be forwarded without recommendation to the next regular meeting of Halifax City Council scheduled for Thursday, 17 June 1993.

In putting forward this motion, Alderman Meagher requested that staff, the applicant and the owner of the adjacent property meet prior to 17 June in order to resolve the matter regarding the erection of a fence between the two properties.

The matter was put and passed.

The following submission was recorded:-

- Correspondence, dated 7 June 1993, from Mr. James Georgantas, President, B & G Innkeepers Limited, 5161 Lady Hammond Road, Halifax, B3K 2R9 (enclosing a petition containing approximately 130 signatures in support of the application)

**Presentation: Halifax Hilton**  
**Re: Casino Proposal**

This matter was last discussed during a regular meeting of Halifax City Council held on 13 May 1993.

A presentation was made by representatives of Revenue Hotels Limited and Hilton International (namely, Ms. Marilyn Soper, General Manager of the Halifax Hilton,

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and Mr. John Farrow of Coopers Lybrand) concerning their proposal to establish a casino at the Halifax Hilton Hotel.

Following a brief question and answer period, the Chairman advised that a further expression of interest in establishing a casino operation in Halifax had only recently been received. She therefore suggested (and it was so agreed) that no further action with regard to this matter would be taken until a presentation from this latest group could be arranged, after which all proposals would be referred to staff for review and recommendation.

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

HER WORSHIP MAYOR MOIRA DUCHARME  
CHAIRMAN

\*K

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# HALIFAX CITY COUNCIL M I N U T E S

Council Chamber  
Halifax City Hall  
17 June 1993  
8:00 P.M.

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

The meeting opened with the recitation of the Lord's Prayer led by Her Worship Mayor Moira Ducharme.

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

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

## Municipal Awareness Week - Junior High School 1993 Citizens of the Year Awards

Her Worship Mayor Ducharme advised that this evening the City will be honouring some young citizens within the City of Halifax through its program for Municipal Awareness. Noting that the program is coordinated by Deputy Mayor Fitzgerald, Her Worship called upon the Deputy Mayor to introduce the program.

Deputy Mayor Fitzgerald indicated that it was his pleasure this evening to introduce to Council a group of students who have been elected by their fellow peers and recommended by their schools to receive this award. He noted that this award recognized the efforts of an individual who exemplified the attributes of a good citizen.

Each of the following students came forward individually at this time and received the Municipal Awareness Week Citizenship Award:

Jason Neary	St. Agnes School
David MacKenzie	Gorsebrook School
Scott Broadbent	Clayton Park Jr. High
(not in attendance)	
Sean Howard	Fairview Junior High
Alice McLeod	Highland Park School
Anh Tran	B C Silver School

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Anne-Marie MacEachen	Elizabeth Sutherland School
Gregory Butler	Cornwallis Junior High
Nick Warner	Rockingham Elementary
Julia Clark	Cunard Junior High
Sue-Ellen Gangoo	St. Patrick's Alexandra
Annamarie Bermundo	Oxford School

**The YMCA of Greater Halifax/Dartmouth**

Her Worship Mayor Ducharme called to Council's attention that on Tuesday evening she had attended the first meeting of the unified Halifax/Dartmouth YMCA which is now called the YMCA of Greater Halifax/Dartmouth. Her Worship added that the Y will carry out and organize programs for both cities.

**MINUTES**

The Minutes of the last regular meeting of Halifax City Council held on 3 June 1993, and of the special meeting held on 19 May 1993, were approved as circulated on a motion by Deputy Mayor 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 - Cost-sharing - Streets Resurfacing
- 20.2 - Appointments
- 20.3 - Designation Letter and Resolution -  
55 Senior Citizens Units -  
Former Titus Smith School Site

At the request of Deputy Mayor Fitzgerald, Council agreed to add:

- 20.4 - Funding for ESL Programs  
in the School System

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

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20.5 - Group Homes in Residential Neighbourhoods

The agenda, as amended, was approved on a motion by Deputy Mayor Fitzgerald, seconded by Alderman Adams.

At approximately 8:15 p.m., Her Worship retired briefly from the meeting with Deputy Mayor Fitzgerald taking the seat of the Chair.

DEFERRED ITEMS

**Case No. 6687: Peninsula and Mainland Land Use Bylaws -  
Housekeeping Amendments #6**

A public hearing into the above matter was held on 9 June 1993.

MOVED by Alderman Adams, seconded by Alderman Hanson that City Council amend the Land Use Bylaw by adopting the amendments as attached to the staff report of 4 March 1993.

The City Clerk noted that Aldermen Jeffrey and Macdonald were not in attendance at the public hearing on this matter and therefore should not participate in the vote.

Motion passed with Aldermen Macdonald and Jeffrey abstaining from the vote.

At approximately 8:20 p.m., Her Worship Mayor Ducharme returned to the meeting with Deputy Mayor Fitzgerald taking his usual seat on Council.

**Case No. 6679: Amendment to Development Agreement -  
Schedule "K", Rockingham Ridge Plaza - 30 Farnham Gate Road**

A public hearing into the above matter was held on 9 June 1993.

A supplementary staff report dated 14 June 1993 was submitted.

The following correspondence was submitted subsequent to the public hearing and can be found in the official file for this item:

- a letter dated 10 June 1993 from David Hill, 86 Donaldson Avenue;



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- a letter dated 14 June 1993 from Barbara Hill, 86 Donaldson Avenue;
- a letter dated 14 June 1993 with attachments from Hugh K. Smith, President, FS Industries Limited.

Alderman Stone addressed the matter noting that the application is to permit the construction of a gas bar at the Farnham Gate Shopping Centre which is located at 30 Farnham Gate Road. He advised that there were a number of people against the proposal as well as a number of people in favour of the proposal. Alderman Stone commented that those who are in favour of the proposal are further removed from the shopping centre while those who are in close proximity to the shopping centre are very much opposed to a gas bar. He pointed out that the application is before Council because the original agreement for the shopping centre did not include a gas bar.

Alderman Stone went on to note that, during the public hearing, a number of concerns were expressed which were subsequently addressed by the proponent of the gas bar. However, he noted that from talking with the residents, particularly the long established residents, he still had some concerns because of the establishment of a gas bar in such close proximity to their homes. Alderman Stone pointed out that there was a concern expressed by the Churches in the area that the gas bar would be open on Sundays and recognized, in fairness to the proponent, that the applicant has agreed that the gas bar would not open until the afternoon on Sundays.

Alderman Stone further advised that there was quite a bit of concern with regard to a 24 hour operation and recognized that, during the public hearing, it was clearly stated that the hours of operation would be lessened and that it would not be a 24 hour operation. He added that it was his understanding the establishment would operate from 7:00 a.m. to 11:00 p.m.

Alderman Stone pointed out that there were also concerns expressed regarding potential environmental problems particularly with respect to fumes and spillage and the perception that the gas bar could cause an explosion in the area if something went wrong. He noted that this concern too was addressed to some extent by the proponent by agreeing to have an environmental engineer look at the proposal. Alderman Stone noted that Council was circulated with information about a previous situation where there was a windstorm and a gas bar was blown off its moorings adding that he did not believe there was a spill but that there was a potential spillage situation.

Alderman Stone indicated that the residents were concerned about the possibility of something happening close

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to their homes and were therefore not prepared to support the proposal. He added that he was also concerned about traffic problems as a result of the proposed gas bar.

It was therefore MOVED by Alderman Stone, seconded by Alderman Adams that City Council refuse the approval of the application for an amending agreement involving the Rockingham Ridge Shopping Plaza located at 30 Farnham Gate Road to permit the construction of a gas bar.

Deputy Mayor Fitzgerald indicated that while he realized the concerns put forward by the residents, he felt that the applicant has done everything possible to address the concerns of the community i.e. no cigarettes, shorter hours, no neon signs, no opening on Sunday mornings. The Deputy Mayor indicated that he could not therefore support the motion.

Alderman Crowley also noted that while she realized the concerns of the residents, she believed that the owners have and will make every effort to meet the needs of the community and indicated that she too could not support the motion.

Alderman Hanson indicated that he too could not support the motion noting that he believed the applicant has addressed the major concerns raised by the community.

Alderman Downey also spoke in opposition to the motion pointing out that he felt this was an opportunity for the citizens of Halifax to benefit from a discount in gas.

The City Clerk noted that Aldermen Jeffrey and Macdonald were not in attendance at the public hearing on this matter and therefore should not participate in the vote.

Motion defeated with Aldermen Macdonald and Jeffrey abstaining from the vote.

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

- 1) City Council approve an amending agreement (which is to include the commitments made by the owner in addressing the concerns raised at the public hearing) to amend provisions of a previously approved and executed development agreement made pursuant to Section 68 of the Mainland portion of the Land Use Bylaw; and pursuant to Section 440 of the City Charter, said amending agreement to permit the location of a freestanding gas bar at 30

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Farnham Gate Road as shown on plans numbered P200/19310-12 (attached to the staff report of 16 April 1993);

- 2) Council require that the contract 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; otherwise the approval will be void and obligations arising hereunder shall be at an end.

Alderman Stone reiterated his concerns as stated previously noting that he wanted to make sure that all of the concerns that were expressed and which were addressed by the owner are included in the contract particularly with respect to the environmental concerns and the hours of operation. He reiterated that the Churches were very adamant that the bar not opening until 1:00 p.m. on Sundays.

In response to a question from the Deputy Mayor, the Acting City Solicitor advised that the City Solicitor approves the agreement before it is signed. The Deputy Mayor indicated that he wanted to make sure that the commitments made by the owner are included.

Motion passed with Aldermen Macdonald and Jeffrey abstaining from the vote.

**Case No. 6683: Development Agreement (Lot Modification)  
- 24 Tremont Drive**

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A public hearing into the above matter was held on 9 June 1993.

A supplementary staff report dated 15 June 1993 was submitted.

Alderman Stone pointed out that the information submitted by staff indicates that the property in question is a single lot and that the applicant is trying to subdivide the lot into two lots. He reminded Council that when the owner of the property purchased the property, it was purchased as a single family dwelling lot and did not include the possibility of a second lot.

Alderman Stone went on to note that while the property has a large backyard, it does not have the required lot frontage. He added that the residents in the area are very much concerned that a precedent will be set of allowing

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houses to be built in backyards. The Alderman indicated that the residents of 22 Tremont Drive have a great deal of difficulty with the application because of the close proximity of the proposed development to their property.

Alderman Stone pointed out that there were other concerns about the property in question. He explained that the property was on a very large hill which appears to be a rock hill and would therefore require blasting or else a development would tower over the other houses in the area because of the higher elevation. Alderman Stone noted that on one more occasion concern has been expressed to the City about compatibility in the neighbourhood. He indicated that it was his view the proposal was not compatible with the neighbourhood.

In conclusion, Alderman Stone advised that the development does not meet all the planning requirements for the City of Halifax, does not meet the requirements for lot frontage, and does not have the support of the residents in the area.

MOVED by Alderman Stone, seconded by Alderman Hanson that the application for a development (lot modification) at 24 Tremont Drive, lands of Ms. Wendy M. Luciano, to enable a resubdivision creating an additional buildable lot, be denied.

The City Clerk noted that Aldermen Jeffrey and Macdonald were not in attendance at the public hearing on this matter and therefore should not participate in the vote.

Motion passed with Aldermen Macdonald and Jeffrey abstaining from the vote.

**Case No. 6666: Development Agreement - 6151 Lady Hammond Road**

A public hearing into the above matter was held on 9 June 1993.

A supplementary staff report dated 14 June 1993 was submitted.

The following correspondence was submitted subsequent to the public hearing and can be found in the official file for this item:

- A letter dated 17 June 1993 from F.D. Medjuck, Q.C., Solicitor for James Georgantas, President B & G Innkeepers Limited.
- A letter dated 15 June 1993 from James Georgantas, B & G Innkeepers Limited.

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- A letter dated 16 June 1993 from Gertrude MacIntyre, 3618 High St., with an attached petition with approximately 70 signatures of persons in objection to the proposed application for a development agreement.
- A letter dated 15 June 1993 from C. Donald Boudreau, Parish Priest, St. Stephen's Church, 6032 Normandy Drive.
- A letter dated 14 June 1993 from Gertrude MacIntyre and Donald MacIntyre, 3618 High St.
- A letter dated 15 June 1993 from Sister Maria Sutherland, Provincial Superior, Pax Provincial House Sisters of Charity, 6095 Normandy Drive.

Alderman O'Malley addressed the matter and noted that while she recognized the proposed development agreement was not in the Ward in which she represented, the residents of Ward 6 were without representation at this time. She added that since she resides in the community, a number of residents have contacted her after the public hearing last week to express the concern that they did not see the notice in the newspaper concerning the public hearing and were not aware of the fact that there was an opportunity for them to come before Council to express their views. Alderman O'Malley went on to note that there was one resident on Normandy Drive who was within the notification area which, due to an oversight, did not receive notification of the hearing. She added that the property owners of Pax Provincial House, the Sisters of Charity and the St. Stephen's Convent, indicated that they too had not received a notification of the hearing.

Alderman O'Malley went on to note that the Pax Provincial House, in the person of Sister Maria Sutherland, Provincial Superior, has circulated a letter to Council voicing objection. She added that neighbours have also circulated to Council a petition opposing the development agreement. The Alderman also recognized that the owner had a petition circulated to Council signed by persons in favour of the agreement.

Alderman O'Malley proposed that this matter be forwarded to the next Committee of the Whole Council meeting in order to provide a further opportunity for citizens to address Council.

In her remarks, Alderman O'Malley noted that it was her recollection when Alderman Meagher referred this matter to Council, he asked that staff meet with the owner of the Chebucto Inn and the one person who came and spoke against the development agreement to work out the matter of the fence and the closing time for the proposed lounge facility. She



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pointed out that the erection of a fence was addressed in the owner's letter, but that the second matter with respect to a closing time of 12:00 midnight had not been mentioned.

A short discussion ensued and it was MOVED by Alderman O'Malley, seconded by Alderman Stone that this matter be deferred to a special meeting of City Council following the conclusion of the Committee of the Whole Council meeting to be held on **Wednesday, 23 June 1993**, at 6:00 p.m., and that any member of the public wishing to communicate to Council on the application do so in writing prior to this date.

Following a debate, the motion to defer was put and passed.

**MOTIONS OF RECONSIDERATION**

**Motion Alderman Hanson: Reconsideration of City Council  
Resolution of 13 May 1993 - Planning Appeal:  
12-16 1/2 Rockingstone Road**

This item was deferred to this meeting from the last meeting of City Council held on 3 June 1993.

Noting that there were still negotiations taking place in respect of this item, it was MOVED by Alderman Hanson, seconded by Alderman Adams that this matter be deferred to the next meeting of Halifax City Council to be held on Tuesday, 29 June 1993.

Motion passed.

**PETITIONS AND DELEGATIONS**

**Petition Alderman Crowley Re: Revision of the Name of  
Hemlock Street to "Hemlock Avenue"**

Alderman Crowley submitted a petition at this time signed by approximately 27 residents requesting that Halifax City Council officially revise the name of Hemlock Street to "Hemlock Avenue".

In presenting this petition, Alderman Crowley noted that there has been some controversy for a long period of time with respect to the name Hemlock Street or Hemlock Avenue. She added that according to the deed of lands the proper name is Hemlock Street. However Alderman Crowley noted that because the street has been known for over 30 years as Hemlock Avenue, she asked that staff provide a report with respect to revising the name.

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**REPORT - FINANCE AND EXECUTIVE COMMITTEE**

Council considered the report from a meeting of its Finance and Executive Committee, held on Wednesday, 9 June 1993, as follows:

**Current Borrowing Resolution**

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to sign the current borrowing resolution, as attached to the staff report of 11 May 1993, in the sum of \$7,000,000 for the period 1 July 1993 to 31 December 1993 in accordance with Section 213 of the Halifax City Charter.

Motion passed.

**9 Thackeray Close**

This matter was forwarded to Council without recommendation.

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, the City contribute to the settlement of the claim by Carey and Judy Ryan in respect of the subsidence of 9 Thackeray Close in the amount of \$20,700.00

Motion passed.

**5994 Spring Garden Road**

This matter was forwarded to Council pending a further report from staff.

A supplementary staff report dated 10 June 1993 was submitted.

Deputy Mayor Fitzgerald addressed the matter and indicated that it was his understanding from reading the supplementary staff report of June 10 that the exterior painting of the building is included in addition to a new roof, upgrading of windows, electrical, security, etc. As a result of these repairs, the Deputy Mayor noted that the staff report indicates that there will be an approximate \$50.00 per month rent increase per unit.

Deputy Mayor Fitzgerald indicated his acceptance of the supplementary staff report and MOVED, seconded by Alderman Downey that staff be authorized to proceed with

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maintenance and improvements to the property at 5994 Spring Garden Road as listed in the staff report of 28 May 1993, up to a maximum expenditure of \$127,000, with funds to come from Capital Account No. 96005 - 5994 Spring Garden Road Renovations.

Alderman Jeffrey indicated that he could not support the proposed increase in rent of approximately \$50.00 per month per unit as a result of the renovations. He concurred that the building should be painted or perhaps sided. The Alderman also expressed concern with respect to the vacant unit in the building. Alderman Jeffrey expressed the view that the City should not be landlords for residential properties and indicated that it was his hope that, if the property was not needed by the City i.e. for road widening, that it be put up for private sale.

A short discussion ensued and Deputy Mayor Fitzgerald indicated that, after speaking to the tenants, he was of the understanding that they were happy with the proposed renovations. The Deputy Mayor indicated that he felt the proposed rental increase of \$50.00 per month was fair to everybody.

Alderman Jeffrey indicated that he would be voting in favour of the repairs to the building, but was not in favour of a rental increase.

Motion passed.

At approximately 9:10 p.m. Her Worship Mayor Ducharme retired from the meeting briefly with Deputy Mayor Fitzgerald taking the seat of the Chair.

**Acquisition of 73 Herring Cove Road**

MOVED by Alderman Hanson, seconded by Alderman Adams that as recommended by the Finance and Executive Committee, Civic #73 Herring Cove Road be acquired from Mrs. Beatrice Jackson for \$62,500.

Motion passed.

**Award of Consulting Services - Kidston Glass Lands**

MOVED by Alderman Downey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee:

1. Council approve the appointment of ADI Nolan Davis (NS) Ltd. for the

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environmental investigation and assessment of the former Kidston Glass Lands with total compensation for fees and expenses estimated at \$10,000.00 including G.S.T.

2. Funding for payment to the consultant be authorized from Current Account No. 22310, General Government.

Motion passed.

**Performance Appraisal Training**

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee, Halifax City Council approve the final implementation phase of the performance appraisal system throughout the Civic administration as outlined in the staff report of 3 June 1993.

Motion passed.

**GoTime Maintenance**

MOVED by Alderman Jeffrey, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, Council authorize payment of \$15,408 to Sirius Solutions Limited for 1993/94 support services to GoTime, this amount to be recovered by rebilling to the Metropolitan Authority.

Motion passed.

**File No. 60206 - Annual NCR Hardware Maintenance Agreement**

MOVED by Alderman Jeffrey, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee:

1. authority be granted to pay NCR Canada Limited \$113,064.00 (G.S.T. included) for annual hardware maintenance (being the original equipment supplier, they have the ability to service in accordance with the City's requirements);
2. funding be approved from account number 22613.0050 titled Computer Hardware Maintenance - Operations, MIS.

Alderman O'Malley questioned the amount of

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maintenance work carried out last year on the equipment and whether it was in the vicinity of what the maintenance is costing the City.

Mr. Al Leblanc, Acting Director of Finance, addressed Council and explained that the maintenance contract was for preventative maintenance on the equipment. He indicated that a report could be provided on how much was actually spent.

Motion passed.

**MLA's Requests to Staff**

This matter was forwarded to Council, pending a report from staff with respect to a policy regarding requests from MLAs.

A report dated 15 June 1993 was submitted.

Alderman Adams addressed the matter and suggested that since there have been a number of newly appointed MLAs, Council request the City Manager to send a letter to all MLAs in the City of Halifax. He went on to suggest that the letter recommend an approach for the MLAs to follow when dealing with municipal issues such as sewer and water, drainage, paving, recreation, municipal social services, etc. The Alderman also requested that the letter recommend that if a municipal issue arises, that the MLA contact either the Department Head, City Manager, or the Alderman for the area of concern with respect to the matter. Alderman Adams suggested that this approach would help the new MLAs to get to know members of City Council and will expedite any requests that are put forth by the citizens of the City of Halifax.

MOVED by Alderman Adams, seconded by Alderman Stone that the City Manager draft a letter with respect to an approach in dealing with municipal issues to the MLAs for consideration by Council at a future Committee of the Whole Council meeting.

Motion passed.

**File No. 59424: Forest Fire Fighting Equipment**

MOVED by Alderman Hanson, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, authority be granted to purchase Tender #59424 - Forest Fire Fighting Equipment from the sole source vendor - Wajax Industries Ltd., at a cost of \$17,112.05 plus GST; with funds being available in account number 25601.8304 titled



Forestry Fire Contingency Reserve.

Motion passed.

REPORT - COMMITTEE ON WORKS

Use of Toxic Chemicals

An information report dated 14 June 1993 was submitted.

A letter dated 17 June 1993 from Ian Johnson, 29 Cavendish Road, Halifax, NS, B3P 2J6 was submitted.

Deputy Mayor Fitzgerald, referring to the submitted report, advised that it would be difficult for the City to pass laws with regard to the regulation of garden care products. Noting that this matter is regulated by the Federal and Provincial Governments, Deputy Mayor Fitzgerald suggested that it would be better for Council to make representation to these levels of government rather than attempt to deal with it on its own.

The Chairman noted that three landscaping companies in the City have asked to make a presentation at the 21 July 1993 Committee of the Whole and, in this regard, she suggested that the matter be deferred to the 21 July 1993 Committee of the Whole and in the meantime, Council could obtain further information.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Downey that this matter be tabled pending research and further report from staff.

Motion carried.

Tender #1396-R: 18 Cast Iron Benches, Parks and  
Grounds Division

A letter dated 16 June 1993 from Gerald F. Elliott, John Hauser Ironworks Ltd., Waverley, N.S. was submitted.

MOVED by Alderman Downey, seconded by Deputy Mayor Fitzgerald that, as recommended by the Works Committee, authority be granted to award tender #1396-R for 18 Cast Iron Benches to the only bidder meeting specifications, Gerald F. Elliott, at a cost of \$14,360.40 and, further, that funding be made available in account number 26109.9133.91650 titled Granville Mall Upgrade.

Motion carried.

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At 9:25 p.m. Alderman Meagher entered the meeting.

REPORT COMMITTEE OF THE WHOLE COUNCIL,  
BOARDS, AND COMMISSIONS

Proposed Amendment to Ordinance 116, the Taxi Ordinance -  
SECOND READING

- (a) Shared-Ride Service for Seniors
  - (b) Non-Emergency Taxi Ambulances
- 

This matter had been given First Reading at a regular meeting of Halifax City Council held on 3 June 1993, and had been further discussed at a meeting of the Finance and Executive Committee held on 9 June 1993.

MOVED by Alderman Adams, seconded by Alderman Stone that Halifax City Council give SECOND READING to the amendments to Ordinance 116, the Taxi and Limousine Ordinance, attached as appendix "A" to the staff report of 22 April 1993 and as outlined in the supplementary staff report of 3 May 1993.

Motion carried.

REPORT - PLANNING COMMITTEE

Case No. 5006: Amendment to Stage II, Schedule "K"  
Agreement - Parcel E, Clayton Park West

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Stone, seconded by Alderman Crowley that:

1. City Council grant approval to the request by Clayton Developments Limited for an amendment to the Stage II Schedule "K" agreement for Clayton Park West Phase I to allow two 4 storey apartment buildings on Parcel E, subject to the condition that all stormwater is drained through piped systems.
2. Council requires that the amending agreement shall be signed within 120 days, or any extension thereof granted by Council on request of the

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applicant, from the date of final approval by Halifax City Council or any other bodies as required, whichever approval is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

Motion carried.

**Case No. 6713: Mainland Land Use Bylaw - Housekeeping  
Amendments #7**

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MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that, as recommended by the Planning Committee, the proposed amendments as contained in the 27 May 1993 staff report be forwarded to the Planning Advisory Committee for consideration and advice.

Motion carried.

**Case No. 6511: Stage I, Schedule "K" Application -  
Glenbourne**

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This matter was forwarded to Council without recommendation.

A staff report dated 14 June 1993 was submitted.

An information report dated 16 June 1993 was submitted.

MOVED by Alderman Stone, seconded by Alderman O'Malley that a date be set for a public hearing on the application from Alderney Consultants (1987) Limited for Stage I, Schedule "K" approval of a 123 acre mixed use development located west of the Rockingham Ridge and Wedgwood Subdivisions and east of the Bicentennial Highway; and that this matter be referred to the Lakes and Waterways Advisory Committee for review and comments prior to the public hearing.

Motion carried.

The City Clerk advised that the date for the hearing was set for Wednesday, 21 July 1993 7:30 p.m. in the Council Chamber.

MOTIONS

Motion Deputy Mayor Fitzgerald Re: Proposed Amendment to Ordinance 121, the Retail Shop Closing Ordinance - FIRST READING (Midnight Madness)

Notice of Motion regarding this matter was given by Deputy Mayor Fitzgerald during a regular meeting of Halifax City Council held on Thursday, 3 June 1993.

A supplementary staff report dated 4 June 1993 was submitted.

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

1. Subsection (3) of Section 3 of Ordinance 121 be amended by deleting the period at the end thereof, and by adding the following:

"or on July 2nd, 1993 or on the last Friday in June of any subsequent year."

2. and that staff begin the process so that further flexibility could be available without involving Council in every business decision such as that individual stores could be permitted to extend their hours at their descretion but within the limits set by Ordinance 121.

The City Clerk advised that since the Ordinance will not actually be amended in time for July 2nd, there is an advertisement which will be placed in Monday's newspaper advising of the change in the Ordinance.

Motion carried.

MISCELLANEOUS BUSINESS

Quotation #913395 - Supply of Liquid Asphalt

A staff report dated 8 June 1993 was submitted.

MOVED by Alderman Stone, seconded by Alderman Adams that authority be granted to place the order for a supply of liquid asphalt (quotation #913395) with Atlantic Colas Ltd., with funds being available in various accounts.

Motion carried.

1993-94 Insurance Renewals

A staff report dated 14 June 1993 was submitted.

MOVED by Alderman Meagher, seconded by Alderman Downey that authority be granted for Simpson Hurst Limited to renew the insurance portfolio at the premiums listed in the 14 June 1993 staff report totalling \$336,294.00.

Motion carried.

1993 Annual Report - City Auditor General

A report of the City Auditor General for the Year Ended 31 March 1993 was submitted.

MOVED by Meagher, seconded by Alderman Hanson that the report of the City Auditor General for the Year Ended 31 March 1993 be tabled.

Motion carried.

QUESTIONS

Question Alderman Jeffrey Re: Palmer Hill

Alderman Jeffrey advised that last week he met with 10 residents living in the area of Palmer Hill. He added that there are five homes on Palmer Hill and the residents have to walk down the hill and cross Brook Street to reach their mailboxes. The Alderman advised that the mailboxes are in very poor condition, and the street is in need of curb and gutter work. He added that it was his understanding that staff does not consider this to be a City street, however, he pointed out that it is plowed by the City.

Alderman Jeffrey requested that staff investigate and report back on whether this street is actually a City street, and if funds can be placed in the 93/94 budget for approximately 85 ft. of curb and gutter work and upgrading on Palmer Hill. As well, the Alderman asked that staff send a letter to Canada Post inquiring if the mailboxes (which are approximately 30-40 years old) can be replaced by the super mailboxes or, preferably, if door to door service could be provided.



Question Alderman Jeffrey Re: Springvale Avenue

Alderman Jeffrey noted that several years ago, in the rear of No.'s 13, 15, 17, and 19 Springvale Avenue a diver drowned in a pool of water, trying to remove a blockage. Alderman Jeffrey noted that water accumulates in this area, especially in the winter time and he added that he heard that there was suppose to be either a 24" or 36" drain pipe which drains to some unknown location. Alderman Jeffrey indicated that he was not certain whether this was the City's, CN's, or the resident's responsibility and he asked that staff investigate the matter, and see that the situation is rectified.

At approximately 9:40 p.m. Her Worship retired from the meeting and Alderman Downey assumed the Chair.

Question Alderman Stone Re: Crosswalk on Farnham Gate Road

Alderman Stone noted that during discussions on the Shopping Centre at Farnham Gate Road, the area residents and church parishioners expressed concern that there is no crosswalk on Farnham Gate Road in front of the Shopping Centre. Alderman Stone requested that the Traffic Authority investigate the possibility of installing a crosswalk between Lansdowne Drive and the walkway from Donaldson Avenue.

Question Alderman Stone Re: Street Lights on Willett Street

Alderman Stone noted that street lights for Willett Street were approved in the budget and he requested an update on the status of this matter.

Question Alderman Stone Re: Crows

Alderman Stone noted that recently in the media, there have been reports of crows attacking pedestrians, because the crows were protecting an injured baby crow. He advised that he had a similar concern in his area because there were large numbers of crows and, at times they cause havoc for the residents. Noting that they were a protected species, Alderman Stone requested a report on what, if anything, can be done to alleviate the problem of the amount of crows.

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Question Alderman Stone Re: Taxi School

Alderman Stone noted that Council received information regarding the Taxi School and he requested that it be added to the agenda of the Committee of the Whole, scheduled for **Wednesday, 23 July 1993**.

Question Alderman Hanson Re: Brook in Chocolate Lake Area

Alderman Hanson advised that there is a brook which runs from the Chain Lakes to Chocolate Lake, and several of the rock walls associated with it have become dislodge during the winter and have fallen into the brook. As well, he pointed out that a large granite slab at one of the driveway entrances has fallen into the brook. Alderman Hanson advised that he wasn't sure if this was the City's responsibility or the responsibility of the Water Commission, however, he asked that the area be cleaned up.

Question Alderman Hanson Re: Police Bicycle Teams

Alderman Hanson noted that the Police Bicycle Teams would soon be out, and he requested that if possible, the Police Bicycle Teams provide coverage to areas in the Mainland such as the various playgrounds.

Question Alderman Hanson Re: Police Presence at Greek Festival

Alderman Hanson noted that he received very favourable comments about the police presence at the Greek Festival. He added that people were particularly pleased that the police officers got out of their vehicles and walked around with patrons of the Festival. In this regard, Alderman Hanson requested a report on whether it would be possible for the police, on occasion, to park their vehicles and walk around the community.

Question Alderman Macdonald Re: Signage on Evans Avenue between Randall Avenue and Berts Drive

Alderman Macdonald advised that at one time there had been a 30 km/hr sign on Evans Avenue between Randall Avenue and Berts Drive, however it was attached to a tree and the tree was destroyed in a storm. The Alderman noted that this was a very dangerous corner and he asked that the

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Traffic Authority look into restoring the sign. As well, he asked that consideration be given to installing a "hidden driveway" sign or any other safety sign which may be required for this dangerous area.

Additionally, Alderman Macdonald asked that the Traffic Authority investigate the possibility of placing "No Parking" signs from the corner opposite 123 Evans Avenue down to Berts Drive, on both sides of the street.

**Question Alderman O'Malley Re: Crosswalk Signage on Novalea Drive**

Alderman O'Malley advised that some residents of Dr. Samuel Prince Manor have expressed concern about crossing Novalea Drive to reach the bus stop on the opposite side. She explained that the vehicles move very quickly and the residents would like overhead crosswalk signage installed at this location. She asked that staff look into the matter and report back.

**Question Alderman O'Malley Re: Closure of Moosehead Breweries in Dartmouth**

Noting the recent announcement by Moosehead Breweries to close their operation in Dartmouth and move it to Saint John, New Brunswick, Alderman O'Malley questioned if this will impact on the Grand Prix race in the same way.

In response, the City Manager advised that this year is the second year of a three year contract for the Grand Prix Race. He added that to date, there has been no indication by Moosehead to move the race elsewhere.

**Question Alderman O'Malley Re: Kenny Lane**

Alderman O'Malley advised that previously she tabled a petition regarding Kenny Lane and had requested a report from staff. The Alderman asked that this report be provided as soon as possible.

**Question Alderman Crowley Re: Guidelines in Naming a Park**

Alderman Crowley requested a report from staff on guidelines and procedures that are followed when making a recommendation to name Park in honour of a resident who has

passed away.

Question Alderman Crowley Re: St. Andrew's School Sign

Alderman Crowley advised that recently she noticed that the sign in front of St. Andrew's School was in a dilapidated condition and she requested that staff look into the matter and see that the sign is upgraded.

Question Alderman Crowley Re: Pylons (Power Lines) -  
Abbott Drive

Alderman Crowley noted that residents of Abbott Drive who have the pylons from the power lines in their back yards have expressed concern about possible hazards in relation to their homes. In this regard, Alderman Crowley requested information from staff on the pylons i.e, is there any way of testing them, and, if so, when was the last time they were tested.

Alderman Crowley went on to note that the ground under one of the pylons (which is located in her back yard), has eroded and she questioned if this would be caused from natural erosion by the elements or if something else was the cause.

Alderman Crowley also pointed out that the residents were guaranteed that the area in question would be kept as a green belt, however, the condition of the area has deteriorated.

Question Alderman Meagher Re: Police Presence on  
Quinpool Road

Referring to Alderman Hanson's question with respect to the police walking around the community, Alderman Meagher pointed out that this evening he noticed that police officers had parked their car on Quinpool Road and were walking. He added that the police have been doing this over the past couple of weeks, and the businesses and residents were very appreciative of their efforts in this regard.

Question Alderman Meagher Re: Regulations Re Garage Doors

Alderman Meagher noted that, some time ago a recommendation was sent to the Province with respect to

changing the regulations regarding building codes for garage doors. He advised that the Minister refused this request and, therefore, Alderman Meagher asked that this matter be sent back to the Planning Advisory Committee for further review.

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

Alderman Adams referred to the area of the Northwest Arm Drive, where it leads into Spryfield from the Old Sambro Road and, noting that it was a continuation of Dunbrack Street, he advised that the rosebushes from Dunbrack Street should be continued into this area. Alderman Adams requested a report on the cost of this work, noting that the City would be responsible for planting the rosebushes and the Province would maintain them.

**Question Alderman Adams Re: Barrier - Intersection of  
Dunbrack Street and the Old Sambro Road**

Alderman Adams indicated that the barrier at the intersection of Dunbrack Street and the Old Sambro Road was in poor condition and he requested that it be upgraded.

**Question Alderman Adams Re: Crosswalk at Central School**

Alderman Adams noted that at the Central School area there is a crosswalk on the Herring Cove Road and Sussex Street which is very dangerous because of the steep incline of the road. He requested that the Traffic Authority investigate the possibility of moving the crosswalk further down the street so it won't be so close to the curb.

**Question Alderman Adams Re: Recreational Fields**

Alderman Adams noted that there were a number of Little League Baseball Teams which were having difficulty in locating areas to play. He added that, previously he questioned if the City could acquire the old Department of Transportation properties on the Williams Lake Road for additional recreational facilities. The Alderman requested an update from staff on the possibility of doing this.

Alderman Adams pointed out that on the Land Exchange balance sheet, the City is owed a great deal of land



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from the Province and he questioned if staff could identify lands that would be appropriate for the City to acquire in exchange for the monies owed by the Province.

Question Deputy Mayor Fitzgerald Re: Raccoons

Deputy Mayor Fitzgerald advised that raccoons were still a problem in Ward 2 and, noting that previous attempts to resolve the situation were unsuccessful, he asked that further representation be made to all the appropriate departments in attempts to bring this problem under control.

Question Deputy Mayor Fitzgerald Re: Crosswalks

Deputy Mayor Fitzgerald noted that many pedestrians are not careful when crossing the street, adding that they often just walk out without any regard for the traffic. He noted that the Police Department addressed this before and he asked that they monitor this situation again.

Question Deputy Mayor Fitzgerald Re: Conrose Field

Deputy Mayor Fitzgerald asked if staff would look into providing portable toilets for Conrose Field, even if it were for only the two month summer period.

Question Deputy Mayor Fitzgerald Re: In-Camera Meetings of the Metropolitan Authority

Deputy Mayor Fitzgerald advised that City Council has criteria with respect to in-camera meetings and he asked that it be forwarded to the Metropolitan Authority with a request that, in the best interest of the public, the Metropolitan Authority limit the number of items they deal with in-camera, they let the press know what is being discussed (in general terms), and that final approval be made in public.

Question Deputy Mayor Fitzgerald Re: Payment of Salaries of Employees of Maitland Street Parking Lot

Deputy Mayor Fitzgerald noted that he had been speaking with Mr. Simpson MacLeod of the City's Real Estate Division, with regards to payments to staff of the Maitland Street Parking lot. He indicated that these people have been

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waiting to be paid for some time and he asked that this matter be expedited.

**Question Deputy Mayor Fitzgerald Re: Police Walking the Beat**

Deputy Mayor Fitzgerald noted that this past week he was walking on Preston Street and was very pleased to see a policeman walking the beat. The Deputy Mayor advised that he would like to commend the Police Chief for this action and, as well, Deputy Mayor Fitzgerald commended the Chief for his quick and decisive response regarding recent gun control legislation.

At approximately 10:10 p.m. Her Worship returned to the Chair and Alderman Downey took his usual seat in Council.

**Question Alderman Downey Re: Cost Sharing of Projects with the Province**

Alderman Downey noted that the new Premier has indicated he will call the House in session on June 28th. The Alderman made reference to the financial situation of the Province as expressed by the new Premier, and he asked for an update on the status of the approved grants which are cost shared with the Province.

**NOTICES OF MOTION**

**Notice of Motion Alderman O'Malley Re: Amendment to Ordinance 170, The Tax Concession Ordinance**

Alderman O'Malley gave Notice of Motion that at the next regular meeting of Halifax City Council, to be held on Tuesday, 29 June 1993, she proposes to introduce a motion to amend Ordinance 170, The Tax Concession Ordinance, the purpose of which is to designate the properties to be entitled to tax concessions for the 1992-93 fiscal year.

**ADDED ITEMS**

**Cost Sharing - Streets Resurfacing**

A staff report dated 15 June 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Meagher that Council amend the Capital Budget

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approval for Capital Account #91410 from \$1,500,000.00 gross and \$1,500,000.00 net to \$1,768,000.00 gross and \$1,500,000.00 net, and for Capital Account #91406 from \$2,475,000.00 gross and \$2,475,000.00 net to \$2,861,000.00 gross and \$2,475,000.00 net.

Motion carried.

Appointments

A report from Her Worship Mayor Ducharme dated 17 June 1993 was submitted.

MOVED by Alderman Meagher, seconded by Deputy Mayor Fitzgerald that the following appointments be approved:

Art Allocation Committee

Ms. Dawn Suzuki  
Mr. Fred Barrow

Terms to expire November 1995.

Heritage Advisory Committee

Mr. Tom Creighton

Term to expire November 1995.

Motion carried.

Designation Letter and Resolution - 55 Senior Citizens Units  
- Former Titus Smith School Site

A staff report dated 15 June 1993 was submitted.

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

1. Council pass the resolution, as supplied in the 15 June 1993 staff report requesting the Nova Scotia Department of Housing and Consumer Affairs to proceed with construction of 55 units of Senior Citizens' Public Housing.
2. Council agree to share 12 1/2 percent of the project's operation losses.

3. Council authorize the Mayor and the City Clerk to execute these agreements on behalf of the City.

Motion carried.

#### Funding for ESL Programs in the School System

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

Deputy Mayor Fitzgerald advised that there was a significant number of students in the Halifax School System whose first language was not English and who required special attention to learn the language. He noted that this puts an added strain on the workload of the teachers and it impacts on the City's budget. The Deputy Mayor noted that the Federal government allows immigrants to purchase Canadian citizenship for a sum of approximately \$250,000. Noting that neither the Federal nor Provincial Government provides any sort of financial assistance to the ESL Program, he suggested that the other levels of government should be assisting the students who need to learn English.

Deputy Mayor Fitzgerald requested that the Federal and Provincial Governments give every consideration to making funding available to students needing the English as a Second Language Program.

#### Group Homes in Residential Neighbourhoods

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

Alderman Macdonald advised that he was concerned about the expanding number of group homes in residential neighbourhoods, especially in R-1 residential neighbourhoods. The Alderman indicated that he was aware of the importance of such residences, however, he added that the neighbourhood in general and, in particular, the adjacent homeowners to group homes are negatively impacted when such a home is placed in the area. Alderman Macdonald noted that the most disconcerting effect of group homes is that the possibility of resale of the adjacent homes is severely curtailed.

Alderman Macdonald pointed out that in his area a third group home will be built soon, and he suggested that this would then make the group homes in the area 10 percent of the housing stock. Noting the manner in which group homes

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are operated, Alderman Macdonald indicated that he questioned the economic viability of setting up group homes in residential areas. He advised that, in addition to the financial impact on the residential homeowners, the noise emanating from the group homes was also affecting the quality of life of the neighbourhood.

Alderman Macdonald indicated that his purpose in raising this issue was that he would like to make some changes which would protect the integrity of residential neighbourhoods and, in this regard, he requested that staff provide a detailed report on the matter. The Alderman added that he would like the report to address the issues of how this situation developed, i.e. group homes in residential neighbourhoods; does the Municipal Development Plan have any bearing on this issue; and what are the existing restrictions in R-1 zones for group homes.

Alderman Macdonald added that once Council has received the detailed report, it will then be able to consult with the residents in the R-1 zones and, hopefully, find a solution which is beneficial to the residential homeowners.

Alderman Macdonald requested that this matter be forwarded to staff and report back as quickly as possible.

There being no further business to discuss, the meeting adjourned at 10:20 p.m.

HER WORSHIP MAYOR DUCHARME  
DEPUTY MAYOR FITZGERALD  
ALDERMAN DOWNEY  
CHAIRMEN

ms/sm

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**SPECIAL MEETING  
HALIFAX CITY COUNCIL  
MINUTES**

Council Chamber  
Halifax City Hall  
23 June 1993  
6:10 P. M.

A Special Meeting of Halifax City Council was held at this time to consider a proposed development agreement at 6151 Lady Hammond Road (Case No. 6666).

The meeting was called to order, and the Deputy Mayor led those in attendance in the recitation of the Lord's Prayer.

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

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

**Case No. 6666 - Development Agreement:  
6151 Lady Hammond Road**

A public hearing to consider this proposal had been held on Wednesday, 9 June; the matter had subsequently been deferred from a regular meeting of Halifax City Council held on Thursday, 17 June 1993.

The meeting commenced with a discussion as to how best to proceed, given the number of individuals who wished to address Council on this item and given the fact that a public hearing into the matter had already been held.

Alderman O'Malley voiced the opinion that this special meeting of Council had been called to hear presentations from those who had not been notified of the 9 June hearing, and emphasized that, in her view, Council should place no restrictions on the number of submissions they were prepared to hear this evening.

It was therefore moved by Alderman O'Malley,  
seconded by Alderman Meagher that any individual wishing to  
address Council on this matter would be permitted to do so.

After some further discussion and questioning of the Acting City Solicitor, the Chair ruled that Council would hear anyone wishing to make a presentation to which it was agreed.



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CITY COUNCIL  
23 JUNE 1993**

Father C. Donald Boudreau, parish priest at St. Stephen's Church, 6032 Normandy Drive, read from a prepared submission which was subsequently given to the City Clerk. In his remarks, Father Boudreau pointed out that

the majority of residents in the rear of [6151 Lady Hammond Road] . . . are of senior years, people who have been long-time residents of this neighborhood and who have worked hard for this community and the City of Halifax. Consequently, they are most deserving to be protected from any development that would hinder their quiet enjoyment in residence and/or cause them undue stress and anxiety because of unwarranted noise caused by people and cars leaving such a premise . . . until 2:00 a.m., possible intrusion through their lands to get to cars, and devaluation of their property.

Father Boudreau went on to note that, in addition to the liquor privileges already in effect at the Chebucto Inn, there are also two other liquor establishments in the immediate neighborhood. He therefore questioned the need for extended privileges of this nature, particularly given the quiet residential character of the surrounding neighborhood. In this same context, Father Boudreau described the community in which the Inn is located as one of the few stable neighborhoods in the City, where homes are in much demand by families wishing to relocate. He reiterated that the family-oriented nature of the community is highly prized, adding that, in his view, the extension of existing liquor privileges in this neighborhood could only have negative effects not only on property values but on the overall quality of life.

Father Boudreau concluded his remarks by emphasizing that although neither he nor his parishioners wished to obstruct growth and development, they felt very strongly that such changes should be in keeping with the existing character of the surrounding neighborhood.

Mr. James Vaughan, President of the Halifax Homeowners Association, advised that his Association had reviewed the proposal in question, and had subsequently taken the view that, given its potentially negative impact on the surrounding community, the application should be denied.

Mr. Vaughan went on to emphasize that developments which are not in harmony with the general character of the neighborhood in which they locate can cause a wide array of difficulties for abutting property owners. Using the Halifax Shopping Centre as an example, he pointed to such factors as noise, increased traffic, parking problems, litter and the depreciation of property values as some of the difficulties that may result.

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23 JUNE 1993**

In concluding his remarks, Mr. Vaughan made reference to the fact that there are already at least two liquor establishments in the immediate vicinity of this portion of Lady Hammond Road, and questioned the appropriateness of adding another, particularly when society should be concerning itself about the increases in teenage drinking. He therefore expressed his concurrence with the remarks made by the previous speaker, and called on City Council to refuse the application.

Mrs. Donald MacIntyre, a resident of 3618 High Street (which she described as being approximately 125 feet from the back wall of the Chebucto Inn) addressed Council and read from a prepared submission which was later delivered to the City Clerk for distribution.

Reiterating the points made by the previous speakers, Mrs. MacIntyre presented a petition bearing the signatures of 277 parishioners of St. Stephen's Church in opposition to the establishment of a lounge at the Chebucto Inn.

Mr. Pat Pottie, a resident of 6452 Vienna Street and the former Alderman for Ward Six, addressed the gathering. In his remarks, Mr. Pottie pointed out that although he had had several conversations with the owner of the Chebucto Inn regarding his intended application to the City, the matter of a lounge license or, more specifically, the establishment of a lounge at the motel had never been raised. Instead, Mr. Pottie emphasized that he had been under the impression that Mr. Georgantis was simply seeking a development agreement with the City so that he might extend his licensed restaurant onto the patio area.

Mr. Pottie drew Council's attention to the provisions of Implementation Policy 3.14 of the City's Municipal Development Plan, making specific reference to the exemptions that may be applied if, in Council's judgement, "specific benefits to the neighborhood can be demonstrated." In this context, he pointed out that while area residents would probably not object to an addition of an extant family (licensed) restaurant, there is obviously some considerable concern about the establishment of a lounge facility. Mr. Pottie therefore suggested that an appropriate method of resolving this matter might be to divide the proposal into two parts so that both specifics could be addressed.

The Acting City Solicitor subsequently responded to questions from various members of Council.

Ms. Barbara Burton of 6092 Normandy Drive addressed Council, reading from a printed submission which was later given to the City Clerk. In outlining her

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23 JUNE 1993**

opposition to the proposal, Ms. Burton cited such factors as noise, increased traffic, intrusions on private property and devaluation of property values as reasons for her stance on the issue.

Sister Maria Sutherland, representing the Sisters of Charity (and more specifically the approximately 21 Sisters who reside at St. Stephen's Convent on Normandy Drive), made a brief presentation to Council. In her opening remarks, Sister Maria emphasized that she and the residents of St. Stephen's Convent were among the many in the neighborhood adjacent to the Chebucto Inn who had received no notification of the 9 June public hearing.

Sister Maria went on to emphasize that while she strongly supported the remarks made by previous speakers, the two specific concerns to which she wished to draw attention were the threat to the sense of security which now characterizes this portion of Peninsula North, and the impact on property values. She went on to emphasize that, while she would not object to the continuation of the Inn's restaurant in an expanded capacity, she had some considerable concern about the noise and intrusions that might result if a lounge operation were introduced.

Sister Maria also referred to comments made previously by the applicant; namely, that he had checked with residents in the immediate vicinity of the Chebucto Inn regarding his application and that no one had voiced an objection. In this context, she pointed out that neither she nor any other resident of the Convent had been contacted in this regard, and therefore questioned the validity of those comments.

Sister Maria also noted that Mr. Georgantis had suggested that the proposed lounge was intended for the sole use of hotel patrons and would therefore have little or no impact on the surrounding residential community. She suggested that this would be a difficult policy to enforce, and called the establishment of another lounge in this area "the thin edge of a wedge" which would ultimately have disastrous implications for the existing neighborhood.

Ms. Louise Melvin of 5546 Stairs Place and a 37-year resident of the City's North End briefly addressed Council to emphasize that young families, as well as the more senior residents, had concerns relating to the proposal to introduce another liquor establishment to this area of the City.

Mrs. Marian Yogis-Gray, 4 Broadholme Lane, identified herself as the daughter of parents whose home is located directly behind the Chebucto Inn. Mrs. Gray referred to the controversy which, several years ago, had

**SPECIAL MEETING  
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23 JUNE 1993**

surrounded the proposal to establish the former "Old Halifax" (now "Jenny's") in this same neighborhood, emphasizing that the concerns which were voiced at that time concerning litter, noise, and intrusions on private property had indeed been borne out once the tavern application had been approved. She therefore indicated that she was in complete agreement of the arguments put forward by previous speakers and called on Council to refuse the application.

Mr. John Gannon, a property owner at the corner of Basinview and Leeds Street and a 17-year resident of the City's North End, spoke in opposition to the establishment of another liquor establishment in this part of the Peninsula. Emphasizing that he has a teenaged son to consider, Mr. Gannon expressed the view that drinking establishments should be restricted to the City's downtown area, and added that, in his opinion, every effort should be made to retain the "family" atmosphere of the Basinview/Bright/Normandy/High Street community.

Mr. Frank Medjuck, solicitor for the proprietor of the Chebucto Inn, addressed Council in support of the application. In his remarks, Mr. Medjuck stated that, in his opinion, a great deal of misinformation had been given out regarding his client's intentions, and emphasized that, being a family man himself and a resident of a neighborhood very similar to that in the Basinview-High Street area, Mr. Georgantis had no desire to jeopardize the area's quality of life. In this context, Mr. Medjuck enumerated the range of concessions which Mr. Georgantis was prepared to make in terms of the proposed lounge operation, and emphasized that he did not object to having those conditions included as part of his development agreement with the City.

Mr. Medjuck concluded his remarks by advising that, because his client is currently out of the City and therefore unable to provide direction to his solicitor, he would appreciate having that aspect of the application pertaining to the establishment of a lounge deferred until his client returns.

Alderman O'Malley spoke briefly on the matter, noting that the application for a development agreement at the Chebucto Inn includes two specific considerations; one being the extension of an existing restaurant onto a patio enclosure, the second being the change in status of the establishment to a "lounge" facility.

The Alderman went on to refer to the concerns put forward by previous speakers, noting, in particular, the threat to the neighborhood's quality of life as a residential community and the fact that there are already two licensed establishments in the immediate vicinity. She



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23 JUNE 1993**

also made reference to the provisions of Implementation Policy 3.14, indicating that, in her view, the setback requested by the Chebucto Inn represents a rather considerable deviation from the 25 foot maximum. Alderman O'Malley concluded her remarks by indicating that she could discern no appreciable benefit to the neighborhood, should the Chebucto Inn be permitted to proceed with the establishment of a lounge facility, adding that she was therefore prepared to move that the application be denied.

A discussion ensued concerning the suggestion put forward earlier in the meeting that the motion be divided into two parts.

Having received advice on the matter from the Acting City Solicitor, it was moved by Alderman O'Malley, seconded by Alderman Crowley that a development agreement to allow the addition of a 36' x 8' (approximate) enclosed patio to the premises located at 6151 Lady Hammond Road (lands of B. & G. Innkeepers Limited) be approved by Halifax City Council, but that the use of this addition be restricted to that of a licensed restaurant (i.e., that the status quo be maintained).

After some further discussion, the motion was put and passed with Alderman Macdonald abstaining from the vote owing to his absence from the 9 June public hearing.

The following documentation was recorded:

- Petition, containing approximately 277 signatures and dated 19 May 1993
- Correspondence, dated 23 June 1993, from Father C. Donald Boudreau, Parish Priest, St. Stephen's Church, 6032 Normandy Drive, Halifax, B3K 2S9
- Correspondence, dated 23 June 1993, from Mrs. Donald (Gertrude) MacIntyre, 3618 High Street, Halifax
- Correspondence, dated 23 June 1993, from Ms. Barbara Burton, 6092 Normandy Drive
- Correspondence, received on 23 June 1993, from Ms. Elsie M. Colford, 5271 Vestry Street, Halifax
- Correspondence, dated 23 June 1993, from Mr. F. D. Medjuck, Medjuck & Medjuck, P. O. Box 1074, Halifax, Nova Scotia, B3J 2X1



**SPECIAL MEETING  
CITY COUNCIL  
23 JUNE 1993**

There being no further business to be discussed,  
the meeting was adjourned at approximately 7:50 p.m.

DEPUTY MAYOR WALTER FITZGERALD  
CHAIRMAN

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# HALIFAX CITY COUNCIL MINUTES

Council Chamber  
Halifax City Hall  
29 June 1993  
8:00 P.M.

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

The meeting opened with Her Worship Mayor Moira Ducharme leading those in attendance in the recitation of the Lord's Prayer.

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

**ALSO PRESENT:** Mr. Wayne Anstey, Q.C., Acting City Manager; Mr. Barry Allen, Acting City Solicitor; Mr. Edward A. Kerr, City Clerk; and other members of City staff.

## Passing of Mr. David Hyndman

With regret, Her Worship informed Council that Mr. David Hyndman, a former Director of Finance for the City of Halifax, passed away this past Sunday, 27 June 1993. She noted that Mr. Hyndman was Director of Finance from 1969 to 1973 and that he worked with Halifax Developments Ltd. and most recently in the tourism industry. Her Worship advised that Mr. Hyndman served the City well both in a professional capacity and as a volunteer.

In memory of Mr. Hyndman, Council observed a moment of silence and Her Worship advised that on behalf of Council she would send condolences to the Hyndman family.

## Canada Day Events

For Council's information, Her Worship noted that pamphlets outlining the activities for the Canada Day celebrations have been circulated.

## Public Gardens Legislation

Her Worship advised that the new Provincial Government announced today that it will not proceed with legislation for restrictions on development around the public gardens. She added that the government realizes that this is a municipal issue and that Halifax has every right to decide how development will take place. Her Worship noted that she had a copy of the statement from the Minister of

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Municipal Affairs and with the consensus of Council, she would write to the Minister and pass on Council's appreciation, **to which it was agreed.**

**MINUTES**

On a motion moved by Alderman Downey, seconded by Alderman O'Malley, the minutes of the Special Meeting of Halifax City Council of 9 June 1993 and the regular City Council meeting of 17 June 1993 were approved as circulated.

**APPROVAL OF THE ORDER OF BUSINESS  
ADDITIONS & DELETIONS**

At the request of the City Clerk, the following items were added to the agenda:

- 20.1 File #913473 - Paper Towels and Toilet Tissue
- 20.2 Award of Tender #93-139 - One (1) Unix Based Server (Supply and Install) for Social Planning Community Assistance Services Information System
- 20.3 Demolition, Portion of St. Andrew's School, 6955 Bayers Road, Halifax
- 20.4 Award of Tender 93-20 - Oxford School Playground Improvements
- 20.5 Award of Tender 93-113 - Street Improvement Program - North Park Street (B/S), Cunard-Cogswell
- 20.6 Award of Tender 93-102 - Kane Street - Paving Renewal
- 20.7 Metropolitan Authority - Solid Waste Disposal (Alderman Fitzgerald)

At the request of Alderman O'Malley, Council agreed to add:

- 20.8 The Hydrostone Market - 5515-47 Young Street

On a motion moved by Alderman O'Malley, seconded by Alderman Adams, the agenda as amended was approved.

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MOTIONS OF RECONSIDERATION

**Motion Alderman Hanson: Reconsideration of  
City Council Resolution of 13 May 1993 -  
Planning Appeal - 12-16½ Rockingstone Road**

This matter had been deferred from the 17 June 1993 City Council Meeting.

MOVED by Alderman Hanson, seconded by Alderman Adams that this matter be deferred to a future date.

Motion carried.

PETITIONS AND DELEGATIONS

**Petition Alderman Adams Re: Saturday Morning  
Bus Service - No. 20 Herring Cove Road to Downtown**

Alderman Adams submitted a petition with approximately 107 signatures regarding the transit service of the No. 20 Herring Cove Road to the downtown on Saturday mornings.

In presenting this petition, Alderman Adams noted that this route used to travel to the downtown directly but now it stops at the Sears Mall and there is only one minute in which passengers can transfer to another bus. He added that the people find this awkward and are requesting the previous Saturday morning transit service of the No. 20 be reinstated.

Alderman Adams requested that this matter be forwarded to the Transit Advisory Committee.

**Petition Alderman Meagher Re: 2049 North  
Park Street and Moosehead Grand Prix**

Alderman Meagher submitted a letter and petition from a resident at 2049 North Park Street, Apt. 3 concerning the Moosehead Grand Prix Race. The Alderman advised that the individual is located very close to the Moosehead Grand Prix Race but is not getting any consideration from the Race organizers. Alderman Meagher asked that this matter be forwarded to the City Manager's Office.

REPORT - FINANCE AND EXECUTIVE COMMITTEE

Council considered the report from a meeting of the Finance and Executive Committee, held on Wednesday, 23 June 1993, as follows:

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Halifax City Regional Library Board  
Re: Expansion of Main Library

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Finance and Executive Committee, this matter be forwarded to staff for report.

After a brief discussion, the motion was carried.

Award of Tender #93-88: Automation and Renovations - Halifax Regional Libraries

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

A supplementary staff report dated 25 June 1993 was submitted.

Alderman Stone addressed the matter and, referring to the supplementary staff report, noted that based on the information from staff, it would be the construction company's problem as to how it would deal with the problem of underestimating the cost of the work. He added that he believed Council should follow the usual tendering practices and accept the lowest tender.

MOVED by Alderman Stone, seconded by Alderman Crowley that:

1. Tender #93-88, Renovations, Halifax Regional Libraries; Main Branch, North Branch and Thomas Raddall Branch, be awarded to the lowest bidder, **Blunden Construction Limited**, at the tendered price of \$224,961.00 and a total project cost of \$248,000.00; and,
2. in the event that Blunden Construction Limited refuses to enter into an agreement with the City as per tender documents, Tender #93-88 be awarded to the next lowest bidder, Avondale Construction Limited, on the basis of tendered price and that the City pursue its legal remedies against Blunden.
3. Funds be authorized from Capital Account #98004 and Operating Account #22502 8300 80418 in the amount of \$150,000.00 and \$177,000.00 respectively.

Alderman Adams addressed the matter and expressed concern about awarding a tender to a local company which has indicated that the tender could put it out of business. He indicated that this would be detrimental in that it would result in a loss of 10 - 15 jobs and could, perhaps, put an end to a company which had been in business for 44 years.



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Alderman Adams pointed out that it was a Provincial court ruling, and through no fault of Blunden Construction, that their estimate was too low. He explained that after Blunden submitted their bid, a Provincial court ruling changed the requirements with respect to union and non union personnel, and therefore, the Company was put in the position of having to use unionized individuals. Alderman Adams added that this unexpected court ruling increased the costs for Blunden.

Alderman Adams also suggested that the City would not benefit in awarding the tender to a Company which is unable to carry out the work, because it will cause delays in the project.

In concluding his remarks Alderman Adams asked that Council exercise an option it has in not accepting the lowest tender and not approve the motion. He noted that if Council does not accept the motion he would be prepared to move a motion awarding the tender to the second lowest bid with no legal recourse to Blunden Construction.

A discussion ensued with the City Solicitor responding to questions.

**At 8:20 p.m. Deputy Mayor Fitzgerald entered the meeting.**

During the discussion, various members of Council expressed concern about the hardship of awarding the tender to a company which has indicated its inability to carry out the work with the estimate originally provided and, consequently, the motion was put and defeated.

Alderman Adams advised that he was prepared to move a motion awarding the tender to the second lowest tender, Avondale Construction Limited.

The Acting City Manager addressed the matter and requested that, should Council proceed with Alderman Adams motion, it be cognizant of the fact that this case is unique. He explained that, due to circumstances beyond the control of the chosen tender (i.e. a court ruling handed down after the bids were received), the lowest tender was unable to carry out the work at the original estimate provided. The Acting City Manager pointed out that this situation is unusual, and other contractors should not expect similar leniency from Council just because they may have made a mistake.

MOVED by Alderman Adams, seconded by Alderman Jeffrey that, due to the recent court ruling concerning the use of unionized workers;

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1. Tender #93-88, Renovations, Halifax Regional Libraries; Main Branch, North Branch and Thomas Raddall Branch, be awarded to the **second lowest bidder, Avondale Construction Limited**, at the tendered price of \$296,800.00 and a total project cost of \$327,000.00; and,
2. Funds be authorized from Capital Account #98004 and Operating Account #22502 8300 80418 in the amount of \$150,000.00 and \$177,000.00 respectively.

Motion carried.

**Municipal Parking Garage and Pedway System**

A supplementary staff report dated 25 June 1993 was submitted.

MOVED by Deputy Mayor Fitzgerald, seconded by Alderman Stone that, as recommended by the Finance and Executive Committee:

- 1) staff be authorized to seek outside expertise in evaluation of various site and design alternatives for a municipal parkade and pedway system within the Central Business District;
- 2) the costs of such outside expertise shall not exceed \$12,000, with funds to be made available from Account Number 22304 (General Government - Consulting Services);
- 3) staff be directed to explore various funding alternatives including potential cost-sharing with the Province of Nova Scotia and the Government of Canada;
- 4) the merits of such a facility or facilities be explored with the Downtown Halifax Business Commission; and that
- 5) a report on staff's findings be submitted to Council within three months of the engaging of an outside consultant.

After a brief discussion, the motion was carried.

**Award of Tender #93-81: Ventilation  
Retrofit (Halifax Police Department)**

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

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Committee, authority be granted to award Tender #93-81 (Ventilation Retrofit - Halifax Police Department) to **Blunden Construction** at a bid price of \$42,260.00 and a total project cost of \$50,712.00 (funds to be made available from Account #22423.9120.91006 titled "Ventilation Retrofit - Halifax Police Department").

Motion carried.

**Loss of Business Claim Settlement -  
Spryfield Auto Parts Limited**

MOVED by Alderman Adams, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee, the loss of business claim at 390 Herring Cove Road, with **Spryfield Auto Parts Limited**, be settled for \$15,677 as payment in full (funds to be made available in Account No. 91504, the Herring Cove Road Widening Capital Account).

The motion was put and passed.

**Award of Tender #93-127:  
Re-roofing - Richmond Building**

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

A supplementary staff report dated 25 June 1993 was submitted.

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

1. Council accept the policy allowance settlement of \$2,500.00 from W.R. Grace & Co., and,
2. Council award Tender #93-127, Re-roofing, Richmond Building to Acadia Roofing & Contracting Limited at the tendered price of \$65,960.00 and for a total project cost of \$72,500.00; with funds being available in Capital Reserve Account #22502 - 8396 - 89999.

Motion carried.

**Cost-Sharing: Park Drive**

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee:

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- 1) staff be authorized to complete the contractual documents for the construction of Park Drive in cooperation with Clayton Developments Ltd.;
- 2) staff be authorized to administer and authorize payment of progress submissions based upon the 28 June 1990 approved cost-sharing formula with Clayton Developments Ltd., subject to any future approval in the Clayton Park West Phase II agreement; and
- 3) authorization be granted for the expenditure of funds for this project from Capital Account Numbers 91539 and 93001.

Motion carried.

**Mainland Common: Acquisition of Additional Land**

MOVED by Alderman Stone, seconded by Alderman Jeffrey that, as recommended by the Finance and Executive Committee:

- 1) staff be authorized to request approval from the Minister of Municipal Affairs for withdrawals in total of \$2,338,100 from the Sale of Land Account for the purchase of Parcel X and Parcel W, Clayton Park West; and that
- 2) staff be authorized to pay interest on the outstanding balance annually at a rate of 6% from the Current Fund.

Motion carried.

**Civic Hospital**

MOVED by Alderman Meagher, seconded by Alderman Holland that, as recommended by the Finance and Executive Committee, staff be instructed to:

- 1) negotiate with representatives of the provincial government to secure the lease of all of the Civic Hospital building, including the third floor, for a five-year term with the option to renew for a further five-year period;
- 2) appoint a consultant to prepare plans, specifications and firm cost estimates of the work needed to ensure that the building meets the requirements of the provincial Fire Marshal, provides barrier-free access, and is brought to a

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satisfactory level of general maintenance, with the fees to be paid out of the Social Rehabilitation Reserve Account, Number 8301, up to a maximum of \$50,000; and that

- 3) depending on the outcome of (1) and (2), prepare a comprehensive report to Council that will include, if necessary, detailed proposals for funding.

In moving the motion, Alderman Meagher noted that, previously, the firm of O'Neil, Scriven & Associate carried out a lot of work on the hospital and are familiar with the lightening and alarm system, and the restructuring of the kitchen. In this regard, he suggested that it may be beneficial to obtain this firm to carry out the work and he asked that the City Manager keep this in mind when appointing a consultant.

Motion carried.

**Halifax Industrial Commission - Purchase of  
3.3 Acres from Lakeside Industrial Park**

MOVED by Alderman Jeffrey, seconded by Alderman Adams that, as recommended by the Finance and Executive Committee, the City purchase Parcel A, identified on the plan attached to the staff report of 8 June 1993 and containing approximately 3.3 acres, for the unit value of \$7,200 an acre, plus applicable GST, with the final purchase price subject to confirmation by survey (funds to be made available for this purchase from the Sale of Land Account).

Motion carried.

**Habitat for Humanity: 224-226 Herring Cove Road**

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

A supplementary staff report dated 25 June 1993 was submitted.

Alderman Adams addressed the matter and spoke in support of the Habitat for Humanity project. He suggested that this is an opportunity for the City to become pioneers in such a project. Alderman Adams noted that this project will be helping a family who otherwise could not afford a home. In addition, he indicated that the piece of land in question would not have any other uses and, as well, he



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pointed out that the City will be getting tax revenue back which, he suggested, in 12 - 15 years will equal the amount of the grant.

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

- i) sell the land at Civic No. 224-226 Herring Cove Road to Habitat for Humanity for \$20,000, subject to lot consolidation approval and the land being rezoned to R-1;
- ii) make a one time grant of \$20,000 to Habitat for Humanity to cover the cost of purchasing the lot at 224-226 Herring Cove Road; **and that funding be approved under Section 201 (1) of the City Charter.**
- iii) **an area of notification be sent out to the neighbouring individuals so that anyone wishing to comment, would be able to do so.**

A lengthy discussion ensued with members of Council generally expressing their support for the concept and indicating that it was a very worthwhile cause. However, various concerns were raised about the possible precedent setting nature of this item. Her Worship pointed out that this was essentially a one time grant for a pilot project, and, if it is successful, it doesn't necessarily mean that Council would be obligated to be as generous should the Habitat organization approach Council for funding for further projects.

Following further discussion, the motion was carried.

**Proposed Land Exchange - 6451 Chebucto  
Road/6437 North Street**

This matter was forwarded to Council without recommendation.

MOVED by Alderman Meagher, seconded by Alderman Downey that this matter be deferred to the next regular meeting of City Council, scheduled for Thursday, 15 July 1993.

Motion carried.

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Lease of City Vehicles

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

A supplementary staff report dated 28 June 1993 was submitted.

A letter dated 24 June 1993 from Mr. Peter Gildart, Membership Development Co-ordinator, Atlantic Canada Plus Association, was submitted.

Deputy Mayor Fitzgerald addressed the matter and indicated that he supported the staff recommendation to lease two Volvos. The Deputy Mayor indicated that the Volvo manufacturing plant contributes greatly to the economy of the area, and he advised that by purchasing Volvos the City is showing its support for the Company.

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

1. authority be granted to lease Volvos for a three year period at a cost of \$544.31 each per month from Chapman Motors Limited.
2. The vehicles are to be covered by a three year/60,000 KM warranty and if contracted before 05 July 1993, regularly scheduled maintenance will be provided at no charge during this period.
3. The vehicles be obtained on a "maintenance lease" basis.

A lengthy discussion ensued with various members of Council generally expressing the view that, if the City is to provide cars for the City Manager and Mayor, that Volvos be chosen, not only because of the quality of the car, but in doing so, Council was showing its support for an industry which established in the City.

Alderman Stone addressed the matter and advised that he did not support the motion. He added that he felt Council should go through the usual tendering process and allow all car dealerships in the City an opportunity to submit bids. Alderman Stone indicated that he did not have anything against Volvo but he was concerned that Council was giving the Company preferential treatment. He advised that he felt it was Council's responsibility to obtain the best possible buy for the taxpayers of the City of Halifax, and that he could not support the motion because Council was not getting the best deal.

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Referring to the supplementary staff report, Alderman Stone suggested that the maintenance costs for the two Volvo's seems to be quite high and he requested that staff provide a more detailed report on these maintenance costs. Further to this, Alderman Stone asked that the report outlined whether these costs are associated with the day to day operation of the cars or if they are extraordinary repair costs and the City Manager advised that this information would be provided.

In addressing the matter, Alderman Adams indicated his support of the motion, advising that by leasing Volvos, the City was demonstrating an important aspect in showing its support of a local company. The Alderman noted that, in the past, he has advocated the implementation of some sort of "Halifax First" policy with respect to tendering practices, and he suggested that this was something that Council should give further consideration to.

Following further discussion, with the City Manager responding to questions, the motion was carried.

**Tender #59173: Three 60" Cut Front-  
Mounted Diesel-Powered Rotary Mowers**

MOVED by Alderman Holland, seconded by Alderman Downey that, as recommended by the Finance and Executive Committee, Tender #59173 for three (3) cut front-mounted diesel-powered rotary mowers be awarded to **Eastern Turf Products Ltd.**, the lowest bidder meeting specifications, for a tendered price of \$39,932.00 (funds to be made available from Account Number 26104.1804, titled "Motor Equipment/Equipment Replacement").

Motion carried.

**File 59423: Sixty 50-Foot Lengths  
3/4" Fire Hose c/w Cases and Nozzles, and  
One Hundred 100-Foot Lengths of Forestry Fire Hose**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, authority be granted to pay for (a) sixty 50-foot lengths 3/4" fire hose c/w cases and nozzles; and (b) one hundred 100 foot lengths of forestry fire hose from Account Number 27902.8304 titled "Forest Fire Contingency Reserve."

Motion carried.

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**Economic Development Initiative**

This matter was forwarded to Council without recommendation.

A supplementary staff report dated 25 June 1993 was submitted.

MOVED by Alderman Adams, seconded by Alderman Holland that:

1. Council approve the establishment of the Economic Development Task Force with the mandate as outlined in the 18 June 1993 staff report and that the Mayor be requested to submit recommendations to Council for members of the Task Force.
2. the total expenditures of \$22,000.00 be provided for under Consulting Services, Account RC 0120 - 22310 and the City Manager's Contingency Account.

Motion carried.

**Expropriated Easements - Thornhill Sewer**

MOVED by Alderman Adams, seconded by Alderman Hanson that, as recommended by the Finance and Executive Committee, the Mayor and City Clerk be authorized to seek an order for immediate possession from the Attorney General of the Province of Nova Scotia, (of the expropriated easements listed on Attachment "A" of the 21 June 1993 confidential staff report).

Motion carried.

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

**Proposed Amendments to Ordinance 121, the  
Retail Shop Closing Ordinance (Midnight  
Madness) - SECOND READING**

This matter had been given First Reading during a regular meeting of Halifax City Council held on Thursday, 17 June, and had been further considered at a meeting of the Finance and Executive Committee on Wednesday, 23 June 1993.

MOVED by Alderman Adams, seconded by Alderman Hanson that Halifax City Council give Second and Final

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Reading to the following amendment proposed for Ordinance 121, the Retail Shop Closing Ordinance:

1. Subsection (3) of Section 3 of Ordinance 121 be amended by deleting the period at the end thereof, and by adding the following:

"or on July 2nd, 1993 or on the last Friday in June of any subsequent year."

2. and that staff begin the process so that further flexibility could be available without involving Council in every business decision such as that individual stores could be permitted to extend their hours at their discretion but within the limits set by Ordinance 121.

The motion was put and passed.

**REPORT - PLANNING COMMITTEE**

Council considered the report from a meeting of its Planning Committee, held on Wednesday, 23 June 1993, as follows:

**Case No. 6680: Rezoning from R-2 to R-2P  
and Lot Modification: 75-75A Herring Cove Road**

This matter had been forwarded to Council without recommendation.

MOVED by Alderman Hanson, seconded by Alderman Crowley that the rezoning application for 75-75A Herring Cove Road be referred to staff and the Planning Advisory Committee to consider an amendment to the Municipal Planning Strategy which would permit this rezoning, and that they provide a recommendation on the merits of such an amendment.

The motion was put and passed.

**Proposed Birch Cove Park**

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Planning Committee, this matter be referred to a future meeting at which time a full presentation will be made; and further, that \$100,000 be included in the 1994 budget for the project.

The motion was put and passed.



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Case No. 6733: 1355 Barrington Street - Application  
for Development Agreement (SET DATE FOR PUBLIC HEARING)

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, a date for a public hearing be set to hear the application for a development agreement to permit the commercial use of an addition to 1355 Barrington Street.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 21 JULY 1993 at 7:30 p.m.** in the Council Chamber.

Case No. 6705: Development Agreement/Lot  
Modification - 595 Young Avenue (SET  
DATE FOR PUBLIC HEARING)

Following is the recommendation from the 23 June meeting of the Planning Committee:

That a date for a public hearing be set to hear the application for modification of the lot frontage requirement of the Land Use Bylaw, to permit subdivision of the property known as Civic No. 595 Young Avenue (Lot 110).

MOVED by Alderman Holland, seconded by Alderman Hanson that City Council **refuse** the application for a development agreement (lot modification) for 595 Young Avenue to enable a subdivision creating an additional building lot (Case No. 6705).

Speaking on the motion, Alderman Holland pointed out that the application now before Council is merely another in a series of proposals which have been consistently opposed by residents not only of Ward One but of other wards in the City. The Alderman emphasized that in his opinion and that of his constituents proposals such as this, which seek to create small, oddly-shaped lots, have the potential to seriously damage the character of existing neighborhoods and, on that basis, should be refused.

Concurring with the comments put forward by Alderman Holland, Alderman Stone made reference to the policies of the City's Municipal Development Plan which state that, in the review of development applications, Council must take into consideration any negative impacts those proposals may have on existing neighborhoods. Alderman Stone agreed that, given the intent of the development application now being considered, the character of the surrounding

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neighborhood would indeed be jeopardized and indicated that he would be voting in support of the motion.

The motion was put and passed with Alderman Downey voting in opposition.

**Case No. 6708: Development Agreement -  
2222 Brunswick Street (SET DATE FOR PUBLIC HEARING)**

A supplementary staff report, dated 24 June 1993, was submitted.

MOVED by Alderman Downey, seconded by Alderman Holland that, as recommended by the Planning Committee, a date for a public hearing be set to hear the application for a development agreement involving the property at 2222 Brunswick Street; and further, that the Heritage Advisory Committee be requested to review the application.

The motion was put and passed.

The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 21 JULY 1993 at 7:30 p.m.** in the Council Chamber.

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

**Case No. 6670: Plan and Bylaw Amendment to Permit  
a Proposed Townhouse Development at 35 Coronation Avenue**

MOVED by Alderman Hanson, seconded by Alderman Stone that, as recommended by the Planning Committee, this matter be forwarded to the Planning Advisory Committee for a public meeting and advice.

The motion was put and passed.

**Street Closure and Land Exchange -  
Cresthaven Drive (SET DATE FOR PUBLIC HEARING)**

A supplementary staff report, dated 24 June 1993, was submitted.

MOVED by Alderman Stone, seconded by Alderman Hanson that, as recommended by the Planning Committee:

- (i) in accordance with Section 350 of the City Charter, Council set a date for a public hearing to close a portion of the existing

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Cresthaven Drive right-of-way identified as  
Parcels G2, P and H on Plan TT-48-31751; and

- (ii) close Parcels G2, P and H and, subject to the approval of the Minister of Municipal Affairs, exchange them for Parcel L, as shown on Plan TT-48-31751.

The motion was put and passed.

A brief discussion ensued as to an appropriate date for the requested public hearing, with Alderman Stone advising that he could not be available on Wednesday, 18 August. The City Clerk suggested (and it was so agreed) that the hearing be scheduled for **WEDNESDAY, 8 SEPTEMBER 1993 at 7:30 p.m.** in the Council Chamber, Halifax City Hall.

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

MOVED by Alderman Stone, seconded by Alderman Crowley that, as recommended by the Planning Committee, Article 4 of the development agreement of 22 December 1992 between the City of Halifax and Realco Management Limited be amended as follows:

The Developer shall pay to the City an amount not exceeding thirty thousand dollars (\$30,000) for the installation of a pedestrian activated RA-5 crosswalk system for the intersection of Kearney Lake Road, Castlehill Drive and Broadholme Lane. The system will remain the property of the City and will be replaced by and at the expense of the City when traffic signals are warranted.

The motion was put and passed.

**Case No. 6723: Schedule "C" Development  
Agreement - 3055 Agricola Street (Oland  
Breweries Limited) - SET DATE FOR PUBLIC HEARING**

MOVED by Alderman O'Malley, seconded by Alderman Downey that, as recommended by the Planning Committee, a date for a public hearing be set to hear the application by Oland Breweries Limited to construct two additional grain silos to supplement production at their Agricola Street plant.

The motion was put and passed.

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The City Clerk advised that the requested public hearing would be scheduled for **WEDNESDAY, 21 JULY 1993 at 7:30 p.m.** in the Council Chamber.

**10:00 p.m.** - Her Worship retires from the meeting, with Deputy Mayor Fitzgerald assuming the Chair.

**MOTIONS**

**Motion Alderman O'Malley Re: Amendment to Ordinance 170, the Tax Concession Ordinance (FIRST READING)**

Notice of Motion regarding the above-noted amendment had been given by Alderman O'Malley during a regular meeting of Halifax City Council held on Thursday, 17 June 1993.

A staff report, dated 10 June 1993, was submitted. MOVED by Alderman O'Malley, seconded by Alderman Adams that City Council approve First Reading of the amendment proposed for Ordinance 170, the Tax Concession Ordinance, attached as Appendix "A" to the staff report of 10 June 1993; and further, that the matter be referred to the next regular meeting of the Committee of the Whole Council (scheduled for Wednesday, 7 July 1993) for consideration and report.

The motion was put and passed.

**QUESTIONS**

**Question Alderman Adams Re:  
Elizabeth Sutherland School Playing Field**

Alderman Adams asked that consideration be given to marking off a portion of the Elizabeth Sutherland School Playing Field for use by soccer teams. Noting that there would appear to be ample room to accommodate this use, the Alderman went on to point out that at the present time soccer teams from Elizabeth Sutherland School must play their "home" games at Westmount, which is inconvenient not only for the team members themselves but for their fans.

**Question Alderman Adams Re:  
City Policy - Private Roads**

Alderman Adams made reference to the fact that, at the present time, the City of Halifax has no policies or standards which can be applied to private roads, despite the

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fact there are a number of these roadways throughout the City and particularly in Ward 7. Under the circumstances, therefore, the Alderman asked that consideration be given by staff to developing "minimum standards" for these roadways, especially with regard to snow removal and street maintenance.

**Question Alderman Adams Re:  
Thornhill Drive/Herring Cove Road**

Alderman Adams made reference to an area of land located between Thornhill Drive and Herring Cove Road. Noting that the children in this area (who number approximately 50) have nowhere in which to play either ground hockey or basketball, the Alderman asked for information as to the ownership of the aforementioned piece of property. In this context, he suggested that if the City is found to be whole or part owner, consideration could be given to installing a sports pad on this site.

**Question Alderman Adams Re:  
Licensing of Pawn Shops**

Alderman Adams noted that he had recently heard a report that, shortly after the announcement that a casino operation would be locating in the City of Windsor, Ontario, there had been a marked increase in the number of pawn shop establishments.

The Alderman pointed to the fact that the question of "casinos" is currently under review by the City of Halifax, and strongly recommended that Council take a proactive approach to the problems caused by gambling addictions by instituting a temporary moratorium on the issuance of pawn shop licenses. He went on to suggest that staff could utilize the timeframe provided by such a moratorium to develop more effective guidelines pertaining to the operation of pawn shop establishments.

**Question Alderman Adams Re:  
"Halifax First" Policy**

Alderman Adams made reference to remarks put forward earlier (under Agenda Item 10.13, "Lease of City Vehicles") regarding the implementation of a "Halifax First" policy as it would relate to the City's tendering procedures. In this context, the Alderman requested that staff be asked to identify those Halifax businesses who deal in only one product, noting, as an example, the Coca-Cola establishment on Lady Hammond Road. He suggested that, as part of a "Halifax First" policy, various City contracts could be examined as to the potential for using one of those



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businesses/products so that when the time came for contract renewal, those operations would be given preferential treatment.

On another but related matter, Alderman Adams indicated that it was his understanding that the Volvo company also produced truck motors. He suggested that staff be asked to approach local company representatives to ascertain whether these motors could be made at the Halifax plant, and, if so, perhaps consideration could be given to purchasing a number of these motors for installation in City vehicles.

**Question Alderman Adams Re: Summer Meetings**

Alderman Adams made reference to the fact that, compared to the Senate or the Provincial Legislature, Halifax City Council has a summer vacation period of only two weeks, with another brief recess in mid-December. The Alderman went on to suggest that consideration be given to rearranging Council's annual schedule so that no meetings are held during the month of August, adding that, in his view, the City would not be ill-served by a recess of this duration.

Alderman Holland concurred with the suggestion put forward by Alderman Adams regarding additional "breaks" for members of City Council, and recommended that, in addition, consideration be given to providing a recess every three months to coincide with Council's traditional 13-week schedule.

**Question Alderman Holland Re:  
MT&T Advertising Campaign**

Alderman Holland advised that as he had been somewhat offended by the use of an overweight police officer in a recent advertising campaign sponsored by Maritime Tel & Tel, he had written a letter of complaint to the company. He went on to note that an apology had subsequently been received from Mr. Ivan E. H. Duvar, Chairman of the Board and President, and therefore asked that a copy of this letter be forwarded by the City Clerk to the Chief of Police for distribution to members of the Halifax Police Department.

**Question Alderman Stone Re:  
Possible Encroachments - Bedford Highway**

Alderman Stone reported that he had received several calls concerning a number of parked cars and trucks that appear to be encroaching on the Bedford Highway in the vicinity of the Fishermen's Market and a used-car lot called "The Coachman." Noting that some of these vehicles have been

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parked in this location for a considerable period of time, Alderman Stone asked that staff, either from the City's Inspection Services Division or from the Halifax Police Department, investigate the situation and submit a report.

**Question Alderman Stone Re: Mainland Common**

Alderman Stone advised that during a recent community meeting, it had been brought to his attention that Soccer Nova Scotia had submitted a proposal to City staff quite some time ago with regard to one of the facilities proposed for the Mainland Common.

Emphasizing that he had not previously been aware of this submission, Alderman Stone asked for information from staff as to when this proposal was forwarded to them and when it will be referred to City Council for consideration.

**Question Alderman Stone Re:  
Stop Sign - Montgomery Court**

Alderman Stone indicated that it had been his understanding that staff would be taking steps to install a stop sign on Montgomery Court at its intersection with Farnham Gate Road. Noting that "no parking" signs had been erected on one side of that street, the Alderman asked for information as to when he might expect the stop sign to be installed.

**Question Alderman Stone Re:  
Stop Signs - Kilbirnie Lane and Turnberry Lane**

Alderman Stone advised that Langbrae Drive is now in the process of being connected with Chelton Woods Lane, and suggested that, as a result of that step, there will be increased traffic volumes on Langbrae Drive. In this context, the Alderman asked that staff examine the intersections of Kilbirnie Lane/Langbrae Drive and of Turnberry Lane/Langbrae Drive as to whether, in their opinion, stop signs at these locations are warranted.

**Question Alderman Hanson Re: Entrance  
to the City (St. Margaret's Bay Road)**

Alderman Hanson made reference to the sign on the St. Margaret's Bay Road which indicates the Halifax City limits, and asked if staff of the Parks and Grounds Division could be requested to take steps to make this area more attractive through the addition of floral arrangements or other greenery.

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**Question Alderman Crowley Re:  
Questions Raised at City Council Meetings**

Alderman Crowley asked that staff review the questions she has raised at City Council meetings over the last several months, both in terms of those matters to which a response has been received and of those which are still outstanding.

**Question Alderman Crowley Re:  
Improvements - Recreational Fields (Ward 11)**

Alderman Crowley asked that staff provide her with project plans pertaining to work scheduled for all of the three main recreational fields in Ward 11, including anticipated completion dates and any changes in these timeframes or in the scope of the work originally proposed. The Alderman went on to express concern that delays might have occurred of which she is not aware, adding that she would greatly appreciate being kept abreast of the progress being made.

**Question Alderman Crowley Re:  
Street Pavings/Sidewalk Renewals (Ward 11)**

Alderman Crowley indicated that she would appreciate receiving from staff a regular update concerning street pavings and sidewalk renewals (i.e., those over 75 percent deficient) as they pertain to Ward 11, adding that she is particularly interested in being advised of any changes in projected completion dates.

**Question Alderman Downey Re:  
Closure - Metropolitan Store (Gottingen Street)**

Alderman Downey made reference to a letter forwarded to City staff by a Mr. Simon representing the Metropolitan Store on Gottingen Street. In his remarks, the Alderman indicated that it was his understanding that, as the Metropolitan is scheduled to relocate, Mr. Simon had made an offer to the City for the use of the store facility.

Alderman Downey asked for information as to when a report on this matter will be submitted for Council's consideration.

**Question Alderman Downey Re:  
Site of Former Casino Theatre (Gottingen Street)**

Alderman Downey made reference to the fact that a new building is about to open on that side of Gottingen

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Street opposite to the location of the former Casino Theatre. Emphasizing that the condition of the theatre building is, in his opinion, detrimental to the attractiveness of the surrounding streetscape, the Alderman asked that staff be directed to contact the owners of that property to see if steps could be taken to improve its appearance.

**Question Alderman Downey Re:  
Street Repairs/Improvements**

Alderman Downey noted that over the last several weeks when repairs have been commenced on various major City arteries, he has received a number of complaints from motorists regarding traffic congestion, etc. The Alderman asked for comment from staff as to whether steps could be taken to schedule this work differently so that there would be less impact on normal traffic flows.

**Question Alderman Downey Re:  
Repairs to Grand Parade**

Alderman Downey made reference to information he had recently received from the Director of Engineering and Works regarding the work now underway on the Grand Parade. The Alderman pointed out that it was his understanding that approximately \$50,000 originally budgeted for this project had not been used, and asked if these funds (in addition to those which are now being used during 1993/94 to repair the seawall at Historic Properties) could not be applied to road-resurfacing projects.

**Question Alderman Downey Re:  
Janitorial Services - Halifax District School Board**

Alderman Downey asked for information regarding the decision by the Halifax District School Board to tender its janitorial services, particularly from the perspective of its impact on existing workers.

**10:25 p.m. - Alderman Bill Stone assumes the Chair, with Deputy Mayor Fitzgerald resuming his usual seat on Council.**

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

Referring to the question previously put forward by Alderman Downey, Alderman Holland asked for information as to the amount which the Board intends to save as a result of the decision to tender janitorial services and, as well,

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the amount by which the City's contribution to the Board should subsequently be reduced.

In this same context, the Alderman made reference to the proposal that the Tower Road School be closed, and asked for a report from staff as to the impact of that decision on the cost-sharing arrangements between the City and the School Board.

**Question Alderman Holland Re:  
Ward Boundary Changes - Wards One and Two**

Alderman Holland indicated that he would appreciate receiving staff comment on the implications of retaining the boundary between Wards One and Two as it presently is.

**Question Deputy Mayor Fitzgerald Re: Pigeons**

Deputy Mayor Fitzgerald reported that, as in the past, he is again receiving numerous complaints about the damage and other difficulties caused by pigeons. Noting that the Board of Health appears to have no jurisdiction in this regard, the Deputy Mayor asked that the City Manager and/or the City Solicitor examine "innovative" methods by which the pigeon problem in the City might be controlled.

**Question Deputy Mayor Fitzgerald Re: Demolition Permits**

Deputy Mayor Fitzgerald asked that consideration be given to requiring that, during the application process for a demolition permit, the contractor provide details as to where he proposes to deposit the debris.

**Question Deputy Mayor Fitzgerald Re:  
Former Halifax Infirmary Annex**

Deputy Mayor Fitzgerald asked to be provided with a progress report regarding the former Halifax Infirmary Annex building on Barrington Street.

**Question Deputy Mayor Fitzgerald Re:  
Washroom Facilities - Conrose Field**

Deputy Mayor Fitzgerald made reference to the large number of children who regularly use Conrose Field to play baseball. Emphasizing that there are no washroom facilities of any kind associated with this field, the Deputy Mayor asked that staff investigate the feasibility of providing portable toilets at this site.



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10:30 p.m. - Her Worship Mayor Ducharme returns to the meeting, with Deputy Mayor Fitzgerald assuming his usual seat on Council.

NOTICES OF MOTION

**Notice of Motion Alderman Adams Re:  
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, 15 July 1993**, he proposes to introduce for First Reading an amendment to Ordinance 116, the City's Taxi and Limousine Ordinance.

The purpose of the proposed amendment is to increase the tuition fee relevant to the Halifax Taxi Commission's driver education course.

ADDED ITEMS

**File #913473: Paper Towels  
and Toilet Tissue**

A staff report, dated 24 June 1993, was submitted.

MOVED by Alderman Holland, seconded by Alderman Adams that, with reference to File #913473 (Paper Towels and Toilet Tissue), authority be granted to issue Price Agreements to the lowest bidder for each product as listed in the staff report dated 24 June 1993 (funds to be made available from various account numbers).

The motion was put and passed.

**Award of Tender #93-139: One (1)  
Unix-Based Server (Supply and Install)  
for Social Planning Community**

A staff report, dated 25 June 1993, was submitted.

MOVED by Alderman Adams, seconded by Alderman Hanson that, with reference to Tender #93-139 for one (1) Unix-Based Server (supply and install) for the Social Planning Community Assistance Services Information System, authority be granted to place this order with **Integrated Open Systems** (funds to be made available from Account Number 42654, entitled "Social Planning Accrual").

The motion was put and passed.

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**Demolition - Portion of St. Andrew's  
School, 6955 Bayers Road (Halifax)**

A staff report, dated 23 June 1993, was submitted.

MOVED by Alderman Crowley, seconded by Alderman Stone that authority be granted to award the tender for the demolition of a portion of St. Andrew's School, 6955 Bayers Road, Halifax, to **Maritime Excavators** for a price of \$43,623.90 (funds to be made available in Account Number 22417.0082.51401 titled "Demolition S/C - Property Maintenance: 6955 Bayers Road, St. Andrew's School").

The motion was put and passed.

**Award of Tender #93-20:  
Oxford School Playground Improvements**

A staff report, dated 25 June 1993, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Holland that authority be granted to award Tender #93-20 (Oxford School Playground Improvements) to **Dexter Construction Ltd.** for the unit prices quoted, at a total bid price of \$35,464.00 and a total project cost of \$43,000.00 (funding to be authorized from Account Number 97021).

The motion was put and passed.

**Award of Tender #93-113: Street Improvement  
Program - North Park Street (B/S): Cunard-Cogswell**

A staff report, dated 28 June 1993, was submitted.

MOVED by Alderman Downey, seconded by Alderman Holland that authority be granted to award Tender #93-113 (Street Improvement Program - North Park Street, B/S, Cunard - Cogswell) to **Basin Contracting Ltd.** for the unit prices quoted, a bid price of \$258,385.00, and a total project cost of \$310,062.00 (funding to be authorized from Account Number 91406 - Streets Improvement Program).

The motion was put and passed.

**Award of Tender #93-102:  
Kane Street (Paving Renewal)**

A staff report, dated 25 June 1993, was submitted.

MOVED by Alderman O'Malley, seconded by Alderman Downey that authority be granted to award Tender #93-102 for

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the paving renewal, sidewalk, curb and gutter on Kane Street (Agricola - Robie) to **Dexter Construction Ltd.** at the unit prices quoted, a bid price of \$152,704.80 and a total project cost of \$169,000.00 (funding to be authorized from Account No. 91414).

The motion was put and passed.

**Metropolitan Authority - Solid  
Waste Disposal (Deputy Mayor Fitzgerald)**

This matter had been added to the agenda at the request of Deputy Mayor Fitzgerald who expressed concern that in the years to come the City's contribution to the waste management process will undoubtedly constitute a major percentage of its annual budget.

Under the circumstances, therefore, the Deputy Mayor asked for a report from the City's Director of Finance (to be submitted as quickly as possible) as to the projected current and capital costs associated with this venture, its anticipated long-term implications for the City of Halifax and its taxpayers, and the kinds of materials that are intended to be burned in the incinerator.

**The Hydrostone Market (5515-5547 Young  
Street (Alderman O'Malley)**

This matter had been added to the agenda at the request of Alderman O'Malley who brought to Council's attention that extensive renovations have been carried out over the last several months to the Hydrostone Market at 5515-5547 Young Street. The Alderman went on to note that the developer of this project (in a submission dated 16 June 1993) has identified several areas in which assistance from the City would be appreciated, particularly in terms of parking, green space and certain upgrading requirements.

It was therefore moved by Alderman O'Malley,  
seconded by Alderman Stone that:

- (a) the submission from LAREX Properties Inc. and Businesses of the Hydrostone Market, dated 16 June 1993, be tabled; and that
- (b) City staff, particularly those of the Engineering and Works Department, the Parks and Grounds Division, and the Traffic Authority, be asked to make recommendation on that submission as to what the City of Halifax might do to accommodate the Hydrostone Market in this regard.

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.

HER WORSHIP MAYOR MOIRA DUCHARME  
DEPUTY MAYOR WALTER FITZGERALD  
ALDERMAN BILL STONE  
CHAIRMEN

E. A. KERR, CMC  
CITY CLERK

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